



WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-
MAKING REVIEW COMMITTEE**

AGENCY: Corrections TITLE-SERIES: 90-01
RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: Yes
RULE NAME: 90-01 Incorporation of Policy Directives Manual

PRIMARY CONTACT

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CITE STATUTORY AUTHORITY: W. Va. Code 15A-3-18.

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

Pursuant to W. Va. Code 15A-3-18, there was a statutory provision for code and rules related to the consolidated Division of Corrections and Rehabilitation set for July 1, 2021. This date has long passed. As such, it is being recommended that this rule be repealed.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 6/29/2026

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/29/2026

COMMENTS RECEIVED: No

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No

(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?

SUMMARY OF THE CONTENT OF THE LEGISLATIVE RULE, AND A DETAILED DESCRIPTION OF THE RULE'S PURPOSE AND ALL PROPOSED CHANGES TO THE RULE:

The proposed legislative rule is proposing repealing the language in the legislative rule based upon the statutory sunset provision for code and rules related to the division.

STATEMENT OF CIRCUMSTANCES WHICH REQUIRE THE RULE:

The repeal conducted in this proposed rule is required to reduce outdated rules.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED LEGISLATIVE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

0

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

0

C. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

0

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2026 Increase/Decrease (use "-")	2027 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost			
Personal Services			
Current Expenses			
Repairs and Alterations			
Assets			
Other			
2. Estimated Total Revenues			

E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

0

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes
Brandolyn N Felton-Ernest -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

**TITLE 90
LEGISLATIVE RULE
DEPARTMENT OF CORRECTIONS**

**SERIES 1
INCORPORATION OF POLICY DIRECTIVES MANUAL**

~~§90-1-1. General.~~

~~1.1. Scope. — This manual contains policy and procedures for the administration of the Department of Corrections and the correctional facilities under the jurisdiction of the Commissioner of the Department of Corrections, and for the supervision of persons committed to the custody of the Commissioner and persons on parole in West Virginia.~~

~~1.2. Authority. — W. Va. Code §25-1-5; 28-1-5; 28-3-10; 28-5-2; 28-5B-12; 62-13-2; 62-13-4.~~

~~1.3. Filing Date. — September 9, 1987.~~

~~1.4. Effective Date. — September 9, 1987.~~

~~§90-1-2. Incorporation By Reference.~~

~~The Policy Directives Manual is hereby incorporated by reference as a legislative rule. The document is available from the Secretary of State's office or the West Virginia Department of Corrections.~~