

# **WEST VIRGINIA LEGISLATURE**

**2020 REGULAR SESSION**

**ENGROSSED**

**Committee Substitute**

**for**

**House Bill 4042**

BY DELEGATES HOWELL, BIBBY, J. JEFFRIES, WAXMAN, J.

KELLY AND CADLE

[Originating in the Committee on Government

Organization, January 13, 2020.]



1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §5A-1-12, relating to requiring agencies exempt from some or all of state  
3 purchasing requirements to adopt procedural rules establishing their purchasing  
4 procedures.

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

**ARTICLE 1. DEPARTMENT OF ADMINISTRATION.**

**§5A-1-12. Procedural rules required for exempt agencies.**

1 (a) An agency that has been exempted from some or all of the requirements of this  
2 chapter, by either a provision of this chapter or in another provision of this code, shall adopt  
3 procedural rules, under §29A-3-1 et seq. of this code, establishing its purchasing procedures.

4 (b) For agencies that have been exempted prior to the effective date of this section, the  
5 written procedures shall be filed no later than September 1, 2020. After September 1, 2020, any  
6 agency which has not filed its procedural rule as required by this section shall follow the  
7 procurement requirements established by the Purchasing Division.

8 (c) For agencies that are exempted after the effective date of this section, the written  
9 procedures shall be filed before the exemption may take effect.

NOTE: The purpose of this bill is to require agencies exempt from some or all of state purchasing requirements to adopt procedural rules establishing their purchasing procedures.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.