

ENGROSSED

COMMITTEE SUBSTITUTE

for

H. B. 2233

(BY DELEGATE(S) WALTERS, SOBONYA, ROHRBACH,
AMBLER, MR. SPEAKER (MR. ARMSTEAD), STORCH, H. WHITE,
R. PHILLIPS, IRELAND, HANSHAW AND E. NELSON)

(Originating in the House Committee on the Judiciary)

[February 25, 2015]

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

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 3. RULE-MAKING.

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

1 (a) The Legislative Rule-Making Review Committee may
2 review any procedural rules, interpretive rules or existing
3 legislative rules and may make recommendations concerning
4 such rules to the Legislature, ~~or~~ to the agency or to both the
5 Legislature and the agency.

6 (b) The Legislative Rule-Making Committee with the
7 assistance of the Legislative Auditor shall review any rule
8 promulgated in or after 2015 within at least five years from its
9 effective date, and make recommendations to the Legislature for
10 modification or repeal of any such rule as the Legislative Rule-
11 Making Committee may determine to be necessary. Areas of
12 review shall include, but not be limited to, the following:

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

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

- 16 (c) Following the review, the Legislative Rule-Making
17 Committee and the Legislative Auditor shall submit to the Joint
18 Committee on Government and Finance a summary of their
19 findings and recommendations.

