



NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

2022 AUG 11 A 10:44

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

AGENCY: Higher Education Policy Commission

RULE: 133 CSR 42 West Virginia Higher Education Grant Program

STATUTORY AUTHORITY: W. Va. Code § 18B-1-6

DATE FILED AS AN EMERGENCY RULE: August 2, 2022.

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):

/s/ Donald M. Kersey, III (08/11/2022)

Donald M. Kersey, III
General Counsel, Deputy Secretary of State