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6 *A BILL to amend and reenact § 33.1-23.1:1 of the Code of Virginia, relating to the unpaved secondary*
7   *road fund; use of proceeds.*
8   **Be it enacted by the General Assembly of Virginia:**
9 **1. That § 33.1-23.1:1 of the Code of Virginia is amended and reenacted as follows:**
10   § 33.1-23.1:1. Unpaved secondary road fund created; allocations.
11   A. Before funds are allocated for distribution for highway construction pursuant to § 33.1-23.1 B 1,
12 B 2, and B 3, a fund shall be established for the paving of nonsurface treated secondary roads which
13 carry fifty vehicles or more per day. Such fund shall contain 5.67 percent of the total funds available for
14 highway construction under § 33.1-23.1 B 1, B 2, and B 3.
15   B. Such funds shall be distributed to counties in the secondary system based on the ratio of
16 nonsurface treated roads in each county carrying fifty vehicles or more per day to the total number of
17 such nonsurface treated roads in the Commonwealth.
18   C. The governing body of any county may have funds allocated to the county under this section
19 added to the county's secondary system construction funds allocated pursuant to § 33.1-23.4. For each
20 $250,000 or portion thereof added to secondary construction funds under this provision *prior to July 1,*
21 *2009*, the amount of the county's nonsurface treated roads used to distribute funds under this section in
22 subsequent years shall be reduced by one mile or proportional part of one mile. *For actions taken on or*
23 *after July 1, 2009, the amount of the county's nonsurface treated roads used to distribute funds under*
24 *this section in subsequent years shall be reduced by one mile or proportional part of one mile for each*
25 *$500,000 or portion thereof added to secondary construction funds under this section.*