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**HOUSE BILL NO. 669**

Offered January 11, 2006

Prefiled January 10, 2006

A *BILL to amend and reenact § 33.1-75.1 of the Code of Virginia, relating to special revenue sharing funds for systems in certain counties.*

Patrons—Wardrup, Albo, Athey, Byron, Cosgrove, Crockett-Stark, Dudley, Fralin, Frederick, Iaquinto, Kilgore, Landes, Lingamfelter, Marshall, D.W., May, McQuigg, Nixon, O'Bannon, Purkey, Rapp, Reid, Rust, Scott, E.T., Sherwood, Suit, Tata, Welch, Wittman and Wright

Referred to Committee on Transportation

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

**1. That § 33.1-75.1 of the Code of Virginia is amended and reenacted as follows:**

§ 33.1-75.1. Special revenue sharing funds for systems in certain counties.

A. From, and as a first priority of, 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 for designations by the governing body of up to \$500,000 *\$1 million* in county general funds for use by the Commonwealth Transportation Board to construct, maintain or improve the primary and secondary highway systems within such county. Such funds allocated by the Commonwealth Transportation Board and such county funds shall be placed in special fund accounts of the Board and county, respectively, both to be known as the ". . . . . County primary and secondary road fund," and shall be used solely for the purposes of either (i) maintaining, improving or constructing the primary and secondary highway systems within such county, or (ii) bringing subdivision streets, used as such prior to July 1, 1990, up to standards sufficient to qualify them for inclusion in the state primary and secondary system of highways. After due consultation and exchange of recommendations with the Board, the governing body of such county shall determine what portion of such funds shall be used for construction, and what portion for maintenance or improvement, of primary and secondary roads in such county. That portion so designated by the governing body for construction shall be allocated to specific projects by the Board; that portion designated by the governing body for maintenance or improvement shall be allocated to specific roads by the governing body. The county shall pay over to the Board that amount of its special fund account needed for a project upon notice by the Board of its intent to proceed with the project. Projects identified by the board of supervisors for construction with county general funds as provided in this section need not be included in the county's six-year plan.

B. Upon indication by the Department of Transportation that a project or projects funded pursuant to subsection A of this section cannot be implemented by the Department within the fiscal year for which such revenue sharing funds have been allocated, the Department may contract with the county for the implementation of the project or projects by the county. Such contract may cover either a single project or may provide for the county's implementation of several projects during the fiscal year. Upon approval by the Department, the county may expend from its special fund created under subsection A of this section funds to undertake the implementation of a particular project or projects. The county 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.

C. Total state funds allocated statewide under this section shall not exceed ~~\$10 million~~ *\$20 million* in any one fiscal year.

D. Notwithstanding the limitations specified in subsection A of this section, one month prior to the end of any fiscal year in which less than ~~\$10 million~~ *\$20 million* has been allocated from state funds under this section, those counties requesting more than ~~\$500,000~~ *\$1 million* may be allowed an additional allocation. The difference between the amount first allocated and ~~\$10 million~~ *\$20 million* shall be allocated at the discretion of the Commonwealth Transportation Board among the counties receiving the maximum allocation under subsection A of this section.

INTRODUCED

HB669