

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Committee Substitute

for

House Bill 4114

BY DELEGATE FOSTER

[Introduced January 18, 2022; referred to the
Committee on the Judiciary]

1 A BILL to amend and reenact §64-2-1 *et. seq.* of the Code of West Virginia, 1931, as amended,
2 all relating generally, to authorizing certain agencies of the Department of Administration
3 to promulgate legislative rules; authorizing the rules as modified by the Legislative Rule-
4 Making Review Committee and as amended by the Legislature; authorizing the Ethics
5 Commission to promulgate a legislative rule relating to use of office for private gain,
6 including nepotism; authorizing the Division of Personnel to promulgate a legislative rule
7 relating to the Administrative rule of the West Virginia Division of Personnel; authorizing
8 the Office of Technology to promulgate a legislative rule relating to the Chief Information
9 Officer review; and authorizing the Office of Technology to promulgate a legislative rule
10 relating to cyber reporting.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 2. AUTHORIZATION FOR DEPARTMENT OF ADMINISTRATION TO
PROMULGATE LEGISLATIVE RULES.**

§64-2-1. Ethics Commission.

1 The legislative rule filed in the State Register on May 12, 2021, authorized under the
2 authority of §6B-2-5 of this code, modified by the Ethics Commission to meet the objections of
3 the Legislative Rule-Making Review Committee and refiled in the State Register on December
4 16, 2021, relating to the Ethics Commission (Use of Office for Private Gain, Including Nepotism,
5 158 CSR 06), is authorized with the following amendment:

6 On page 2, subdivision 3.6.1, after the word “unless” by inserting the words “required by
7 law and”.

§64-2-2. Division of Personnel.

1 The legislative rule filed in the State Register on July 29, 2021, authorized under the
2 authority of §29-6-10 of this code, modified by the Division of Personnel to meet the objections
3 of the Legislative Rule-Making Review Committee and refiled in the State Register on August 24,

4 2021, relating to the Division of Personnel (Administrative Rule of the West Virginia Division of
5 Personnel, 143 CSR 01), is authorized.

§64-2-3. Office of Technology.

1 (a) The legislative rule filed in the State Register on July 30, 2021, authorized under
2 the authority of §5A-6-4 of this code, modified by the Office of Technology to meet the objections
3 of the Legislative Rule-Making Review Committee and refiled in the State Register on December
4 16, 2021, relating to the Office of Technology (Chief Information Officer Review , 163 CSR 02), is
5 authorized.

6 (b) The legislative rule filed in the State Register on July 30, 2021, authorized under
7 the authority of §5A-6B-3 of this code, modified by the Office of Technology to meet the objections
8 of the Legislative Rule-Making Review Committee and refiled in the State Register on December
9 16, 2021, relating to the Office of Technology (Cyber Reporting, 163 CSR 03), is authorized.

NOTE: The purpose of this bill is to authorize the Ethics Commission to promulgate a legislative rule relating to Use of Office for Private Gain, Including Nepotism.

This section is new; therefore, strike-throughs and underscoring have been omitted.