

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 4126**

By Delegate Riley

[Introduced January 14, 2026; referred to the  
Committee on Finance]

1 A BILL amend and reenact §20-5A-1 of the Code of West Virginia, 1931, as amended, relating to  
2 modifying the funding distribution of royalties received from certain state-owned gas, oil,  
3 and other mineral rights to the West Virginia State Parks and Recreation Endowment Fund  
4 and the State Parks Operation Fund.

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

## **ARTICLE 5A. STATE PARKS AND RECREATION ENDOWMENT FUND.**

### **§20-5A-1. Establishment of fund; deposits; expenditures; investments; use of fund for the**

|              |              |                    |             |                  |                 |
|--------------|--------------|--------------------|-------------|------------------|-----------------|
| <b>State</b> | <b>Parks</b> | <b>Enhancement</b> | <b>Loan</b> | <b>Insurance</b> | <b>Program.</b> |
|--------------|--------------|--------------------|-------------|------------------|-----------------|

1 (a) There is created in the office of the State Treasurer a special revenue account fund to  
2 be known as the West Virginia State Parks and Recreation Endowment Fund.

3 (b) The following shall be deposited into the fund:

4 (1) The Fifty percent of the royalties received from the leasing of state-owned gas, oil, and  
5 other mineral rights beneath the Ohio River and its tributaries with the other 50 percent of those  
6 royalites being deposited into the State Parks Operational Fund: *Provided*, That if the balance of  
7 the endowment fund reaches or exceeds \$100 million, 100 percent of the royalties received from  
8 the leasing of state-owned gas, oil, and other mineral rights beneath the Ohio river and its  
9 tributaries shall be deposited into the State Parks Operational Fund. If the balance of the fund  
10 recedes below \$100 million, 50 percent of the royalties will resume being deposited in the fund;  
11 and

12 (2) The proceeds of any gifts, grants, contributions, or other moneys accruing to the state  
13 which are specifically designated for inclusion in the fund.

14 (c) Expenditures from the fund shall be for the purposes set forth in this section and are to  
15 be made in accordance with appropriation of the Legislature under the provisions of §12-3-1 *et*  
16 *seq.* of this code, and in compliance with the provisions of §11B-2-1 *et seq.* of this code: *Provided*,  
17 That income accruing from investments of the fund pursuant to this article shall be distributed or  
18 expended for either of the following purposes:

19           (1) Maintenance, repair, and improvement of any existing recreational facilities, including  
20 any supporting or related infrastructure and associated recreational features, all to provide  
21 uninterrupted enjoyment and public use of state parks, state forests, and state rail trails.

22           (2) Maintenance, repair, and procurement of any fixture, furnishing, and equipment  
23 necessary to provide uninterrupted enjoyment and public use of state parks, state forests, and  
24 state rail trails.

25           (d) The board of trustees established pursuant to this article shall invest the assets of the  
26 fund consistent with the provisions of §12-6-1 of this code. The board may accumulate investment  
27 income of the fund within the fund until the income, in the sole judgment of the board, can provide a  
28 significant supplement to the budget of the Division of Natural Resources. After that time, the  
29 board may direct expenditures from the income for the purposes set forth in this section.

30           (e) Notwithstanding any other provision of this article to the contrary, the assets of the fund  
31 may be used by the board of trustees to facilitate or provide collateral for the State Parks  
32 Enhancement Loan Insurance Program established in §20-5A-3 of this code: *Provided*, That no  
33 amount of the fund's income from investments may be used to provide loan insurance.

NOTE: The purpose of this bill is to modify the funding distribution to the West Virginia State Parks and Recreation Endowment Fund and the State Parks Operation Fund as it relates to royalties received from beneath the Ohio River and its tributaries.

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