WEST virginia legislature

2024 regular session

**FISCAL NOTE**

Introduced

House Bill 4870

By Delegates Hardy, Criss, Heckert, Mallow, Hite, Jennings, Shamblin, Espinosa, Hornby, Kelly, and Toney

[Introduced January 17, 2024; Referred to the Committee on Finance]

A BILL to amend and reenact §29-26-6 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §29-26-7, all relating to allowing for a one-time allocation of money into the West Virginia courthouse facilities improvement fund for the purpose of allowing counties to apply for a state match for the construction, reconstruction, repair, maintenance, and improvement of courthouse facilities.

Be it enacted by the Legislature of West Virginia:

[ARTICLE 26. WEST VIRGINIA COURTHOUSE FACILITIES IMPROVEMENT AUTHORITY.](https://code.wvlegislature.gov/29-26/)

§29-26-6. The courthouse facilities improvement fund.

(a) There is hereby created in the State Treasury a special revenue account to be known as the "West Virginia courthouse facilities improvement fund." The West Virginia courthouse facilities improvement fund may receive any gifts, grants, contributions or other money from any source which is specifically designated for deposit in the fund.

(b) The authority shall undertake a study on the condition and state of need of every courthouse facility throughout the State of West Virginia, and shall determine the estimated cost of the improvements which are necessary to bring each facility into conformity with requirements outlined in this article. The authority shall submit to the Legislature, on or before January 1, 2002, a report which shall contain the estimate of the cost, a plan for the financing of the cost, and an estimated prioritized schedule for the implementation and financing of the improvements to be made pursuant to the provisions of this article.

(c) The moneys of the West Virginia courthouse facilities improvement fund shall be disbursed by the authority for the funding of approved modifications or construction of court facilities and to pay expenses of the authority in administering the provisions of this article.

(d) Any disbursements from the West Virginia courthouse facilities improvement fund allocated for approved modifications or construction of courthouse facilities may be made contingent upon local appropriations or gifts in money or in kind for the support of the modifications or construction.

(e) Nothing in this article may be construed to mandate funding for the West Virginia court facilities improvement fund or to require any appropriation by the Legislature, notwithstanding the provisions set forth in §29-26-7 of this article.

§29-26-7. Matching funds with counties for the construction, reconstruction, repair, maintenance, and improvement of courthouse facilities.

(a) There is hereby allocated the one-time amount of $30 million to be deposited in the West Virginia courthouse facilities improvement fund within the State Treasury for the purpose of allowing counties to apply for matching funds.

(b) When the authority determines that there are funds available for the purpose of participating, on a matching fund basis, with the county court of one or more counties for the construction, reconstruction, repair, maintenance, and improvement of courthouse facilities within said county or counties, the authority shall, within its discretion, determine the amount the county court must deposit or place in escrow for matching purposes before the authority will commit any funds to a proposed project.

(c) The moneys of the West Virginia courthouse facilities improvement fund shall be disbursed by the authority as otherwise set forth in §29-26-6 of this article.

NOTE: The purpose of this bill is to allow for a one-time allocation of money into the West Virginia courthouse facilities improvement fund for the purpose of allowing counties to apply for a state match for the construction, reconstruction, repair, maintenance, and improvement of courthouse facilities.

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