

FILED

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE

AGENCY: Alcohol Beverage Control Commission

RULE TYPE: Legislative

TITLE SERIES: 175 C.S.R. 12

RULE NAME: Vape or Smoke Shop Licensure and Enforcement

STATUTORY AUTHORITY: §16-9H-1, et seq.

DATE FILED AS AN EMERGENCY RULE: June 22, 2026

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.

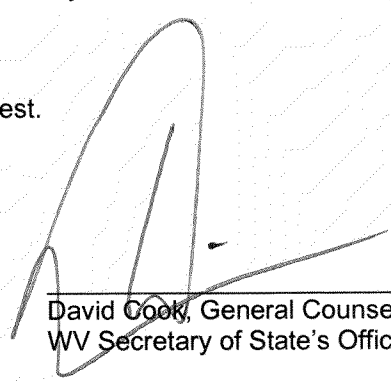
It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

☐ (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): None.



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