**TITLE 153**

**INTERPRETIVE RULE**

**SECRETARY OF STATE**

**SERIES 46A**

**COMMISSIONERS FOR WEST VIRGINIA**

**153-46A-1. General.**

1.1. Scope. This rule establishes the intent for those with a current, valid Commissioner for West Virginia registration on file with the Secretary of States Office, as described in the now repealed W. Va. Code 29-4-12, upon the passage of HB 4012 from the 2014 Legislative Session.

1.2. Authority. W. Va. Code 39-4-25.

1.3. Filing Date.

1.4. Effective Date.

**153-46A-2. Power of Commissioner Appointed Under the Now Repealed W. Va. Code 29-4-12.**

2.1. When any oath may lawfully be administered, or affidavit or deposition taken, within the state, territory or district for which any such commissioner is appointed, to be used in this state, it may be done by such commissioner.

2.2. Such commissioners, under regulation prescribed by law, may take, within or any place out of the State of West Virginia, the acknowledgments of deeds and other writings to be admitted to record in the state of West Virginia.

2.3. A commissioner, in performing notarial acts on or after July 1, 2014, shall comply with the provisions of W. Va. Code §39-4, with the exception of the stamp required by section seventeen of that article, per W. Va. Code §39-4-26(b).

**153-46A-3. Seal of Such Commissioner.**

3.1. Each commissioner shall have an official seal which shall be a rubber stamp and shall contain:

3.1.a. The words Official Seal;

3.1.b. The words Commissioner for West Virginia;

3.1.c. The commissioners name exactly as it is written as an official signature;

3.1.d. The city and state of residence of the commissioner.

3.1.e. The words My Commission Expires and the date of expiration of the commission.

3.2. A stamped imprint of the seal, together with the official signature, shall be filed in the office of the Secretary of State.

**153-46A-4. Renewing a Commission.**

4.1. A commissioner holding a current, valid registration at the time of HB 4012 becoming effective on July 1, 2014 may continue to act as a commissioner until the expiration of that term per W. Va. Code §39-4-26(b).

4.1.a. No renewal of this registration will be accepted.

4.1.b. No new applications for this registration will be accepted.