

Senate Bill No. 39

(By Senators Jenkins, Stollings, Kessler (Mr. President), Sypolt,
McCabe, Williams, Cole and Carmichael)

[Introduced February 13, 2013; referred to the Committee on
Economic Development; and then to the Committee on Finance.]

**FISCAL
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new article, designated §5B-2I-1, §5B-2I-2,
§5B-2I-3, §5B-2I-4, §5B-2I-5 and §5B-2I-6, all relating to
creating the Jobs Impact Statement Act; requiring a jobs
impact statement for certain proposed legislation; making
legislative findings; setting forth the contents of a jobs
impact statement; and availability of the statements.

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-2I-1, §5B-2I-2,
§5B-2I-3, §5B-2I-4, §5B-2I-5 and §5B-2I-6, all to read as follows:

ARTICLE 2I. JOBS IMPACT STATEMENT.

§5B-2I-1. Short title.

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

2 **§5B-2I-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
6 employment opportunities for as many citizens as possible, it is
7 important to understand the jobs impact of Legislature acts. The
8 Legislature further finds that without appropriate information it
9 may enact legislation that would adversely affect employment in the
10 state.

11 **§5B-2I-3. Persons empowered to request jobs impact statement;**
12 **preparation by West Virginia Development Office;**
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

1 impact statement. Any state agency shall provide requested
2 information within ten days from the date of the request.

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

6 **§5B-2I-4. Contents of the jobs impact statement; explanations**
7 **required for omissions.**

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

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

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

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

20 (b) *Omission.* -- A jobs impact statement that omits any
21 information required by subsection (a) of this section shall
22 specifically note its omission, the reason for its omission, the
23 importance of any relevant information so omitted to a complete and

1 realistic assessment of the economic impact of the legislation and
2 the additional time and effort required to obtain any information
3 needed for the assessment.

4 **§5B-2I-5. Lack of jobs impact statement not to affect consideration**
5 **or validity of legislation.**

6 If, in the opinion of the Director of the West Virginia
7 Development Office, a jobs impact statement cannot be prepared
8 within the statutory time frame, the unavailability of a jobs
9 impact statement does not affect the validity of legislation which
10 is enacted nor does the unavailability restrict consideration of
11 pending legislation. No provision of this article alters, amends
12 or invalidates any rule of the Senate, rule of the House of
13 Delegates or joint rule of the Senate and House of Delegates.

14 **§5B-2I-6. Availability of copies of jobs impact statements.**

15 One copy of a jobs impact statement requested under section
16 three of this article shall be made available to the Governor and
17 the presiding officers of both houses of the Legislature, who shall
18 distribute the statement to all members of the respective house.
19 Copies of the statement shall be made available to the public at
20 the office of the clerk of the respective houses of the
21 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 impact both short-term and long-term jobs in this state. The bill creates the Jobs Impact Statement Act. The bill makes legislative findings. The bill also sets forth the contents of a jobs impact statement and the availability of the statements.

This article is new; therefore, strike-throughs and underscoring have been omitted.