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HOUSE BILL NO. 1717

Offered January 10, 2007

Prefiled December 18, 2006

A *BILL to amend the Code of Virginia by adding in Chapter 8 of Title 58.1 a section numbered 58.1-818, relating to distribution of state recordation tax for transportation.*

Patron—Marshall, R.G.

Referred to Committee on Appropriations**Be it enacted by the General Assembly of Virginia:**

1. That the Code of Virginia is amended by adding in Chapter 8 of Title 58.1 a section numbered 58.1-818 as follows:

§ 58.1-818. Distribution of recordation tax for transportation.

A. After the distributions are made in accordance with the provisions of §§ 58.1-815 and 58.1-816, all remaining recordation tax revenues shall be transferred to the Commonwealth Transportation Board for transportation projects throughout the Commonwealth. The Board shall divide the revenues into two equal portions and distribute them as follows:

1. One-half of such tax revenues shall be allocated for transportation projects within the region encompassed by all counties and cities in any planning district, established pursuant to § 15.2-4203, and in all counties and cities adjacent to any such county or city, wherein, as of January 1, 2002, all such counties and cities have been designated as nonattainment for the one-hour ozone standard pursuant to the federal Clean Air Act Amendments of 1990; and

2. One-half of such tax revenues shall be allocated for transportation projects within the region encompassed by all cities and counties (i) whose entire geographic boundaries were at one time designated as nonattainment for the one-hour ozone standard pursuant to the federal Clean Air Act Amendments of 1990; (ii) whose entire geographic boundaries were redesignated to attainment status for such one-hour ozone standard on or before July 28, 1997; and (iii) that as of January 1, 2002, were required to have an air quality maintenance plan in effect for ozone pursuant to the federal Clean Air Act Amendments of 1990. Such revenue shall also be distributed in any county (a) not included in subdivision 1 and (b) in which U.S. Route 460 was situated, as of July 1, 2002, from Zuni eastward to the end of such highway.

B. In designating transportation projects to fund pursuant to subsection A, the Board shall use the following criteria: (i) projects that will reduce poor air quality; (ii) projects that will reduce traffic congestion; and (iii) projects that will aid the safety of motorists or pedestrians.

2. That no moneys distributed pursuant to this act shall be used to calculate or reduce the share of federal, state, or local revenues or funds otherwise available to any county or city including, but not limited to, state basic aid payments.

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