

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

Senate Bill 264

BY SENATOR BLAIR

[Introduced January 13, 2016;

Referred to the Committee on the Judiciary.]

1 A BILL to amend and reenact §4-10-3 of the Code of West Virginia, 1931, as amended, relating
2 to the Performance Review Act; and modifying the definition of “division”.

Be it enacted by the Legislature of West Virginia:

1 That §4-10-3 of the Code of West Virginia, 1931, as amended, be amended and reenacted
2 to read as follows:

ARTICLE 10. PERFORMANCE REVIEW ACT

§4-10-3. Definitions.

1 As used in this article, unless the context clearly indicates a different meaning:

2 (a) AAgency@ or Astate agency@ means a state governmental entity, including any
3 bureau, department, division, commission, agency, committee, office, board, authority,
4 subdivision, program, council, advisory body, cabinet, panel, system, task force, fund, compact,
5 institution, survey, position, coalition or other entity in the State of West Virginia.

6 (b) AAgency review@ means a review performed on agencies of a department pursuant
7 to the provisions of this article.

8 (c) ACommittee@ means the Joint Committee on Government Operations.

9 (d) ACompliance review@ means a review for compliance with recommendations
10 contained in a previous agency review or regulatory board review conducted pursuant to the
11 provisions of this article and may include further inquiry of other issues as directed by the
12 President, the Speaker, the Legislative Auditor, the committee or the joint standing committee.

13 (e) ADepartment@ means the departments created within the executive branch, headed
14 by a secretary appointed by the Governor, as authorized by the Code of West Virginia.

15 (f) ADepartment presentation@ means a presentation by a department pursuant to the
16 provisions of this article.

17 (g) ADivision@ means the ~~Performance Evaluation and Research Division of the~~
18 Legislative Auditor Auditor's Office.

19 (h) AJoint standing committee@ means the Joint Standing Committee on Government
20 Organization.

21 (i) APrivatize@ means a contract to procure the services of a private vendor to provide a
22 service that is similar to, and/or in lieu of, a service provided by a state agency.

23 (j) ARegulatory Board@ means a board that regulates professions and occupations,
24 created under the provisions of chapter thirty of this code.

25 (k) ARegulatory Board Review@ means a review performed on a regulatory board
26 pursuant to the provisions of this article.

NOTE: The purpose of this bill is to provide the Legislative Auditor's Office greater flexibility in allocating resources to perform its duties.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.