WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2004

ENROLLED
COMMITTEE SUBSTITUTE
FOR
House Bill No. 4266
(By Mr. Speaker, Mr. Kiss, and Delegates Walters, Trump, Webb, Beane, Cann and Browning)

Passed March 13, 2004
In Effect Ninety Days from Passage
ENROLLED

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FOR

H. B. 4266

(BY MR. SPEAKER, MR. KISS, AND DELEGATES WALTERS, TRUMP, WEBB, BEANE, CANN AND BROWNING)

[Passed March 13, 2004; in effect ninety days from passage.]

AN ACT to amend the code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5-29-1 and §5-29-2, all relating to requiring certain state regulatory agencies to study ways and develop plans to expedite the issuance and renewal of licenses, permits and certificates to business entities in good standing; and requiring reports to the Legislature.

Be it enacted by the Legislature of West Virginia:

That the code of West Virginia, 1931, as amended, be amended by adding thereto a new article, designated §5-29-1 and §5-29-2, all to read as follows:

CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE GOVERNOR, SECRETARY OF STATE AND ATTORNEY GENERAL; BOARD
OF PUBLIC WORKS; MISCELLANEOUS AGENCIES,
COMMISSIONS, OFFICES, PROGRAMS, ETC.

ARTICLE 29. EXPEDITIOUS ISSUANCE OF LICENSES BY REGULATORY AGENCIES.

§5-29-1. Purpose of article.

The purpose of this article is to provide for more expeditious and efficient issuance of permits, licenses or certificates by state regulatory agencies to business entities that are in good standing in the payment of taxes and other obligations to the state. For the purposes of this article, a business entity in good standing is one that:

1. Has conducted commercial activities in this state for at least two years;
2. Has paid any business tax, workers’ compensation or unemployment compensation premiums due in the preceding two years; and,
3. Has not engaged in activities for which any claim of a substantial violation of any statute or rule has occurred in the previous two years.

§5-29-2. Regulatory agencies to study expedited permits, licenses and certificates; reports to the Legislature.

(a) The following regulatory agencies shall study, review and develop a plan for expediting the issuance and renewal of permits, licenses and certificates for business entities in good standing:

1. Division of labor;
2. The office of miners’ health, safety and training; (3) the division of forestry;
(4) The office of health facilities licensure and certification within the department of health and human resources; and

(5) The department of environmental protection excepting the oil and gas inspectors’ examining board.

(b) On or before the first day of December, two thousand four, each agency to which this article applies shall file a report with the joint standing committee on government organization, setting forth the findings of its study, its plan to expedite the issuance and renewal of permits, licenses and certificates to business entities in good standing, and its recommendations for any legislation required to meet the purposes of this article.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 5th day of April, 2004.

Governor