

1 **H. B. 2507**

2
3 (By Mr. Speaker, (Mr. Thompson) and Delegate Armstead)

4 [By Request of the Executive]

5 [Introduced February 15, 2013; referred to the

6 Committee on the Judiciary then Finance.]

**FISCAL
NOTE**

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10 A BILL to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new article, designated §5B-2I-1, §5B-2I-2,
12 §5B-2I-3, §5B-2I-4, §5B-2I-5 and §5B-2I-6, all relating to
13 creating the Jobs Impact Statement Act; requiring that the
14 West Virginia Development Office prepare a jobs impact
15 statement when requested by the Governor or leader of either
16 House of the Legislature for certain proposed legislation;
17 outlining the contents of the jobs impact statement; providing
18 that this article does not affect the validity of legislation,
19 restrict consideration of pending legislation or otherwise
20 alter, amend or invalidate any rule of the Senate, the House
21 of Delegates, or joint rules of the Senate and House of
22 Delegates; and describing the manner in which copies of the
23 jobs impact statement shall be made available.

24 *Be it enacted by the Legislature of West Virginia:*

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

4 **ARTICLE 2I. JOBS IMPACT STATEMENT.**

5 **§5B-2I-1. Short title.**

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

7 **§5B-2I-2. Legislative findings.**

8 The Legislature finds that to maintain and create an economic
9 climate which will sustain and promote the creation and retention
10 of jobs in the State of West Virginia and provide for employment
11 opportunities for as many citizens as possible, it is important to
12 understand the jobs impact of Acts of the Legislature. The
13 Legislature further finds that without appropriate information it
14 may enact legislation that would adversely affect employment in the
15 state.

16 **§5B-2I-3. Persons empowered to request jobs impact statement;**
17 **preparation by West Virginia Development Office; time**
18 **limitations.**

19 Upon written request by the Governor or the presiding officer
20 of either house of the Legislature, proposed legislation which has
21 an impact on the state's economy shall be reviewed by the West
22 Virginia Development Office, which shall prepare a jobs impact
23 statement. The request shall be accompanied by one copy of the

1 proposed legislation. In preparing a jobs impact statement, the
2 Director of the West Virginia Development Office may seek
3 assistance or data from, or contract with, any organization or
4 state agency which may facilitate the compilation of the jobs
5 impact statement. Any state agency shall provide requested
6 information within ten days from the date of the request.

7 The West Virginia Development Office shall return a jobs
8 impact statement to the requesting party within twenty days of the
9 date of the original request.

10 **§5B-2I-4. Contents of the jobs impact statement; explanations**
11 **required for omissions.**

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

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

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

21 (3) A determination of the relative impact on the number of
22 West Virginia jobs by general industrial sector using the two-digit
23 standard North American Industry Classification System (NAICS)
24 codes as found in the current version of the Official U.S. NAICS

1 Manual.

2 (b) Omission. -- A jobs impact statement that omits any
3 information required by subsection (a) of this section shall
4 specifically note its omission, the reason for its omission, the
5 importance of any relevant information so omitted to a complete and
6 realistic assessment of the economic impact of the legislation, and
7 the additional time and effort required to obtain any information
8 needed for the assessment.

9 **§5B-2I-5. Lack of jobs impact statement not to affect**
10 **consideration or validity of legislation.**

11 If, in the opinion of the Director of the West Virginia
12 Development Office, a jobs impact statement cannot be prepared
13 within the statutory time frame, the unavailability of a jobs
14 impact statement does not affect the validity of legislation which
15 is enacted nor does the unavailability restrict consideration of
16 pending legislation. A provision of this article may not be
17 determined to alter, amend or invalidate any rule of the Senate,
18 rule of the House of Delegates, or joint rule of the Senate and
19 House of Delegates.

20 **§5B-2I-6. Availability of copies of jobs impact statements.**

21 One copy of a jobs impact statement requested under section
22 three of this article shall be made available to the Governor and
23 the presiding officers of both houses of the Legislature, who shall

1 distribute the statement to all members of their respective houses.
2 Copies of the statement shall be made available to the public at
3 the office of the clerk of the respective houses of the
4 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.

This article is new; therefore, it has been completely underscored.