



**WEST VIRGINIA  
SECRETARY OF STATE**

**NATALIE E. TENNANT**

**ADMINISTRATIVE LAW DIVISION**

**eFILED**

**9/11/2015 8:42:46 AM**

OFFICE OF  
WEST VIRGINIA SECRETARY OF STATE

**FORM 5 -- NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE OR  
A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

**AGENCY** Secretary Of State

**RULE TYPE** Interpretive AMENDMENT TO EXISTING RULE **No** **TITLE-SERIES** 153-

**RULE NAME** Commissioners for West Virginia **46A**

**CITE AUTHORITY** 39-4-25

**RULE IS LEGISLATIVE EXEMPT**

**No**

**CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW**

**N/A**

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE, THE  
EFFECTIVE DATE OF THIS RULE IS

**Sunday, October 11, 2015**

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

**Yes**

**Natalie E Tennant -- By my signature, I certify that I am the person authorized to file legislative rules, in  
accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 153-46A



Rule Id: 9951



Document: 27103

**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valid Commissioner for West Virginia registration on file with the Secretary of State's Office, as described in the now repealed W. Va.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. – September 11, 2015

1.4. Effective Date. – October 11, 2015

**§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 Power of Commissioner Appointed Under the Now Repealed W. Va.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 commissioner's 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.