



FILED IN THE OFFICE OF
THE SECRETARY OF STATE
THIS DATE May 15, 2020
ADMINISTRATIVE LAW DIVISION

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Bureau for Public Health

RULE: 64 CSR 114. Public Health Standards for Businesses Remaining Open During the COVID-19 Outbreak

STATUTORY AUTHORITY: W. Va. Code §§ 16-3-1, 16-1-4, 29A-3-15.

DATE FILED AS AN EMERGENCY RULE: May 15, 2020.

Following review under W. Va. Code §29A-3-15a, which requires the Secretary of State to determine that the agency filing such emergency rule: 1) has not exceeded the scope of law authorizing or directing the promulgation thereof; 2) has shown that an emergency exists justifying the promulgation of an emergency rule; and 3) filed the emergency rule in compliance with W. Va. Code §29A-3-15, it is the decision of the Secretary of State that the above emergency rule is **Approved**.

It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

(1) For the immediate preservation of the public peace, health, safety and welfare;

(2) to comply with a time limitation established by the W. Va. Code or by a federal statute or regulation; or

(3) to prevent substantial harm to the public interest.

Additional notes or comments (if any): This emergency rule amendment updates originally approved Emergency Rule to reflect changing emergency situations and to clarify certain ambiguous provisions.

A handwritten signature in black ink, appearing to read "Donald Kersey", written over a horizontal line.

Donald Kersey, General Counsel
WV Secretary of State's Office