

**Senate Bill No. 265**

(By Senators Cole (Mr. President) and Kessler,

By Request of the Executive)

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[Introduced January 20, 2015; referred to the Committee on Finance.]  
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**FISCAL  
NOTE**

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9 A BILL to amend and reenact §29-22-18d of the Code of West Virginia, 1931, as amended, relating  
10 to reducing distributions to the West Virginia Infrastructure Fund to \$30 million for fiscal  
11 year 2016 and increasing the percentage of funds available for grants therefrom.

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

13 That §29-22-18d of the Code of West Virginia, 1931, as amended, be amended and reenacted  
14 to read as follows:

15 **ARTICLE 22. STATE LOTTERY ACT.**

16 **§29-22-18d. Increase in allocation to West Virginia Infrastructure Fund from State Excess**  
17 **Lottery Revenue Fund.**

18 Notwithstanding any provision of subsection (d), section eighteen-a of this article to the  
19 contrary, the deposit of \$40 million into the West Virginia Infrastructure Fund set forth above is for  
20 the fiscal year beginning July 1, 2010, only. For the fiscal year beginning July 1, 2011, and each  
21 fiscal year thereafter, in lieu of the deposits required under subdivision (5), subsection (d), section

1 eighteen-a of this article, the commission shall, first, deposit \$6 million into the West Virginia  
2 Infrastructure Lottery Revenue Debt Service Fund created in subsection (h), section nine, article  
3 fifteen-a, chapter thirty-one of this code, to be spent in accordance with the provisions of that  
4 subsection, and, second deposit \$40 million into the West Virginia Infrastructure Fund created in  
5 subsection (a), section nine, article fifteen-a, chapter thirty-one of this code, to be spent in  
6 accordance with the provisions of that article: *Provided*, That for the fiscal year beginning July 1,  
7 2014, the deposit to the West Virginia Infrastructure Fund shall be \$20 million: *Provided, however*,  
8 That notwithstanding the provisions of subsection (a), section ten, article fifteen-a, chapter thirty-one  
9 of this code, for the fiscal year beginning July 1, 2014, any moneys disbursed from the West Virginia  
10 Infrastructure Fund in the form of grants ~~shall~~ may not exceed fifty percent of the total funds  
11 available for the funding of projects: *Provided further*, That for the fiscal year beginning July 1,  
12 2015, the deposit to the West Virginia Infrastructure Fund shall be \$30 million: *And provided*  
13 *further*, That notwithstanding the provisions of subsection (a), section ten, article fifteen-a, chapter  
14 thirty-one of this code, for the fiscal year beginning July 1, 2015, any moneys disbursed from the  
15 West Virginia Infrastructure Fund in the form of grants may not exceed fifty percent of the total  
16 funds available for the funding of projects.

NOTE: The purpose of this bill is to reduce the deposit of excess lottery proceeds into the Infrastructure Fund from \$40 million to \$30 million for fiscal year 2016 and to increase the percentage of such funds in the Infrastructure Fund which may be used to make grants from twenty percent to fifty percent for fiscal year 2016.

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