

COMMITTEE SUBSTITUTE

for

**H. B. 2571**

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(BY DELEGATE(S) WALTERS AND FOSTER)

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(Originating in the House Committee on Finance)

[February 23, 2015]

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A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-2A-8d, relating generally to road repair; creating a special fund for contributions by private businesses or entities; allowing contributing entities to designate which repairs will be made with the contribution; providing for acknowledgment of contributions; authorizing rulemaking.

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

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §17-2A-8d to read as follows:

**ARTICLE 2A. WEST VIRGINIA COMMISSIONER OF HIGHWAYS.**

**§17-2A-8d. Authority to create a special fund for minor road repairs; contributions by private entities; repairs to be made by the Division of Highways.**

1       (a) Notwithstanding any provision of this code or law to the  
2 contrary, the Commissioner is authorized to receive  
3 contributions from private businesses and entities for minor road  
4 repairs in accordance with this section. The commissioner shall  
5 create a special account within the State Road Fund to be  
6 expended solely for the purpose of making minor road repairs on  
7 any county or state road or highway. This special fund shall be  
8 a special revenue account, and may be invested and retain all  
9 earnings and interest. The fund shall be made up of  
10 contributions, gifts, grants or donations, as well as any  
11 appropriated funds.

12       (b) Private businesses or entities may contribute to the  
13 special fund and may designate which minor repair project will  
14 be completed from the contribution of that private business or

15 entity in a given county or state road or highway. The private  
16 business or private individual may receive acknowledgment of  
17 the contribution toward the minor road repair by letter from the  
18 commissioner. All repairs shall be performed by the Division of  
19 Highways.

20 (c) The commissioner shall promulgate rules for legislative  
21 approval to carry out the provisions of this section. The rules  
22 shall define what constitutes a minor road repair and set a  
23 maximum dollar amount on the cost of the minor repair that may  
24 be completed with the fund. The commissioner shall also  
25 prescribe the manner of acknowledgment by rule.

