HB4126

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]

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]

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

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

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

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

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

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

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

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

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

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

(e) Notwithstanding any other provision of this article to the contrary, the assets of the fund may be used by the board of trustees to facilitate or provide collateral for the State Parks Enhancement Loan Insurance Program established in §20-5A-3 of this code: *Provided*, That no 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

FILED
2026 MAR 17 P 4: 51
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Originated in the House of Delegates.

In effect July 1, 2026.

....
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