

# **WEST VIRGINIA LEGISLATURE**

## **2021 REGULAR SESSION**

**Introduced**

### **House Bill 2388**

BY DELEGATE FOSTER

[Introduced February 13, 2021; Referred  
to the Committee on the Judiciary]

1 A BILL to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating  
 2 to authorizing the Department of Environmental Protection to promulgate a legislative rule  
 3 relating to control of greenhouse gas emissions from existing coal-fired electric utility  
 4 generating units.

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

**ARTICLE 3. AUTHORIZATION FOR DEPARTMENT OF ENVIRONMENTAL  
 PROTECTION TO PROMULGATE LEGISLATIVE RULES.**

**§64-3-1. Department of Environmental Protection.**

1 The legislative rule filed in the State Register on August 26, 2020, authorized under the  
 2 authority of §22-5-4 of this code, modified by the Department of Environmental Protection to meet  
 3 the objections of the Legislative Rule-Making Review Committee and refiled in the State Register  
 4 on September 28, 2020, relating to the Department of Environmental Protection (control of  
 5 greenhouse gas emissions from existing coal-fired electric utility generating units, [45 CSR 44](#)), is  
 6 authorized.

NOTE: The purpose of this bill is to authorize the Department of Environmental Protection to promulgate a legislative rule relating to control of greenhouse gas emissions from existing coal-fired electric utility generating units.

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