

**H. B. 4576**

(By Delegates Armstead, Lane and Cowles)

[Introduced February 14, 2014; referred to the  
Committee on Small Business, Entrepreneurship and  
Economic Development then the Judiciary.]

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 that the  
college of business of either West Virginia University or  
Marshall University prepare a jobs impact statement when  
requested to do so for certain proposed legislation by the  
Governor or leader of either house of the Legislature;  
outlining the contents of the jobs impact statement; providing  
that this article does not affect the validity of legislation,  
restrict consideration of pending legislation or otherwise  
alter, amend or invalidate any rule of the Senate, the House  
of Delegates or joint rules of the Senate and House of  
Delegates; and describing the manner in which copies of the  
jobs impact statement shall be made available.

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

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

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

6 **§5B-2I-1. Short title.**

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

8 **§5B-2I-2. Legislative findings.**

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

17 **§5B-2I-3. Persons empowered to request jobs impact statement;**  
18 **preparation; time limitations.**

19       Upon: (1) Written request by the Governor; (2) written request  
20 by any two of the following three persons: The Speaker of the  
21 House, the Chairman of Economic Development and Small Business and  
22 the House minority leader; or (3) written request by any two of the  
23 following three persons: The President of the Senate, the Chairman

1 of Economic Development and the Senate minority leader, proposed  
2 legislation which has an impact on the state's economy shall be  
3 reviewed by either the College of Business of West Virginia  
4 University or of Marshall University, whichever of the two is  
5 selected, and that college shall prepare a jobs impact statement.  
6 The request shall be accompanied by one copy of the proposed  
7 legislation. The dean of the college of business of the requested  
8 university shall designate a professor of economics, or professor  
9 with similar qualifications, to prepare the jobs impact statement.  
10 In preparing a jobs impact statement, the professor may seek  
11 assistance or data from, or contract with, any organization or  
12 state agency which may facilitate the compilation of the jobs  
13 impact statement. Any state agency shall provide requested  
14 information within ten days from the date of the request.

15 The university shall return a jobs impact statement to the  
16 requesting party within twenty days of the date of the original  
17 request.

18 **§5B-2I-4. Contents of the jobs impact statement; explanations**  
19 **required for omissions.**

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

24 (1) A determination of the probable result of the legislation

1 in terms of the number of West Virginia jobs which will be created,  
2 retained or eliminated;

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

5 (3) A determination of the relative impact on the number of  
6 West Virginia jobs by general industrial sector using the two-digit  
7 standard North American Industry Classification System (NAICS)  
8 codes as found in the current version of the Official U. S. NAICS  
9 Manual.

10 (b) Omission. - A jobs impact statement that omits any  
11 information required by subsection (a) of this section shall  
12 specifically note its omission, the reason for its omission, the  
13 importance of any relevant information so omitted to a complete and  
14 realistic assessment of the economic impact of the legislation and  
15 the additional time and effort required to obtain any information  
16 needed for the assessment.

17 **§5B-2I-5. Lack of jobs impact statement not to affect**  
18 **consideration or validity of legislation.**

19 If, in the opinion of the dean of the college of business of  
20 the requested university, a jobs impact statement cannot be  
21 prepared within the statutory time frame, the unavailability of a  
22 jobs impact statement does not affect the validity of legislation  
23 which is enacted nor does the unavailability restrict consideration  
24 of pending legislation. A provision of this article may not be

1 determined to alter, amend or invalidate any rule of the Senate,  
2 rule of the House of Delegates or joint rule of the Senate and  
3 House of Delegates.

4 **§5B-2I-6. Availability of copies of jobs impact statements.**

5 One copy of a jobs impact statement requested under section  
6 three of this article shall be made available to the Governor and  
7 the presiding officers of both houses of the Legislature, who shall  
8 distribute the statement to all members of their respective houses.  
9 Copies of the statement shall be made available to the public at  
10 the office of the clerk of the respective houses of the  
11 Legislature.

NOTE: The purpose of this bill is to provide for the preparation of jobs impact statements for proposed legislation.

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