

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 2168

BY DELEGATE MCGEEHAN

[Introduced February 10, 2021; Referred to the
Committee on Finance]

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

Be it enacted by the Legislature of West Virginia:

ARTICLE 22A. RACETRACK VIDEO LOTTERY.

§1. Repeal of sections relating to changes in distribution of net terminal income, excess net terminal income, surcharge; distributions from excess lottery fund.

1 That § 29-22A-10d, §29-22A-10e, and § 29-22A-10f of the Code of West Virginia, 1931,
 2 as amended, are repealed.

ARTICLE 22C. WEST VIRGINIA LOTTERY RACETRACK TABLE GAMES ACT.

§1. Repeal of section relating to changes in distribution of adjusted gross receipts; distributions from excess lottery fund.

1 That § 29-22C-27a of the Code of West Virginia, 1931, as amended, be repealed.

ARTICLE 25. AUTHORIZED GAMING FACILITY.

§1. Repeal of section relating to changes in distribution of adjusted gross receipts and additional income; distributions from excess lottery fund.

1 That § 29-25-22b of the Code of West Virginia, 1931, as amended, be repealed.

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 18a of this article to the contrary,
2 the deposit of \$40 million into the West Virginia Infrastructure Fund set forth above is for the fiscal
3 year beginning July 1, 2010, only. For the fiscal year beginning July 1, 2014 2021 and each fiscal
4 year thereafter, in lieu of the deposits required under subdivision (5), subsection (d), section 18a
5 of this article, the commission shall, first, deposit \$6 million into the West Virginia Infrastructure
6 Lottery Revenue Debt Service Fund created in, §31-15A-9(h), of this code, to be spent in
7 accordance with the provisions of that subsection and, second, deposit \$40 million into the West
8 Virginia Infrastructure Fund created in, §31-15A-9(a) of this code, to be spent in accordance with
9 the provisions of that article. ~~Provided, That for the fiscal year beginning July 1, 2014, the deposit~~
10 ~~to the West Virginia Infrastructure Fund shall be \$20 million: Provided, however, That~~
11 ~~notwithstanding the provisions of subsection (a), section ten, article fifteen-a, chapter thirty-one~~
12 ~~of this code, for the fiscal year beginning July 1, 2014, any moneys disbursed from the West~~
13 ~~Virginia Infrastructure Fund in the form of grants may not exceed fifty percent of the total funds~~
14 ~~available for the funding of projects: Provided further, That for the fiscal year beginning July 1,~~
15 ~~2015, the deposit to the West Virginia Infrastructure Fund shall be \$30 million: And provided~~
16 ~~further, That notwithstanding the provisions of subsection (a), section ten, article fifteen-a, chapter~~
17 ~~thirty-one of this code, for the fiscal year beginning July 1, 2015, any moneys disbursed from the~~
18 ~~West Virginia Infrastructure Fund in the form of grants may not exceed fifty percent of the total~~
19 ~~funds available for the funding of projects: And provided further, That for the fiscal year beginning~~
20 ~~July 1, 2016, the deposit to the West Virginia Infrastructure Fund shall be \$20 million: And~~
21 ~~provided further, That notwithstanding the provisions of subsection (a), section ten, article fifteen-~~
22 ~~a, chapter thirty-one of this code, for the fiscal year beginning July 1, 2016, any moneys disbursed~~
23 ~~from the West Virginia Infrastructure Fund in the form of grants may not exceed fifty percent of~~
24 ~~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 a heading or the present law and underscoring indicates new language that would be added.