



FILED

2024 AUG -5 A 8:03

WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Crime Delinquency and Correction

RULE: 149-11 Sexual Assault Forensic Examinations

STATUTORY AUTHORITY: W.Va. Code 15-9B-4

DATE FILED AS AN EMERGENCY RULE: May 7, 2024

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): In §149-11-2.7, the referenced Code section, W.Va. Code §16-5B-1 *et seq.*, has been repealed and should be removed from the Rule.



David P. Cook, Jr., General Counsel
WV Secretary of State's Office