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HOUSE BILL NO. 5088

Offered September 18, 2006

A BILL to amend and reenact § 33.1-23.05 of the Code of Virginia, relating to revenue-sharing funds for highway systems in certain counties, cities, and towns.

Patrons—Wardrup and Callahan

Referred to Committee on Appropriations

Be it enacted by the General Assembly of Virginia:

1. That § 33.1-23.05 of the Code of Virginia is amended and reenacted as follows:

§ 33.1-23.05. Revenue-sharing funds for systems in certain counties, cities, and towns.

A. From annual allocations of state funds for the maintenance, improvement, construction, or reconstruction of the systems of state highways, the Commonwealth Transportation Board shall make an equivalent matching allocation to any county, city, or town for designations by the governing body of up to $1 million in county, city, or town general funds for use by the county, city, or town to construct, maintain, or improve the highway systems within such county, city, or town. After adopting a resolution supporting the action, the governing body may request revenue-sharing funds to construct, maintain, or improve a highway system located in another locality or to bring subdivision streets, used as such prior to July 1, 1992, up to standards sufficient to qualify them for inclusion in the state primary and secondary system of highways.

B. The allocation of funds to localities shall be only for the purposes set forth in subsection A and shall be (i) first when such governing body commits more than $1 million in general funds for such purpose; (ii) second when such project is administered by the city, county, or town; (iii) third when the allocation will accelerate an existing project in the Six-Year Improvement Program or the locality's capital plans; and (iv) from any funds remaining, any other request that has a matching allocation from the governing body.

C. The Department will contract with the county, city, or town for the implementation of the project or projects. Such contract may cover either a single project or may provide for the locality's implementation of several projects during the fiscal year. The county, city, or town will undertake implementation of the particular project or projects by obtaining the necessary permits from the Department of Transportation in order to ensure that the improvement is consistent with the Department's standards for such improvements. If administered by the Department, such contract shall also require that the governing body pay to the Department within 30 days the local revenue-sharing funds from its general fund upon written notice by the Department of its intent to proceed.

D. Up to one-half of any local government's contributions under this section may take the form of proffers accepted by the locality and deposited into their general fund.

E. ~~Total Commonwealth funds allocated by the Board under this section shall not exceed $50 million in any one fiscal year~~ *The Board shall allocate $50 million each fiscal year to satisfy all requests by localities for matching funds under this section where such requests comport with the requirements of this section.*

F. No more than three months prior to the end of any fiscal year in which less than $50 million has been allocated by the Board to specific governing bodies, those localities requesting more than $1 million may be allowed an additional allocation. The additional allocation shall be at the discretion of the Commonwealth Transportation Board among the localities receiving the maximum allocation under subsection A.