

Senate Bill No. 270

(By Senators Jenkins, Carmichael, Cole and M. Hall)

[Introduced January 8, 2014; referred to the Committee on Economic Development; and then to the Committee on Finance.]

**FISCAL
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-2I-1, §5B-2I-2, §5B-2I-3, §5B-2I-4, §5B-2I-5 and §5B-2I-6, all relating to creating the Jobs Impact Statement Act; requiring a jobs impact statement for certain proposed legislation; making legislative findings; setting forth the contents of a jobs impact statement; and availability of the statements.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new article, designated §5B-2I-1, §5B-2I-2, §5B-2I-3, §5B-2I-4, §5B-2I-5 and §5B-2I-6, all to read as follows:

ARTICLE 2I. JOBS IMPACT STATEMENT.

§5B-2I-1. Short title.

This article may be cited as the "Jobs Impact Statement Act."

1 **§5B-2I-2. Legislative findings.**

2 The Legislature finds that, in order to maintain and create an
3 economic climate which will sustain and promote the creation and
4 retention of jobs in the State of West Virginia and provide
5 employment opportunities for as many citizens as possible, it is
6 important to understand the jobs impact of Legislature acts. The
7 Legislature further finds that without appropriate information it
8 may enact legislation that would adversely affect employment in the
9 state.

10 **§5B-2I-3. Persons empowered to request jobs impact statement;**
11 **preparation by West Virginia Development Office;**
12 **time limitations.**

13 Upon written request by the Governor or the presiding officer
14 of either house of the Legislature, proposed legislation which has
15 an impact on the state's economy shall be reviewed by the West
16 Virginia Development Office, which shall prepare a jobs impact
17 statement. The request shall be accompanied by ten copies of the
18 proposed legislation. In preparing a jobs impact statement, the
19 Director of the West Virginia Development Office may seek
20 assistance or data from, or contract with, any organization or
21 state agency which may facilitate the compilation of the jobs
22 impact statement. Any state agency shall provide requested
23 information within ten days from the date of the request.

1 The West Virginia Development Office shall return a jobs
2 impact statement to the requesting party within twenty days of the
3 date of the original request.

4 **§5B-2I-4. Contents of the jobs impact statement; explanations**
5 **required for omissions.**

6 (a) *General rule.* -- The jobs impact statement, using
7 generally accepted methodology, shall detail both short-term and
8 long-term job effects of the proposed legislation and shall
9 include, but is not limited to, the following information:

10 (1) A determination of the probable result of the legislation
11 in terms of the number of West Virginia jobs which will be created,
12 retained or eliminated;

13 (2) A statement of the probable net impact of the legislation
14 on employment levels and employment patterns in West Virginia; and

15 (3) A determination of the relative impact on the number of
16 West Virginia jobs by broad industrial sector, two-digit standard
17 industrial classification.

18 (b) *Omission.* -- A jobs impact statement that omits any
19 information required by subsection (a) of this section shall
20 specifically note its omission, the reason for its omission, the
21 importance of any relevant information so omitted to a complete and
22 realistic assessment of the economic impact of the legislation and
23 the additional time and effort required to obtain any information

1 needed for the assessment.

2 **§5B-2I-5. Lack of jobs impact statement not to affect consideration**
3 **or validity of legislation.**

4 If, in the opinion of the Director of the West Virginia
5 Development Office, a jobs impact statement cannot be prepared
6 within the statutory time frame, the unavailability of a jobs
7 impact statement does not affect the validity of legislation which
8 is enacted nor does the unavailability restrict consideration of
9 pending legislation. No provision of this article alters, amends
10 or invalidates any rule of the Senate, rule of the House of
11 Delegates or joint rule of the Senate and House of Delegates.

12 **§5B-2I-6. Availability of copies of jobs impact statements.**

13 One copy of a jobs impact statement requested under section
14 three of this article shall be made available to the Governor and
15 the presiding officers of both houses of the Legislature, who shall
16 distribute the statement to all members of the respective house.
17 Copies of the statement shall be made available to the public at
18 the office of the clerk of the respective houses of the
19 Legislature.

NOTE: The purpose of this bill is to require a jobs impact statement to be completed by the West Virginia Development Office for certain proposed legislation which may impact both short-term and long-term jobs in this state. The bill creates the Jobs Impact Statement Act. The bill makes legislative findings. The bill also sets forth the contents of a jobs impact statement and the

availability of the statements.

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