

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 2233**

4 (By Delegates Walters, Sobonya, Rohrbach, Ambler, Mr. Speaker  
5 (Mr. Armstead), Storch, H. White, R. Phillips, Ireland, Hanshaw  
6 and E. Nelson)

7  
8 (Originating in the House Committee on Judiciary)

9 [February 25, 2015]

10 A BILL to amend and reenact §29A-3-16 of the Code of West Virginia, 1931, as amended, relating  
11 to authorizing the Legislative Rule-Making Committee with the assistance of the Legislative  
12 Auditor's Office to review legislative rules five years after initial approval by the Legislature;  
13 and directing the Legislative Rule-Making Committee to report findings and  
14 recommendations to the Legislature.

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

16 That §29A-3-16 of the Code of West Virginia, 1931, as amended, be amended and reenacted  
17 to read as follows:

18 **ARTICLE 3. RULE-MAKING.**

19 **§29A-3-16. Legislative review of procedural rules, interpretive legislative rules.**

20 (a) The Legislative Rule-Making Review Committee may review ~~any procedural rules,~~  
21 procedural and interpretive rules ~~or existing legislative rules~~ and may make recommendations  
22 concerning ~~such rules~~ these to the Legislature, ~~or~~ to the agency or to both the Legislature and the  
23 agency: for rules which were approved by the Legislature prior to the enactment of this section in  
24 2015.

1           (b) The Legislative Rule-Making Committee with the assistance of the Legislative Auditor  
2 may review any rule which has been promulgated and in effect for at least five years, and make  
3 recommendations to the Legislature for modification or repeal of any such rule as the Legislative  
4 Rule-Making Committee may determine to be necessary. Areas of review shall include, but not be  
5 limited to, the following:

6           (1) Whether the rule is achieving its purpose; and

7           (2) Whether the rule should be eliminated, continued or amended.

8           (c) Following its review, the Legislative Rule-Making Committee and the Legislative Auditor  
9 shall summarize their findings and make recommendations. A report of the findings and  
10 recommendations shall be submitted to the Legislature for any action the Legislature may consider  
11 necessary.

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