

H. B. 2421

(By Delegates Miller, J., Sobonya and C. Miller)
[Introduced January 12, 2011; referred to the
Committee on the Judiciary then Finance.]

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10 A BILL to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new section, designated §4-1-24, relating to
12 requiring a seventy-two hour waiting period before the
13 Legislature votes on the state budget for final passage and a
14 twenty-four hour waiting period before a proposed budget
15 amendment is voted upon.

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

17 That the Code of West Virginia, 1931, as amended, be amended
18 by adding thereto a new section, designated §4-1-24, to read as
19 follows:

20 **ARTICLE 1. OFFICERS, MEMBERS AND EMPLOYEES; APPROPRIATIONS;**
21 **INVESTIGATIONS; DISPLAY OF FLAGS; RECORDS; USE OF**
22 **CAPITOL BUILDING; PREFILING OF BILLS AND**

1 **RESOLUTIONS; STANDING COMMITTEES; INTERIM MEETINGS;**
2 **NEXT MEETING OF THE SENATE; BUDGET REVIEW.**

3 **§4-1-24. Seventy-two hour budget review.**

4 (a) This section shall be known and may be cited as the
5 "Seventy-Two-Hour Budget Review Act."

6 (b) *Legislative finding.*-- The Legislature finds that public
7 participation in the legislative process improves the quality of
8 proposed legislation by allowing the opportunity for its detailed
9 review by interested parties. The opportunity for a detailed
10 review by the public prior to votes on legislation helps increase
11 public trust in government and enhances respect for the Legislature
12 by ensuring that its operation is conducted with the openness,
13 order, and dignity befitting West Virginia. It is the intent of
14 the Legislature, therefore, to prohibit votes on a final budget
15 bill until seventy-two hours after the bill has been made publicly
16 available.

17 (c) For the purpose of this section, the following terms shall
18 be defined:

19 (1) "Budget bill" means any bill authorizing an appropriation
20 of funds for state operating, capital or transportation expenses.

21 (2) "Amendment" means any proposed change in a bill.

1 (3) "Publicly available" means posting a bill on the
2 Legislature's website and its publication in a bill report,
3 committee report or conference report.

4 (d) Any vote for final passage of a state budget bill shall be
5 prohibited until seventy-two hours after the bill is made publicly
6 available. The seventy-two hour time period excludes Saturdays,
7 Sundays and holidays except when the legislative body considering
8 the bill is in session on that day.

9 (e) Amendments offered to a budget bill shall not be
10 considered in order unless made publicly available twenty-four
11 hours prior to any vote. The twenty-four hour time period excludes
12 Saturdays, Sundays and holidays except when the legislative body
13 considering the bill is in session on that day.

NOTE: The purpose of this bill is to require a budget bill to be made publicly available for seventy-two hours prior to voting on final passage. The bill also requires any amendments be made publicly available twenty-four hours prior to any vote.

This section is new; therefore, it has been completely underscored.