

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4462

By Delegate McGeehan

[Introduced January 10, 2024; Referred
to the Committee on Finance]

1 A BILL to amend and reenact §29-22-18d of the Code of West Virginia, 1931; to repeal §29-22A-
 2 10d, §29-22A-10e, and §29-22A-10f of said code; to repeal §29-22C-27a of said code; and
 3 to repeal §29-25-22b of said code, all relating to the transfer of certain revenues derived
 4 from lottery activities generally, restoring distribution to the West Virginia Infrastructure
 5 Fund to 2013 rates and decreasing the funds available for grants therefrom; restoring the
 6 amount that may be transferred to the Racetrack Modernization Fund to 2013 rates;
 7 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 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 §29-22-18a of this code to the contrary, the deposit of \$40
 2 million into the West Virginia Infrastructure Fund set forth above is for the fiscal year beginning July
 3 1, 2010, only. For the fiscal year beginning July 1, ~~2014~~ 2024 and each fiscal year thereafter, in lieu
 4 of the deposits required under §29-22-18a(d)(5) of this code, the commission shall, first, deposit
 5 \$6 million into the West Virginia Infrastructure Lottery Revenue Debt Service Fund created in §31-
 6 15A-9(h) of this code, to be spent in accordance with the provisions of that subsection and,
 7 second, deposit \$40 million into the West Virginia Infrastructure Fund created in, §31-15A-9(a) of
 8 this code, to be spent in accordance with the provisions of that article. ~~Provided, That for the fiscal~~
 9 ~~year beginning July 1, 2014, the deposit to the West Virginia Infrastructure Fund shall be \$20~~
 10 ~~million: Provided, however, That notwithstanding the provisions of subsection (a), section ten,~~
 11 ~~article fifteen-a, chapter thirty-one of this code, for the fiscal year beginning July 1, 2014, any~~
 12 ~~moneys disbursed from the West Virginia Infrastructure Fund in the form of grants may not exceed~~

13 ~~fifty percent of the total funds available for the funding of projects: *Provided further*, That for the~~
 14 ~~fiscal year beginning July 1, 2015, the deposit to the West Virginia Infrastructure Fund shall be \$30~~
 15 ~~million: *And provided further*, That notwithstanding the provisions of subsection (a), section ten,~~
 16 ~~article fifteen-a, chapter thirty-one of this code, for the fiscal year beginning July 1, 2015, any~~
 17 ~~moneys disbursed from the West Virginia Infrastructure Fund in the form of grants may not exceed~~
 18 ~~fifty percent of the total funds available for the funding of projects: *And provided further*, That for~~
 19 ~~the fiscal year beginning July 1, 2016, the deposit to the West Virginia Infrastructure Fund shall be~~
 20 ~~\$20 million: *And provided further*, That notwithstanding the provisions of subsection (a), section~~
 21 ~~ten, article fifteen-a, chapter thirty-one of this code, for the fiscal year beginning July 1, 2016, any~~
 22 ~~moneys disbursed from the West Virginia Infrastructure Fund in the form of grants may not exceed~~
 23 ~~fifty percent of the total funds available for the funding of projects~~

ARTICLE 22A. RACETRACK VIDEO LOTTERY.

§29-22A-10d. Changes in distribution of net terminal income; distributions from excess lottery fund.

1 [Repealed.]

§29-22A-10e. Changes in distribution of excess net terminal income; distributions from excess lottery fund.

1 [Repealed.]

§29-22A-10f. Changes in distribution of surcharge.

2 [Repealed.]

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

§29-22C-27a. Changes in distribution of adjusted gross receipts; distributions from excess lottery fund.

1 [Repealed.]

ARTICLE 25. AUTHORIZED GAMING FACILITY.

**§29-25-22b. Changes in distribution of adjusted gross receipts and additional income;
distributions from excess lottery fund.**

1 [Repealed.]

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.