

H. B. 2795

(By Delegate Armstead)
[Introduced January 24, 2011; referred to the
Committee on Energy, Industry and Labor, Economic
Development and Small Business then Government
Organization.]

A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new article, designated §5B-2H-1, §5B-2H-2,
§5B-2H-3, §5B-2H-4, §5B-2H-5 and §5B-2H-6, all relating to
creating the Jobs Impact Statement Act; requiring a jobs
impact statement for certain proposed legislation; the
contents of the statement; and providing that the West
Virginia Development Office prepare a jobs impact statement
when requested by the Governor or leader of either House of
the Legislature.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended
by adding thereto a new article, designated §5B-2H-1, §5B-2H-2,
§5B-2H-3, §5B-2H-4, §5B-2H-5 and §5B-2H-6, all to read as follows:

ARTICLE 2H. JOBS IMPACT STATEMENT.

§5B-2H-1. Short title.

1 This article may be cited as the "Jobs Impact Statement Act."

2 **§5B-2H-2. Legislative findings.**

3 The Legislature finds that, in order to maintain and create an
4 economic climate which will sustain and promote the creation and
5 retention of jobs in the State of West Virginia and provide for
6 employment opportunities for as many citizens as possible, it is
7 important to understand the jobs impact of Acts of the Legislature.

8 The Legislature further finds that without appropriate information
9 it may enact legislation that would adversely affect employment in
10 the state.

11 **§5B-2H-3. Persons empowered to request jobs impact statement;**
12 **preparation by West Virginia Development Offices;**
13 **time limitations.**

14 Upon written request by the Governor or the presiding officer
15 of either House of the Legislature, proposed legislation which has
16 an impact on the state's economy shall be reviewed by the West
17 Virginia Development Office, which shall prepare a jobs impact
18 statement. The request shall be accompanied by ten copies of the
19 proposed legislation. In preparing a jobs impact statement, the
20 director of the West Virginia Development Office may seek
21 assistance or data from, or contract with, any organization or
22 state agency which may facilitate the compilation of the jobs
23 impact statement. Any state agency shall provide requested
24 information within ten days from the date of the request.

1 The West Virginia Development Office shall return a jobs
2 impact statement to the requesting party within twenty days of the
3 date of the original request.

4 **§5B-2H-4. Contents of the jobs impact statement; explanations**
5 **required for omissions.**

6 (a) General rule. -- The jobs impact statement, using
7 generally accepted methodology, shall detail both short-term and
8 long-term job effects of the proposed legislation and shall
9 include, but is not limited to, the following information:

10 (1) A determination of the probable result of the legislation
11 in terms of the number of West Virginia jobs which will be created,
12 retained or eliminated;

13 (2) A statement of the probable net impact of the legislation
14 on employment levels and employment patterns in West Virginia; and

15 (3) A determination of the relative impact on the number of
16 West Virginia jobs by broad industrial sector (two-digit standard
17 industrial classification).

18 (b) Omission. -- A jobs impact statement that omits any
19 information required by subsection (a) of this section shall
20 specifically note its omission, the reason for its omission, the
21 importance of any relevant information so omitted to a complete and
22 realistic assessment of the economic impact of the legislation and
23 the additional time and effort required to obtain any information
24 needed for the assessment.

1 §5B-2H-5. Lack of jobs impact statement not to affect
2 consideration or validity of legislation.

3 If, in the opinion of the Director of the West Virginia
4 Development Office, a jobs impact statement cannot be prepared
5 within the statutory time frame, the unavailability of a jobs
6 impact statement may not affect the validity of legislation which
7 is enacted nor shall the unavailability restrict consideration of
8 pending legislation. A provision of this article may not be
9 determined to alter, amend or invalidate any rule of the Senate,
10 rule of the House of Delegates or joint rule of the Senate and
11 House of Delegates.

12 §5B-2H-6. Availability of copies of jobs impact statements.

13 One copy of a jobs impact statement requested under section
14 three of this article shall be made available to the Governor and
15 the presiding officers of both Houses of the Legislature, who shall
16 distribute the statement to all members of the respective house.
17 Copies of the statement shall be made available to the public at
18 the office of the clerk of the respective Houses of the
19 Legislature.

NOTE: The purpose of this bill is to require a jobs impact statement to be completed by the West Virginia Development Office for certain proposed legislation which may cause an impact on the West Virginia economy, when so requested by the Governor or leader of either House of the Legislature.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would

be added.