

# WEST VIRGINIA LEGISLATURE

FISCAL  
NOTE

## 2024 REGULAR SESSION

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]

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

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

**ARTICLE 26. WEST VIRGINIA COURTHOUSE FACILITIES IMPROVEMENT  
 AUTHORITY.**

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

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

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

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

15 (d) Any disbursements from the West Virginia courthouse facilities improvement fund

16 allocated for approved modifications or construction of courthouse facilities may be made  
17 contingent upon local appropriations or gifts in money or in kind for the support of the modifications  
18 or construction.

19 (e) Nothing in this article may be construed to mandate funding for the West Virginia court  
20 facilities improvement fund or to require any appropriation by the Legislature, notwithstanding the  
21 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.**

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

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

10 (c) The moneys of the West Virginia courthouse facilities improvement fund shall be  
11 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.