

# WEST VIRGINIA LEGISLATURE

## 2016 REGULAR SESSION

Introduced

### House Bill 2864

FISCAL  
NOTE

2015 Carryover

(BY DELEGATE MCGEEHAN)

[Introduced January 13, 2016; referred to the  
Committee on Finance.]

1 A BILL to repeal §29-22A-10d, §29-22A-10e, §29-22A-10f, §29-22C-27a and §29-25-22b of the  
 2 Code of West Virginia, 1931, as amended; and to amend and reenact §29-22-18d of said  
 3 code, all relating to the transfer of certain revenues derived from lottery activities generally,  
 4 restoring distribution to the West Virginia Infrastructure Fund to 2013 rates and decreasing  
 5 the funds available for grants therefrom; restoring the amount that may be transferred to  
 6 the Racetrack Modernization Fund to 2013 rates; eliminating certain statutory distributions  
 7 to the State Excess Lottery Revenue Fund; restoring statutory distributions to capital  
 8 reinvestment, purse funds and development funds to 2013 rates; and eliminating the  
 9 statutory authorization for distributions to be paid on a pro rata basis.

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

1 That §29-22A-10d, §29-22A-10e, §29-22A-10f, §29-22C-27a and §29-25-22b of the Code  
 2 of West Virginia, 1931, as amended, be repealed; and that §29-22-18d of said code be amended  
 3 and reenacted, all to read as follows:

**ARTICLE 22. STATE LOTTERY ACT.**

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

1 Notwithstanding any provision of subsection (d), section eighteen-a of this article to the  
 2 contrary, the deposit of \$40 million into the West Virginia Infrastructure Fund set forth above is for  
 3 the fiscal year beginning July 1, 2010, only. For the fiscal year beginning July 1, ~~2014~~ 2015, and  
 4 each fiscal year thereafter, in lieu of the deposits required under subdivision (5), subsection (d),  
 5 section eighteen-a of this article, the commission shall, first, deposit \$6 million into the West  
 6 Virginia Infrastructure Lottery Revenue Debt Service Fund created in subsection (h), section nine,  
 7 article fifteen-a, chapter thirty-one of this code, to be spent in accordance with the provisions of  
 8 that subsection, and, second deposit \$40 million into the West Virginia Infrastructure Fund created

9 in subsection (a), section nine, article fifteen-a, chapter thirty-one of this code, to be spent in  
10 accordance with the provisions of that article. ~~Provided, That for the fiscal year beginning July~~  
11 ~~1, 2014, the deposit to the West Virginia Infrastructure Fund shall be \$20 million: Provided~~  
12 ~~however, That notwithstanding the provisions of subsection (a), section ten, article fifteen-a,~~  
13 ~~chapter thirty-one of this code, for the fiscal year beginning July 1, 2014, any moneys disbursed~~  
14 ~~from the West Virginia Infrastructure Fund in the form of grants shall not exceed fifty percent of~~  
15 ~~the total funds available for the funding of projects.~~

NOTE: The purpose of this bill is to restore distribution to the West Virginia Infrastructure Fund to 2013 rates; restore the amount that may be transferred to the Racetrack Modernization Fund to 2013 rates and decrease the funds available for grants therefrom; eliminate certain statutory distributions to the State Excess Lottery Revenue Fund; restore statutory distributions to capital reinvestment, purse funds and development funds to 2013 rates; and eliminate the statutory authorization for distributions to be paid on a pro rata basis.

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