WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4038

By Delegate Smith

[Introduced January 10, 2024 ; Referred  
to Committee on Energy and Manufacturing then the Judiciary ]

A BILL to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to the control of greenhouse gas emissions from existing coal-fired electric utility generating units.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. Authorization for Department of Environmental Protection to promulgate legislative rules.

§64-3-1. Department of Environmental Protection.

The legislative rule filed in the State Register on July 28, 2023, authorized under the authority of §22-5-4 of this code, relating to the Department of Environmental Protection (control of greenhouse gas emissions from existing coal-fired electric utility generating units, [45 CSR 44](http://apps.sos.wv.gov/adlaw/csr/rule.aspx?rule=45-44)), is authorized.

NOTE: The purpose of this bill is to authorize the Department of Environmental Protection to promulgate a legislative rule relating to the control of greenhouse gas emissions from existing coal-fired electric utility generating units.

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