

COMMITTEE SUBSTITUTE

for

H. B. 2233

(BY DELEGATE(S) WALTERS, SOBONYA, ROHRBACH,
AMBLER, MR. SPEAKER (MR. ARMSTEAD), STORCH, H. WHITE,
R. PHILLIPS, IRELAND, HANSHAW AND E. NELSON)

(Originating in the House Committee on the Judiciary)

[February 25, 2015]

A BILL to amend and reenact §29A-3-16 of the Code of West Virginia, 1931, as amended, relating to authorizing the Legislative Rule-Making Committee with the assistance of the Legislative Auditor's Office to review legislative rules five years after initial approval by the Legislature; and directing the Legislative Rule-Making Committee to report findings and recommendations to the Legislature.

Be it enacted by the Legislature of West Virginia:

That §29A-3-16 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 3. RULE-MAKING.

§29A-3-16. Legislative review of procedural rules, interpretive legislative rules.

1 (a) The Legislative Rule-Making Review Committee may
2 review ~~any procedural rules;~~ procedural and interpretive rules ~~or~~
3 ~~existing legislative rules~~ and may make recommendations
4 concerning ~~such rules~~ these to the Legislature, ~~or~~ to the agency
5 or to both the Legislature and the agency; for rules which were
6 approved by the Legislature prior to the enactment of this section
7 in 2015.

8 (b) The Legislative Rule-Making Committee with the
9 assistance of the Legislative Auditor may review any rule which
10 has been promulgated and in effect for at least five years, and
11 make recommendations to the Legislature for modification or
12 repeal of any such rule as the Legislative Rule-Making
13 Committee may determine to be necessary. Areas of review shall
14 include, but not be limited to, the following:

15 (1) Whether the rule is achieving its purpose; and

16 (2) Whether the rule should be eliminated, continued or
17 amended.

18 (c) Following its review, the Legislative Rule-Making
19 Committee and the Legislative Auditor shall summarize their
20 findings and make recommendations. A report of the findings
21 and recommendations shall be submitted to the Legislature for
22 any action the Legislature may consider necessary.

