

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4174

BY DELEGATES HOWELL, HOUSEHOLDER, C. MARTIN,
FOSTER, HANNA, PHILLIPS, HAMRICK, WILSON, HOTT,
BARNHART AND P. MARTIN

[Introduced January 14, 2020; Referred to the
Committee on Government Organization]

1 A BILL to amend and reenact §60-2-16 of the Code of West Virginia, 1931, as amended, relating
 2 to expiring rules of the Alcohol Beverage Control Commission; and requiring the
 3 commission to resubmit rules for approval during the 2021 regular session.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. ALCOHOL BEVERAGE CONTROL COMMISSIONER.

§60-2-16. Rules and regulations.

1 (a) The commission shall have the power to prescribe rules and regulations to give effect
 2 to the powers vested in it by this chapter. Rules and regulations shall be recorded in a book
 3 especially kept for that purpose, and in its discretion may be published for general circulation. All
 4 other records and entries necessary to show the official conduct of the commission shall be
 5 preserved and shall be public records and open for inspection during business hours.

1 (b) On June 30, 2021, all of the commission’s active rules shall expire. Following the 2020
 2 regular session, the commission shall submit all rules it deems necessary to carry out the
 3 purposes of this chapter. The commission shall comply with the full rulemaking approval and
 4 review process, including the public notice and comment period, as provided for in §29-3-1 et seq.
 5 of this code to allow for approval of the rules during the 2021 regular session.

NOTE: The purpose of this bill is to expire the commission’s rules by June 30, 2021, and to require the commission to submit proposed rules through the rulemaking review process for approval during the 2021 regular session.

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