

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

House Bill 4011

BY DELEGATES HAMRICK, PHILLIPS, STORCH, CAPITO,
HARSHBARGER, KESSINGER, HOUSEHOLDER, CRISS,
PAYNTER AND FOSTER)

[Introduced January 12, 2018; Referred
to the Committee on Government Organization]

1 A BILL to amend and reenact §29A-3-3 of the Code of West Virginia, 1931, relating to requiring
 2 agencies, when submitting a new rule or changes to an existing rule, to also identify two
 3 existing rules that could be repealed.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. RULE MAKING.

§29A-3-3. Rules of procedure required.

1 In addition to other rule-making requirements imposed by law:

2 (a) Each agency shall adopt procedural rules governing the formal and informal
 3 procedures prescribed or authorized by this chapter. Procedural rules shall include rules of
 4 practice before the agency, together with forms and instructions.

5 (b) To assist interested persons dealing with it, each agency, shall so far as deemed
 6 practicable, supplement its rules or regulations with descriptive statements of its procedures.

7 (c) Each agency shall, when submitting a new rule or changes to an existing rule, also
 8 submit to the Legislature two existing rules that could be repealed.

NOTE: The purpose of this bill is to require agencies, when submitting a new rule or changes to an existing rule, to also identify two existing rules that could be repealed.

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