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## HOUSE BILL NO. 1236

Offered January 25, 1994

A BILL to amend the Code of Virginia by adding a section numbered 30-19.03:1, relating to the General Assembly; economic impact statements.

Patrons—Croshaw, Almand, Behm, Cantor, Copeland, Darner, Hamilton, Jackson, Keating, May, Mims, Reynolds and Scott; Senators: Houck, Howell, Nolen, Reasor and Saslaw

Referred to Committee on Privileges and Elections

**Be it enacted by the General Assembly of Virginia:****1. That the Code of Virginia is amended by adding a section numbered 30-19.03:1 as follows:**

§ 30-19.03:1. Economic impact statement.

A. Definitions. When used in this section, unless the context requires a different meaning:

"Agency" means any authority, instrumentality, officer, board or other unit of the state government empowered by the basic laws to make regulations or decide cases.

"Continue consideration" means the ability of a legislative standing committee, upon the vote of the elected membership of the committee, in accordance with the procedural rules of that body, to retain any bill or resolution on its agenda for hearings and committee action for an additional period until the next regular session of the General Assembly for purposes of evaluating the economic impact of such bill or resolution.

"Economic impact statement" means a document prepared by an agency at the direction of a legislative standing committee setting forth the information prescribed by this section.

"Legislative standing committee" means a legislative committee which meets at every session of the General Assembly and may elect to continue consideration of proposed legislation in accordance with this section.

"Regulation" means any statement of general application having the force of law, affecting the rights or conduct of any person, promulgated by an agency in accordance with the authority conferred on it by Virginia law.

B. In considering any legislation which may result in the promulgation of regulations by any agency, a legislative standing committee shall have the authority during any legislative session to elect to continue consideration of such legislation, pending the development of an economic impact statement with respect to such legislation, in accordance with this section. Prior to continuing consideration of such legislation, a legislative standing committee shall consider the impact, if any, of such election on the state's implementation of any program created or required by federal law.

C. Upon its election to continue consideration of legislation pending the development of an economic impact statement, a legislative standing committee shall re-refer such proposed legislation to the proper committee of that body of the General Assembly for the appropriation of such public revenues as are estimated by the appropriate agency designated by the legislative standing committee to be necessary to reimburse the agency for the development of an economic impact statement as provided in this section.

D. Upon its election to continue consideration of legislation pending the development of an economic impact statement, a legislative standing committee shall direct the appropriate agency to prepare and present an economic impact statement regarding the impact of regulations required and/or authorized by the proposed legislation within 180 days after the immediately preceding legislative session. In so directing the agency, said committee may provide instruction or guidance on the appropriate scope and analysis of an economic impact statement. At the time the agency presents the economic impact statement to the committee, it shall also cause a summary of such economic impact statement to be published in the Virginia Register of Regulation, along with a notice of the availability of the full statement and the opportunity to submit comments on the statement to the agency for a period of not less than thirty days nor more than sixty days following the publication of the notice and summary.

E. A legislative standing committee shall, within ninety days after receipt of an economic impact statement, consider the statement, hold public hearings and receive public input as the committee deems appropriate, and direct whatever necessary changes, if any, are made to the proposed legislation, prior to acting upon the legislation in accordance with the procedural rules of the General Assembly.

F. An economic impact statement under this section shall, unless otherwise provided by the legislative standing committee, contain:

1. A succinct statement outlining why the legislation is being proposed, including the objectives, rationale and justification for the proposed legislation from the standpoint of the public's health, safety or welfare;

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- 60 2. A description of the primary advantages and disadvantages of the passage of such legislation for  
61 the public and, as applicable, for the state or the agency which would be responsible for any necessary  
62 implementing regulations;
- 63 3. The estimated economic impact, defined as the projected number of persons or localities affected,  
64 together with the projected costs, expressed as a dollar figure or range, for the implementation of and  
65 compliance with the proposed legislation, including the positive or negative impact on the use and value  
66 of private or public property, if any; the identity of any localities particularly affected by the proposed  
67 legislation or necessary implementing regulations; and an estimate of the projected cost to the agency  
68 for implementation and enforcement;
- 69 4. An identification, to the extent practicable, of all federal laws or regulations which may duplicate,  
70 overlap or conflict with the proposed legislation or necessary implementing regulations;
- 71 5. A description of any alternative approaches to the proposed legislation which would accomplish  
72 the objectives of, be less burdensome than, and minimize the economic impact of the proposed  
73 legislation; and
- 74 6. Any other information which a legislative standing committee making an election under this  
75 section deems appropriate in connection with an analysis of the economic impact of the proposed  
76 legislation.