

# WEST VIRGINIA LEGISLATURE

## 2020 REGULAR SESSION

**Enrolled**  
**Committee Substitute**  
**for**  
**Senate Bill 589**

SENATORS PREZIOSO, BALDWIN, BEACH, FACEMIRE,  
HARDESTY, IHLENFELD, JEFFRIES, LINDSAY, PALUMBO,  
PLYMALE, ROMANO, STOLLINGS, UNGER, AND WOELFEL,  
*original sponsors*

[Passed March 7, 2020; in effect 90 days from passage]

OFFICE OF THE CLERK  
SECRETARY OF STATE

2020 MAR 25 PM 3:53

FILED

SB589

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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

2020 MAR 25 P 3:53

FILED

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §31-15A-17c, relating to critical needs in state water and sewer systems;  
3 creating a Critical Needs/Failing Systems Sub Account; funding the sub account with  
4 excess uncommitted loan balances; authorizing loans or grants to address a critical  
5 immediate need of water or sewer services; and exempting the sub account from certain  
6 grant limitations.

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

**ARTICLE 15A. WEST VIRGINIA INFRASTRUCTURE AND JOBS DEVELOPMENT  
COUNCIL.**

**§31-15A-17c. Critical Needs and Failing Systems Sub Account.**

1 Notwithstanding any provision of this article to the contrary:

2 (a) The Water Development Authority shall establish a separate and segregated sub  
3 account in the Infrastructure Fund designated the Critical Needs and Failing Systems Sub  
4 Account into which the council may instruct the Water Development Authority to transfer from the  
5 uncommitted loan balances for each congressional district on June 30 each year up to \$4 million  
6 per congressional district.

7 (b) The council shall direct the Water Development Authority to make loans or grants from  
8 the Critical Needs and Failing Systems Sub Account when the council determines that a project  
9 will address a critical immediate need by:

10 (1) The continuation of water or wastewater services;

11 (2) Addressing water facility or wastewater facility failure due to the age of the facility or  
12 facilities; or

13 (3) Providing extensions to a water facility or wastewater facility that will add customers  
14 with a total project cost of less than \$1 million.

15           (c) Grant limitations and allocations contained in §31-15A-10(b) and §31-15A-10(c) of this  
16 code do not apply to grants made from the Critical Needs and Failing Systems Sub Account.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Mark W. Hayward*  
.....  
Chairman, Senate Committee

*Robert C. Byrd*  
.....  
Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

*Joe Lamm*  
.....  
Clerk of the Senate

*Steve Hovis*  
.....  
Clerk of the House of Delegates

*Nicholas B. Commey*  
.....  
President of the Senate

*Robert H. Henry*  
.....  
Speaker of the House of Delegates

FILED  
2020 MAR 25 P 3:51  
OFFICE OF THE CLERK OF THE SENATE  
OFFICE OF THE CLERK OF THE HOUSE OF DELEGATES

The within is ..... approved this the 25<sup>th</sup> .....  
Day of March ..... 2020.

*James L. Good*  
.....  
Governor

PRESENTED TO THE GOVERNOR

MAR 18 2020

Time 9:50 am