



FILED

2020 JUL -1 A 11: 58

OFFICE WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: **Racing Commission**

RULE: **Title 178-10**

STATUTORY AUTHORITY: **W. Va. Code §19-23-12(e)(I)**

DATE FILED AS AN EMERGENCY RULE: **July 1, 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**.

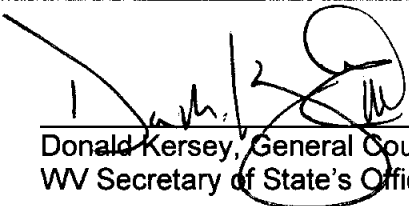
It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

(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): Pursuant to W. Va. Code § 19-23-12(e)(I), which new law passed March 6, 2020 and will go into effect on July 1, 2020, the Racing Commission has authority to promulgate this emergency rule.


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