

E N R O L L E D

H. B. 2542

(BY DELEGATE(S) MORGAN, STEPHENS, JONES, PAXTON, P. SMITH,
STAGGERS, HARTMAN AND LYNCH)

[Passed April 11, 2013; in effect from passage.]

AN ACT to amend and reenact §29A-2-7 of the Code of West Virginia, 1931, as amended, relating to publications of the Secretary of State; requiring the State Register, Code of State Rules and other documents of the Secretary of State be available only in electronic format; exceptions; rule-making authority; and providing that the fees collected for the sale of certain records will be deposited in equal amounts into the General Revenue Fund and the service fees and collections account.

Be it enacted by the Legislature of West Virginia:

That §29A-2-7 of the Code of West Virginia, 1931, as amended be amended and reenacted to read as follows:

ARTICLE 2. STATE REGISTER.

§29A-2-7. Publication of State Register.

1 (a) The Legislature intends that the Secretary of State offer
2 to the public access to the State Register and Code of State
3 Rules. The State Register, the Code of State Rules and other
4 documents produced by the Secretary of State's office shall be
5 available in electronic format on the Secretary of State's website.

6 (b) All materials filed in the State Register shall be indexed
7 as quickly as possible in chronological order of filing with a
8 brief description of the item filed and a columnar cross index to:

9 (1) Agency;

10 (2) Code citation to which it relates and by which it is filed
11 in the State Register; and

12 (3) Other information in the description or cross index as the
13 Secretary of State believes will aid a person in using the index.

14 (c) The Secretary of State shall post on the website with each
15 update of the Code of State Rules, a copy of the rule monitor and
16 its cross index which shows the rules that have become effective,
17 and a table showing rules which are out for public comment, and
18 agency-approved, modified and emergency rules.

19 (d) The Secretary of State may propose rules for legislative
20 approval, in accordance with the provisions of article three of
21 this chapter, to change the procedures outlined in this section.

22 (e) One half of all the fees and amounts collected for the sale
23 of the State Register, the Code of State Rules and other copies or
24 data provided by the Secretary of State shall be deposited in the
25 State General Revenue Fund and one half of the fees in the
26 service fees and collections account established in accordance
27 with subsection (f), section two, article one, chapter fifty-nine of
28 this code for the operations of the office of the Secretary of

29 State. The Secretary of State shall dedicate sufficient resources
30 from that fund or other funds to provide the services required in
31 this article.

32 (f) A person who is unable to access electronic versions of
33 documents may review the documents at the office of the
34 Secretary of State, or may request a printed copy at a cost which
35 is sufficient, in the judgment of the Secretary of State, to defray
36 the expenses of publication, including labor, paper and postage:
37 *Provided*, That the Secretary of State may waive the fee.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

In effect from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within _____ this the _____
day of _____, 2013.

Governor

