

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4038

By Delegate Smith

[Introduced January 10, 2024 ; Referred
to 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 the 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 July 28, 2023, authorized under the
 2 authority of §22-5-4 of this code, relating to the Department of Environmental Protection (control of
 3 greenhouse gas emissions from existing coal-fired electric utility generating units, [45 CSR 44](#)), is
 4 authorized.

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

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