

# **WEST VIRGINIA LEGISLATURE**

**2026 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 4126**

BY DELEGATE RILEY

[Passed March 10, 2026; in effect July 1, 2026]



1 AN ACT amend and reenact §20-5A-1 of the Code of West Virginia, 1931, as amended, relating  
2 to the distribution of royalties received from certain state-owned gas, oil, and other mineral  
3 rights.

*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  
State Parks Enhancement Loan Insurance Program.**

1 (a) There is continued in the office of the State Treasurer a special revenue account fund  
2 to 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 royalties received from the leasing of state-owned gas, oil, and other mineral rights  
5 beneath the Ohio River and its tributaries; and

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

8 (c) The board of trustees established pursuant to this article shall invest the assets of the  
9 fund consistent with the provisions of §12-6-1 of this code.

10 (d) Expenditures from the fund shall be for the purposes set forth in this section and are  
11 to be made in accordance with appropriation of the Legislature under the provisions of §12-3-1 *et*  
12 *seq.* of this code, and in compliance with the provisions of §11B-2-1 *et seq.* of this code as follows:

13 (1) Income accruing from investments of the fund pursuant to this article shall be  
14 distributed or expended at the direction of the board for either of the following purposes: (A)  
15 Maintenance, repair, and improvement of any existing recreational facilities, including any  
16 supporting or related infrastructure and associated recreational features, all to provide  
17 uninterrupted enjoyment and public use of state parks, state forests, and state rail trails.

18 (B) Maintenance, repair, and procurement of any fixture, furnishing, and equipment  
19 necessary to provide uninterrupted enjoyment and public use of state parks, state forests, and  
20 state rail trails.

21 (2) Notwithstanding the provisions of §5A-11-3(a), on and after July 1, 2026, fifty percent  
22 of the royalties received from the leasing of state-owned gas, oil, and other mineral rights beneath  
23 the Ohio River and its tributaries deposited into the fund shall be distributed or expended for the  
24 operation, maintenance and improvement of the state parks, state forests and state rail trails by  
25 the director: *Provided*, That when the balance in the fund equals or exceeds \$100 million, one  
26 hundred percent of the royalties received from the leasing of state-owned gas, oil, and other  
27 mineral rights beneath the Ohio River and its tributaries deposited into the fund shall be distributed  
28 or expended for the operation, maintenance and improvement of the state parks, state forests  
29 and state rail trails by the director: *Provided, however*, That if the balance in the fund is less than  
30 \$100 million, the amount of the royalties received from the leasing of state-owned gas, oil, and  
31 other mineral rights beneath the Ohio River and its tributaries that may be distributed or expended  
32 for the operation, maintenance and improvement of the state parks, state forests and state rail  
33 trails shall be reduced to fifty percent until such time as the balance equals or exceeds \$100  
34 million.

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

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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*Clerk of the House of Delegates*

.....  
*Clerk of the Senate*

Originated in the House of Delegates.

In effect July 1, 2026.

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within is ..... this the.....  
Day of ....., 2026.

.....  
*Governor*