

# **WEST VIRGINIA LEGISLATURE**

## **2023 REGULAR SESSION**

### **Committee Substitute**

**for**

### **House Bill 2638**

BY Delegates Foster and Kump

[Originating in the Committee on the Judiciary;

Reported on February 13, 2023]



1 A BILL to amend and reenact §64-2-1 *et seq.* of the Code of West Virginia, 1931, as amended, all  
2 relating generally to authorizing certain agencies of the Department of Administration to  
3 promulgate legislative rules; authorizing the rules as filed and as amended by the  
4 Legislative Rule-Making Review Committee and as amended by the Legislature;  
5 authorizing the Department of Administration to promulgate a legislative rule relating to  
6 purchasing; and authorizing the Department of Administration to promulgate a legislative  
7 rule relating to parking.

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

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

**§64-2-1. Administration.**

1 (a) The legislative rule filed in the State Register on July 28, 2022, authorized under  
2 the authority of §5A-3-4 of this code, relating to the Department of Administration (purchasing, 148  
3 CSR 01), is authorized.

1 (b) The legislative rule filed in the State Register on October 15, 2021, authorized  
2 under the authority of §5A-10-3a of this code, relating to the Department of Administration  
3 (parking, 148 CSR 06), is authorized with the following amendments:

4 On page 2, section 5, by striking out section 5.1 and inserting in lieu thereof the following:

5 "5.1. Parking may be provided, at the discretion of the Secretary, to state spending units.

6 The spending unit shall provide for parking in accordance with the parking allocation policies of the  
7 spending unit, subject to this rule. The fee to park, to be paid by the spending unit, shall be \$20 per  
8 month per employee using a designated parking space. Payment by the spending unit shall be  
9 made in accordance with the policies of the Secretary. The Secretary may charge a reasonable  
10 fee to replace a parking tag or access card issued to a public officer or employee which shall be  
11 paid by the public officer or employee."; and

12           On page 4, section 7, by striking out subsection 7.2 and inserting in lieu thereof the  
13 following:

14           "7.2. Payment. Payment of fines is required within 10 days of the time the ticket was  
15 issued to either the ticket receipt boxes provided by the Department of Administration, the address  
16 printed on the ticket, or to the Department's website, which must be clearly printed on the ticket.  
17 Fines not paid within 10 days are subject to double additional fines not to exceed \$20 each. A  
18 summons may be issued for tickets not paid within 14 days."