

HB 4126

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 4126

BY DELEGATE RILEY

[Passed March 10, 2026; in effect July 1, 2026]

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

2026 MAR 17 P 4: 51

FILED

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[Passed March 10, 2026; in effect July 1, 2026]

1 AN ACT amend and reenact §20-5A-1 of the Code of West Virginia, 1931, as amended, relating
2 to the distribution of royalties received from certain state-owned gas, oil, and other mineral
3 rights.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5A. STATE PARKS AND RECREATION ENDOWMENT FUND.

**§20-5A-1. Establishment of fund; deposits; expenditures; investments; use of fund for the
State Parks Enhancement Loan Insurance Program.**

1 (a) There is continued in the office of the State Treasurer a special revenue account fund
2 to be known as the West Virginia State Parks and Recreation Endowment Fund.

3 (b) The following shall be deposited into the fund:

4 (1) The royalties received from the leasing of state-owned gas, oil, and other mineral rights
5 beneath the Ohio River and its tributaries; and

6 (2) The proceeds of any gifts, grants, contributions, or other moneys accruing to the state
7 which are specifically designated for inclusion in the fund.

8 (c) The board of trustees established pursuant to this article shall invest the assets of the
9 fund consistent with the provisions of §12-6-1 of this code.

10 (d) Expenditures from the fund shall be for the purposes set forth in this section and are
11 to be made in accordance with appropriation of the Legislature under the provisions of §12-3-1 *et*
12 *seq.* of this code, and in compliance with the provisions of §11B-2-1 *et seq.* of this code as follows:

13 (1) Income accruing from investments of the fund pursuant to this article shall be
14 distributed or expended at the direction of the board for either of the following purposes: (A)
15 Maintenance, repair, and improvement of any existing recreational facilities, including any
16 supporting or related infrastructure and associated recreational features, all to provide
17 uninterrupted enjoyment and public use of state parks, state forests, and state rail trails.

18 (B) Maintenance, repair, and procurement of any fixture, furnishing, and equipment
19 necessary to provide uninterrupted enjoyment and public use of state parks, state forests, and
20 state rail trails.

21 (2) Notwithstanding the provisions of §5A-11-3(a), on and after July 1, 2026, fifty percent
22 of the royalties received from the leasing of state-owned gas, oil, and other mineral rights beneath
23 the Ohio River and its tributaries deposited into the fund shall be distributed or expended for the
24 operation, maintenance and improvement of the state parks, state forests and state rail trails by
25 the director: *Provided*, That when the balance in the fund equals or exceeds \$100 million, one
26 hundred percent of the royalties received from the leasing of state-owned gas, oil, and other
27 mineral rights beneath the Ohio River and its tributaries deposited into the fund shall be distributed
28 or expended for the operation, maintenance and improvement of the state parks, state forests
29 and state rail trails by the director: *Provided, however*, That if the balance in the fund is less than
30 \$100 million, the amount of the royalties received from the leasing of state-owned gas, oil, and
31 other mineral rights beneath the Ohio River and its tributaries that may be distributed or expended
32 for the operation, maintenance and improvement of the state parks, state forests and state rail
33 trails shall be reduced to fifty percent until such time as the balance equals or exceeds \$100
34 million.

35 (e) Notwithstanding any other provision of this article to the contrary, the assets of the fund
36 may be used by the board of trustees to facilitate or provide collateral for the State Parks
37 Enhancement Loan Insurance Program established in §20-5A-3 of this code: *Provided*, That no
38 amount of the fund's income from investments may be used to provide loan insurance.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.



Clerk of the House of Delegates



Clerk of the Senate

Originated in the House of Delegates.

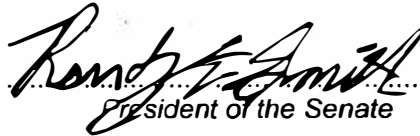
In effect July 1, 2026.

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Speaker of the House of Delegates



President of the Senate

The within is approved this the 17th
Day of March, 2026.



Governor

PRESENTED TO THE GOVERNOR

MAR 11 2026

Time 11:45am