

**WEST VIRGINIA
SECRETARY OF STATE
BETTY IRELAND
ADMINISTRATIVE LAW DIVISION**

Do Not Mark In This Box

FILED

2005 MAY 16 P 4:40

OFFICE WEST VIRGINIA
SECRETARY OF STATE

Form #6

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: Secretary of State TITLE NUMBER: 153

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 28

TITLE OF RULE BEING AMENDED: Agencies Designated to Provide Voter Registration
Services

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) HB 2669

SECTION §64-9-15, PASSED ON April 9, 2005

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE
FOLLOWING DATE: May 16, 2005


Authorized Signature

TITLE 153
LEGISLATIVE RULE
SECRETARY OF STATE

SERIES 28

AGENCIES DESIGNATED TO PROVIDE VOTER REGISTRATION SERVICES

FILED
2005 MAY 16 P 4:40
WEST VIRGINIA
SECRETARY OF STATE

§153-28-1. General.

1.1. Scope - To designate those agencies and programs required to provide voter registration according to the provisions of the W. Va. Code §3-2-13.

1.2. Authority - W. Va. Code §§3-1A-6 and 3-2-13.

1.3. Filing Date -- May 16, 2005.

1.4. Effective Date -- May 16, 2005.

§153-28-2. Definitions.

For the purposes of this rule:

2.1. "Designated agency" means a department, division or office of state or local government, or a program supported by state funds which is designated by this rule to provide voter registration services according to the provisions of W. Va. Code §3-2-13 beginning July 1, 1999.

2.2. "Public assistance agency" means a designated agency which receives applications for assistance as defined in W. Va. Code §9-1-2(e) for which an income means test is applied for determination of eligibility for assistance and includes the food stamp program, Temporary Assistance to Needy Families, the "Women, Infants and Children" (WIC) program and the Medicaid program as specified in W. Va. Code §3-2-13(b)(1).

2.3. "Disabilities Services agency" means a designated agency primarily engaged in providing services to persons with disabilities.

2.4. "Offices which issue marriage licenses"

means those sections or divisions of the offices of the clerk of the county commission and/or those employees assigned to provide or receive marriage license applications, and shall not include those sections, divisions or employees delivering other services of the clerk's office.

§153-28-3. Designated Public Assistance Agencies.

Voter registration services will be provided to applicants for services through:

3.1. the Temporary Assistance to Needy Families, the Food Stamp program, the Transportation Remuneration and Incentive Program (TRIP), the Emergency Assistance Program, the Low Income Energy Assistance Program (LIEAP) and the Medicaid program within the West Virginia Department of Health and Human Resources;

3.2. the Women, Infants and Children program (WIC) under the Nutrition Services Section, Bureau of Public Health within the West Virginia Department of Health and Human Resources; and

3.3. the Homeless program under the Social Services Division within the West Virginia Department of Health and Human Resources.

§153-28-4. Designated Disabilities Services Agencies.

Voter registration services will be provided to applicants for services through:

4.1. the WV Bureau of Senior Services under the Governor's Office;

4.2. programs offered by the WV

Commission for the Deaf and Hard-of-Hearing within the West Virginia Department of Health and Human Resources;

4.3. the early Intervention program and the Handicapped Children program under the Infant and Child Health section within the West Virginia Department of Health and Human Resources;

4.4. the Behavioral Health Services program within the West Virginia Department of Health and Human Resources;

4.5. programs offered by the Blind and Handicapped Division of the Library Commission and the Division of Rehabilitation Services within the West Virginia Department of Education and the Arts;

4.6. programs offered by the West Virginia School for the Deaf and Blind within the West Virginia State Board of Education; and

4.7. programs offered by the Division of Veteran Affairs within the West Virginia Department of Public Safety.

§153-28-5. Designated County Marriage License Offices.

The county offices which issue marriage licenses within the office of the clerk of the county commission in each county of the state are designated to provide voter registration services.