

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **Senate Bill 123**

By Senator Clements

[Introduced February 12, 2025; referred  
to the Committee on Transportation and  
Infrastructure; and then to the Committee on Finance]

1 A BILL to amend and reenact §17-3-2 of the Code of West Virginia, 1931, as amended, relating to  
2 the use of the State Road Fund for state road purposes.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE                    3.                    STATE                    ROAD                    FUND.**

**§17-3-2. Payment of state road costs from moneys received by ~~commission~~ commissioner.**

1            The cost and expense of the construction, reconstruction, improvement, or maintenance of  
2 all state roads and other authorized state road purposes shall be paid out of any moneys received  
3 by or appropriated to the ~~state road commission for that purpose~~ commissioner of the Division of  
4 Highways for those purposes. Notwithstanding any provision of this code to the contrary, the  
5 commissioner of the Division of Highways has the authority to transfer funds within the state road  
6 fund to meet the obligations and uses authorized for the fund.

7            The Division of Highways shall report annually to the Governor and to the Joint Committee  
8 on Government and Finance on all uses of such authority to transfer funds, including the name of  
9 funds from which and into which money is transferred; the amounts transferred; the date of such  
10 transfers; the reasons and need for such transfers; and, if a return transfer is expected, the  
11 estimated date of such transfer.

NOTE: The purpose of this bill is to authorize the commissioner of the Division of Highways to realign spending as needed within the State Road Fund to more efficiently operate the division. The bill also cleans up outdated terms.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.