

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **Senate Bill 544**

BY SENATORS CARMICHAEL, BOSO, FERNS, GAUNCH,

MAYNARD, MULLINS, PALUMBO, TRUMP, BLAIR AND

PLYMALE

[Introduced February 8, 2016;

Referred to the Committee on Government Organization.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §29A-3-16a, relating to requiring all executive branch agencies to review all  
 3 rules under their jurisdiction to compare them to federal rules; providing notice and  
 4 comment period for all rules; and submitting reports.

*Be it enacted by the Legislature of West Virginia:*

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
 2 section, designated §29A-3-16a, to read as follows:

**ARTICLE 3. RULE MAKING.**

**§29A-3-16a. Executive review and evaluation of existing rules.**

1 All executive branch agencies shall:

2 (1) Review and evaluate all state rules under their jurisdiction which have federal  
 3 counterparts;

4 (2) Determine whether the state rule is more stringent than the federal rule;

5 (3) Provide a notice and comment period for all rules; and

6 (4) Submit a report to the Joint Committee on Government and Finance within ninety days  
 7 of the effective date of this section that shall include:

8 (A) A description of the state rules that are more stringent than their federal counterparts;  
 9 and

10 (B) Comments received from the notice and comment period provided in subdivision (3)  
 11 of this subsection.

NOTE: The purpose of this bill is to require executive agencies to review rules, compare them to federal rules, provide for notice and comment periods and report to the Joint Committee on Government and Finance.

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