

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **House Bill 4034**

By Delegate Smith

[Introduced January 10, 2024; Referred  
to the Committee on Energy and Manufacturing, then  
the Judiciary ]

1 A BILL to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to  
 2 authorizing the Department of Environmental Protection to promulgate a legislative rule  
 3 relating to control of air pollution from the emission of sulfur oxides.

*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 July 28, 2023, 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 14, 2023, relating to the Department of Environmental Protection (control of air  
 5 pollution from the emission of sulfur oxides, [45 CSR 10](#)), is authorized.

NOTE: The purpose of this bill is to authorize the Department of Environmental Protection to promulgate a legislative rule relating to control of air pollution from the emission of sulfur oxides.

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