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**HOUSE BILL NO. 276**

Offered January 13, 2016

Prefiled January 1, 2016

*A BILL to amend and reenact §§ 33.2-2600 and 33.2-2605 of the Code of Virginia, relating to expenses of the Hampton Roads Transportation Accountability Commission.*

Patrons—Yancey, Bloxom, Davis, Helsel, Heretick, Hester, Knight, Mason, Miyares, Spruill, Taylor, Villanueva and Ward; Senators: Lewis and Locke

Referred to Committee on Transportation

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 33.2-2600 and 33.2-2605 of the Code of Virginia are amended and reenacted as follows:**

**§ 33.2-2600. Hampton Roads Transportation Fund.**

There is hereby created in the state treasury a special nonreverting fund for Planning District 23 to be known as the Hampton Roads Transportation Fund, referred to in this chapter as "the Fund." The Fund shall be established on the books of the Comptroller. All revenues dedicated to the Fund pursuant to § 58.1-638 and Chapter 22.1 (§ 58.1-2291 et seq.) of Title 58.1 shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. The moneys deposited in the Fund shall be used solely for (i) new construction projects on new or existing highways, bridges, and tunnels in the localities comprising Planning District 23 as approved by the Hampton Roads Transportation Accountability Commission and (ii) administrative and operating expenses as specified in subsection B of § 33.2-2605. The Hampton Roads Transportation Accountability Commission shall give priority to those projects that are expected to provide the greatest impact on reducing congestion for the greatest number of citizens residing within Planning District 23 and shall ensure that the moneys shall be used for such construction projects.

The amounts dedicated to the Fund shall be deposited monthly by the Comptroller into the Fund. The amounts deposited into the Fund and the distribution and expenditure of such amounts shall not be used to calculate or reduce the share of federal, state, or local revenues otherwise available to participating localities. Further, such revenues and moneys shall not be included in any computation of, or formula for, a locality's ability to pay for public education, upon which appropriations of state revenues to local governments for public education are determined.

**§ 33.2-2605. Annual budget and allocation of expenses.**

A. The Commission shall adopt an annual budget and develop a funding plan and shall provide for such adoption in its bylaws. The funding plan shall provide for the expenditure of funds over a four- to six-year period and shall align with the Statewide Transportation Plan established pursuant to § 33.2-353 as much as possible. The Commission shall solicit public comment on its budget and funding plan by posting a summary of such budget and funding plan on its website and holding a public hearing. Such public hearing shall be advertised on the Commission's website and in a newspaper of general circulation in Planning District 23.

B. The administrative and operating expenses of the Commission, as shall be provided in an annual budget adopted by the Commission, and to the extent funds for such expenses are not provided from other sources, shall be allocated among the component counties and cities on the basis of the relative population, as determined pursuant to § 33.2-2604 paid from the Fund. Such budget shall be limited solely to the administrative and operating expenses of the Commission and shall not include any funds for construction or acquisition of transportation facilities or the performance of any transportation service.

C. Members may be reimbursed for all reasonable and necessary expenses provided in §§ 2.2-2813 and 2.2-2825, if approved by the Commission. Funding for the costs of compensation and expenses of the members shall be provided by the Commission.

**2. That no provision of this act shall result in the expiration of any provision of (i) Chapter 896 of the Acts of Assembly of 2007 pursuant to the 22nd enactment of that chapter or (ii) Chapter 766 of the Acts of Assembly of 2013 pursuant to the 14th enactment of that chapter.**

INTRODUCED

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