

# **WEST VIRGINIA LEGISLATURE**

## **2023 REGULAR SESSION**

### **Introduced**

### **House Bill 2749**

BY Delegate Foster

[Introduced January 17, 2023; Referred to the  
Committee on Agriculture and Natural Resources  
then the Judiciary]

1 A BILL to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to  
 2 authorizing the Division of Natural Resources to promulgate a legislative rule relating to  
 3 miscellaneous permits and licenses.

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

**ARTICLE 10. AUTHORIZATION FOR DEPARTMENT OF COMMERCE TO  
 PROMULGATE LEGISLATIVE RULES.**

**§64-10-1. Division of Natural Resources.**

1 The legislative rule filed in the State Register on November 30, 2021, authorized under the  
 2 authority of §20-1-7 of this code, modified by the Division of Natural Resources to meet the  
 3 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
 4 September 29, 2022, relating to the Division of Natural Resources (miscellaneous permits and  
 5 licenses, [58 CSR 64](#)), is authorized with the amendments set forth below:

6 The Legislative Rule Making Review Committee moved to amend the rule on page 19,  
 7 section 8, by striking out the text of sections 8.1 and 8.2 in their entirety and inserting in lieu thereof  
 8 the following text: "8.1. The Division may refer violations of the provisions of this rule to the  
 9 appropriate law enforcement or prosecutor's office for criminal prosecution."

NOTE: The purpose of this bill is to authorize the Division of Natural Resources to promulgate a legislative rule relating to miscellaneous permits and licenses.

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