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H. B. 4046

(By Delegates Poore, Marcum, Eldridge and
Fleischauer)

[Introduced January 9, 2014; referred to the
Committee on Roads and Transportation then the
Judiciary.]

A BILL to amend and reenact article 8, chapter 64 of the Code of
West Virginia, 1931, as amended, relating to authorizing the
Office of Administrative Hearings to promulgate a legislative
rule relating to appeal procedures.

Be it enacted by the Legislature of West Virginia:

That article 8, chapter 64 of the Code of West Virginia, 1931,
as amended, be amended and reenacted to read as follows:

**ARTICLE 8. AUTHORIZATION FOR DEPARTMENT OF TRANSPORTATION TO
PROMULGATE LEGISLATIVE RULES.**

§64-8-1. Office of Administrative Hearings.

The legislative rule filed in the State Register on July 26,
2013, authorized under the authority of section four-a, article
five-c, chapter seventeen-c of this code, modified by the Office of
Administrative Hearings to meet the objections of the Legislative

1 Rule-Making Review Committee and refiled in the State Register on
2 December 19, 2013, relating to the Office of Administrative
3 Hearings (appeal procedures, [105 CSR 1](#)), is authorized.

NOTE: The purpose of this bill is to authorize the Office of Administrative Hearings to promulgate a legislative rule relating to appeal procedures.

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