

MEMORANDUM

FILED

To: Maureen Lewis, Administrative Law Director
From: Donald Kersey, Chief of Staff
Date: July 31, 2024
Re: Repeal of 153 CSR 46A

2024 AUG -1 A 8:13

Please consider this Memorandum a request to repeal 153 CSR 46A.

153 CSR 46A is an Interpretative Rule of the Secretary of State, filed on September 11, 2015, and made effective October 11, 2015. At the time the Rule was necessary for regulations of Commissioners with active licenses despite the statutory repeal of W. Va. Code § 29-4-12 via HB 4012 (2014 Regular Session).

Presently, no Commissioners issued licenses under that repealed statute have valid licenses. Furthermore, in the 2019 Regular Session, SB 669 was passed relating to the same and promulgating in statute various provisions concerning the same relating to out-of-state commissioners, which licensees are now governed in the same manner and fashion as notaries public by the Licensing Division of the Secretary of State.

Therefore, this Interpretative Rule is no longer relevant or necessary, as current law make provisions equivalent to or in excess of those contained in 153 CSR 46A.