

WEST VIRGINIA REGISTER

Published by the Office of the
Secretary of State

Volume XLIII

Issue 11

March 20, 2026

A Weekly Publication

Administrative Law Division

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**This week's publication includes documents submitted
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Labor

CHRONOLOGICAL INDEX

CHRONOLOGICAL INDEX, VOLUME XLIII ISSUE 11

NO RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION

NO EMERGENCY RULES FILED THIS WEEK			
AGENCY/RULE	RULE NAME	AUTHORITY	EFFECTIVE DATE
			COMMENT END DATE



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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

- | | | |
|--------|-----|---|
| Column | 1. | Agency Name, (Title and Series Number) |
| Column | 2. | Rule Title and Type |
| Column | 3. | Date Notice of Public Hearing or Comment Period Filed |
| Column | 4. | Date of Public Hearing or Last Date Comments Will Be Received |
| Column | 5. | Date Emergency Rule Filed, Emergency Amendment Filed, Emergency Rule Decision Date (ERD), and Effective Date of Emergency Rule |
| Column | 6. | Date Agency Approved Rule Filed (Legislative Rules Only) |
| Column | 7. | Review date by the Legislative Rule-Making Review Committee or Legislative Oversight Commission on Education Accountability, and Action Taken |
| Column | 8. | Legislative Action |
| Column | 9. | Date Agency Final Files the Rule |
| Column | 10. | Date Rule is Effective |

-
- Emergency rules will not have a "Notice" date until the agency files one, but the rule will appear in Columns 1, 2, & 5. An Agency must file for a public comment period either before filing as an emergency or no more than 30 days after filing the rule as an emergency
 - If more than one date appears in a column, it means the agency has repeated that step (example: holding an additional comment period)

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

<u>TITLE NUMBER</u>	<u>NAME OF AGENCY</u>
TITLE 1	ACCOUNTANCY
TITLE 2	ARCHITECTS
TITLE 3	BARBERS AND COSMETOLOGISTS
TITLE 4	CHIROPRACTIC EXAMINERS
TITLE 5	DENTISTRY
TITLE 6	FUNERAL SERVICE EXAMINERS
TITLE 7	PROFESSIONAL ENGINEERS
TITLE 10	LICENSED PRACTICAL NURSES
TITLE 11	MEDICINE
TITLE 14	OPTOMETRY
TITLE 15	PHARMACY
TITLE 16	PHYSICAL THERAPY
TITLE 17	PSYCHOLOGISTS
TITLE 19	REGISTERED NURSES
TITLE 20	SANITARIANS
TITLE 22	FORESTRY
TITLE 24	OSTEOPATHIC MEDICINE
TITLE 25	SOCIAL WORK EXAMINERS
TITLE 26	VETERINARY MEDICINE
TITLE 27	COUNSELING
TITLE 29	SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
TITLE 30	RESPIRATORY CARE
TITLE 31	DIETITIANS
TITLE 32	ACUPUNCTURE
TITLE 33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
TITLE 35	OIL AND GAS
TITLE 36	COAL MINE HEALTH AND SAFETY
TITLE 38	MINING AND RECLAMATION
TITLE 42	LABOR
TITLE 45	AIR QUALITY
TITLE 47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
TITLE 53	PUBLIC ENERGY AUTHORITY
TITLE 56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE 58	NATURAL RESOURCES
TITLE 60	ENVIRONMENTAL PROTECTION – SECRETARY'S OFFICE
TITLE 61	AGRICULTURE
TITLE 64	HEALTH
TITLE 65	HEALTH CARE AUTHORITY
TITLE 71	OFFICE OF THE INSPECTOR GENERAL
TITLE 76	SENIOR SERVICES
TITLE 78	HUMAN SERVICES
TITLE 81	STATE POLICE
TITLE 87	FIRE COMMISSION
TITLE 89	PUBLIC DEFENDER SERVICES
TITLE 90	CORRECTIONS
TITLE 91	MOTOR VEHICLES
TITLE 103	FIRE MARSHAL
TITLE 110	TAX DEPARTMENT
TITLE 112	TREASURER
TITLE 114	INSURANCE COMMISSION
TITLE 126	EDUCATION
TITLE 127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE 133	HIGHER EDUCATION POLICY COMMISSION
TITLE 135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE 143	PERSONNEL
TITLE 144	TOURISM
TITLE 145	DEVELOPMENT OFFICE
TITLE 146	STATE ELECTION COMMISSION
TITLE 148	ADMINISTRATION
TITLE 149	CRIME, DELINQUENCY AND CORRECTIONS
TITLE 150	PUBLIC SERVICE COMMISSION
TITLE 153	SECRETARY OF STATE
TITLE 155	AUDITOR
TITLE 157	HIGHWAYS
TITLE 164	SCHOOL BUILDING AUTHORITY
TITLE 174	REAL ESTATE COMMISSION
TITLE 175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE 176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
TITLE 177	ATHLETIC COMMISSION
TITLE 178	RACING COMMISSION
TITLE 179	LOTTERY COMMISSION
TITLE 190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD
TITLE 220	MULTIMODAL TRANSPORTATION FACILITIES

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/CLOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Administration (148-25)	One-Stop-Shop Permitting Program Legislative	6/10/2025	7/25/2025	6/9/2025 Approved 6/10/2025	8/22/2025	Modified & Approved 10/2/2025 Filed 10/23/2025	HB4200 SB251 Bundled SB251		
Agriculture (61-01B) Sunset Provision	Registration Forms and Tags for Registration, Taxation and Control of Dogs Legislative				6/23/2025	Modified & Approved 10/8/2025 Filed 10/21/2025	HB4265 SB312 Bundled HB4265		
Agriculture (61-08) Sunset Provision	West Virginia Grades and Standards for Apples Legislative				6/24/2025	Modified & Approved 8/13/2025 Filed 8/18/2025	HB4266 SB313 Bundled HB4265		
Agriculture (61-11)	Regulations Governing Public Markets Legislative	6/25/2025	7/25/2025		7/25/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4267 SB314 Bundled HB4265		
Agriculture (61-11H) Sunset Provision	Licensing of Livestock Dealers Legislative				6/23/2025	Modified & Approved 8/5/2025 Filed 8/18/2025	HB4268 SB315 Bundled HB4265		
Agriculture (61-15)	Grade "A" Pasteurized Milk Legislative	6/4/2025	7/4/2025	6/4/2025 Approved 6/10/2025	7/8/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4269 SB316 Bundled HB4265		
Agriculture (61-30)	Select Plant-Based Derivatives and Select Plant-Based Derivative Products-Hemp and Kratom Legislative	6/10/2025	7/10/2025	6/10/2025 Approved 6/10/2025 Amendment 3/10/2026 ERD by 4/21/2026	7/25/2025	Modified & Approved 10/8/2025 Filed 12/4/2025	HB4270 SB317 Bundled HB4265		
Agriculture (61-37)	Agritourism Legislative	6/25/2025	7/25/2025		7/25/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4271 SB318 Bundled HB4265		
Agriculture (61-40) Sunset Provision	WV Exempted Dairy Farms and Milk and Milk Products Processing Rules Legislative				3/6/2025	Modified & Approved 8/5/2025 Filed 8/20/2025	HB4272 SB310 Bundled HB4265		
Air Quality (45-01)	Alternative Emission Limitations During Startup and Shutdown Legislative	5/30/2025	7/1/2025		7/22/2025	Approved 10/8/2025	HB4205 SB256 Bundled SB256		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-08)	Ambient Air Quality Standards Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 10/8/2025	HB4206 SB257 Bundled SB256		
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 10/8/2025	HB4207 SB258 Bundled SB256		
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 10/8/2025	HB4208 SB259 Bundled SB256		
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 9/7/2025	HB4209 SB260 Bundled SB256		
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 9/7/2025	HB4210 SB261 Bundled SB256		
Air Quality (45-43)	Cross-State Air Pollution Rule to Control Annual Nitrogen Oxides Emissions, Annual Sulfur Dioxide Emissions, and Ozone Season Nitrogen Oxides Emissions Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 9/7/2025	HB4211 SB262 Bundled SB256		
Alcohol Beverage Control Commission (175-02)	Private Club Licensing Legislative	6/18/2025	7/18/2025		7/22/2025	Modified & Approved 9/7/2025 Filed 9/11/2025	HB4236 SB287 Bundled HB4245		
Architects (2-01)	Registration of Architects Legislative	6/12/2025	7/12/2025		7/25/2025	Modified & Approved 10/2/2025 Filed 11/25/2025	HB4273 SB325 Bundled HB4265		
Architects (2-03)	Fees for Registration of Architects Legislative	6/12/2025	7/12/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 10/8/2025	HB4274 SB326 Bundled HB4265		
Attorney General (142-03)	Legislative Rule Pertaining to the Establishment and Qualification of Third-Party Dispute Mechanisms Legislative					Authorized w/Certain Amendments 10/8/2025	HB4275 SB320 Bundled HB4265		
Attorney General (142-04)	Fair Treatment of Crime Victims and Witnesses Legislative					Authorized w/Certain Amendments 10/8/2025	HB4276 SB321 Bundled HB4265		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Attorney General (142-05)	Prevention of Unfair or Deceptive Acts or Practices in Home Improvement Transactions Legislative					Authorized w/Certain Amendments 10/8/2025	HB4277 SB322 Bundled HB4265		
Attorney General (142-06)	Legislative Rule Pertaining to the Prevention of Unfair or Deceptive Acts or Practices in Sale of Damaged Goods or Damaged Products Legislative					Authorized w/Certain Amendments 10/8/2025	HB4278 SB323 Bundled HB4265		
Attorney General (142-08)	Administration of Preneed Burial Contracts Legislative					Authorized w/Certain Amendments 10/8/2025	HB4279 SB324 Bundled HB4265		
Auditor (155-01)	Standards for Requisitions for Payment Issued by State Officers on the Auditor Legislative	1/2/2025	2/3/2025		2/7/2025	Modified & Approved 10/2/2025 Filed 10/17/2025	HB4280 SB327 Bundled HB4265		
Barbers and Cosmetologists (3-02)	Qualifications, Training, Examination, and Certification of Instructors in Barbering, Hair Styling, Nail Technology, Aesthetics, Waxing, and Cosmetology Legislative	6/17/2025	7/25/2025		7/28/2025	Modified & Approved 9/5/2025 Filed 9/19/2025	HB4281 SB328 Bundled HB4265		
Barbers and Cosmetologists (3-04)	Operational Standards for Schools of Barbering, Cosmetology, Hair Styling, Nail Technology, Waxing, and Aesthetics Legislative	6/17/2025	7/25/2025		7/28/2025	Modified & Approved 9/5/2025 Filed 9/19/2025	HB4282 SB329 Bundled HB4265		
Barbers and Cosmetologists (3-13)	Barber Apprenticeship Legislative	6/17/2025	7/25/2025		7/28/2025	Modified & Approved 9/5/2025 Filed 9/23/2025	HB4283 SB330 Bundled HB4265		
Barbers and Cosmetologists (3-14)	Waxing Specialist Legislative	6/18/2025	7/25/2025		7/28/2025	Approved 9/5/2025	HB4284 SB331 Bundled HB4265		
Coal Mine Health and Safety (36-15)	Rules and Regulations Governing Ventilation by Use of Mechanically Operated Fans and Intentional Changes in the Ventilation System Legislative Exempt	2/27/2026	3/30/2026						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Community and Technical College Education (135-28)	Skilled Trades Apprenticeship Nontraditional Degree (STAND) Program Legislative	6/2/2025	7/3/2025	6/2/2025 Approved 7/9/2025 Amendment 8/5/2025 Effective 9/16/2025	7/18/2025	Modified & Approved 9/8/2025 Filed 9/9/2025	HB5354		
Community and Technical College Education (135-30)	Purchasing Procedural	1/23/2026	2/23/2026					2/26/2026	3/26/2026
Community and Technical College Education (135-43, repeal)	Purchasing Efficiencies Legislative	6/3/2025	7/7/2025		7/18/2025	Approved 12/8/2025	HB5354		
Contractor Licensing Board (28-02)	West Virginia Contractor Licensing Act Legislative	6/25/2025	7/25/2025		7/25/2025	Approved 9/10/2025	HB4285 SB335 Bundled HB4265		
Counseling (27-01)	Licensing Rule Legislative	6/25/2025	7/24/2025		7/28/2025	Modified & Approved 10/8/2025 Filed 10/21/2025	HB4286 SB332 Bundled HB4265		
Counseling (27-03)	Licensed Professional Counselor License Requirements and Continuing Professional Education Requirements Legislative	6/25/2025	7/24/2025		7/28/2025	Modified & Approved 10/8/2025 Filed 10/21/2025	HB4287 SB333 Bundled HB4265		
Counseling (27-08)	Marriage and Family Therapist Licensing Legislative	6/25/2025	7/24/2025		7/28/2025	Modified & Approved 10/8/2025 Filed 10/21/2025	HB4288 SB334 Bundled HB4265		
Crime Delinquency and Correction (149-02)	Law Enforcement Training and Certification Standards Legislative	6/24/2025	7/24/2025		7/24/2025	Modified & Approved 9/5/2025 Filed 9/24/2025	HB4230 SB281 Bundled SB281		
Dentistry (5-13)	Expanded Duties of Dental Hygienists and Dental Assistants Legislative	2/12/2026	3/16/2026	2/3/2026 Effective 3/17/2026					
Economic Development (145-16) Sunset Provision	Tourism Development Districts Legislative				10/8/2024	Approved 8/5/2025	HB4323 SB374 Bundled SB374		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Economic Development (145-20)	Rule to Petition the Department of Commerce for Certification of a Microgrid District or Certification as a High Impact Data Center Legislative	11/10/2025	12/10/2025	11/10/2025 Effective 12/22/2025	1/12/2026	Modified & Approved 1/28/2026 Filed 1/29/2026	HB4983 SB695		
Education (126-089)	West Virginia Design and Equipment Requirements for School Transportation Vehicles (4334) Legislative Exempt	5/14/2025	6/14/2025						
Environmental Protection Secretary's Office (60-09)	Voluntary Remediation and Redevelopment De Minimis Standards Interpretive	1/6/2026	2/10/2026					3/9/2026	4/8/2026
Financial Institutions, Division of (106-05)	Rule Pertaining to Mortgage Lenders, Brokers, and Loan Originators Legislative	6/19/2025	7/21/2025		7/24/2025	Modified & Approved 9/5/2025 Filed 9/10/2025	HB4237 SB336 Bundled HB4245		
Financial Institutions, Division of (106-07)	Installation, Operation and Sharing of Customer Bank Communication Terminals and the Utilization of Nonexclusive Access Interchange System Legislative	6/19/2025	7/21/2025		7/23/2025	Approved 9/5/2025	HB4238 SB337 Bundled HB4245		
Financial Institutions, Division of (106-17)	Notice and Treatment of Joint Accounts Legislative	6/19/2025	7/21/2025		7/23/2025	Approved 9/5/2025	HB4239 SB338 Bundled HB4245		
Financial Institution (106-21) Sunset Provision	Rule Pertaining to the Fintech Regulatory Sandbox Legislative	3/6/2025 4/9/2025	4/7/2025 5/9/2025	3/6/2025 Approved 3/6/2025	6/3/2025	Approved 8/5/2025	HB4240 SB339 Bundled HB4245		
Fire Commission (87-01)	Fire Code Legislative	3/6/2025 4/9/2025	4/7/2025 5/9/2025	3/6/2025 Approved 3/6/2025	6/3/2025	Modified & Approved 9/5/2025 Filed 10/6/2025	HB4231 SB282 Bundled SB281		
Foresters (200-04)	Schedule of Fees Legislative	1/27/2026	3/13/2026						
Funeral Service Examiners (6-01)	Funeral Director, Embalmer, Apprentice, Courtesy Card Holders and Funeral Establishment Requirements Legislative	6/19/2025	7/22/2025	6/19/2025 Approved 7/9/2025	7/25/2025	Modified & Approved 9/5/2025 Filed 9/10/2025	HB4289 SB340 Bundled HB4265		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-19)	Water Well Regulations Legislative					Authorized w/Certain Amendments 9/5/2025	HB4215 SB266 Bundled HB4215		
Health (64-45)	Lead Abatement Licensing Legislative	6/24/2025	7/24/2025		7/25/2025	Modified & Approved 10/2/2025 Filed 10/17/2025	HB4216 SB267 Bundled HB4215		
Health (64-48)	Emergency Medical Services Legislative	6/23/2025	7/23/2025		7/24/2025	Modified & Approved 9/10/2025 Filed 9/18/2025	HB4217 SB268 Bundled HB4215		
Health (64-51)	Fees for Services Legislative	6/24/2025	7/24/2025		7/25/2025	Authorized as Modified w/Certain Amendments 10/8/2025 Filed 12/5/2025	HB4218 SB269 Bundled HB4215		
Health (64-57)	Clinical Laboratory Practitioner Licensure Legislative	6/23/2025	7/23/2025		7/24/2025	Modified & Approved 10/8/2025 Filed 10/17/2025	HB4219 SB270 Bundled HB4215		
Health (64-59)	Patient Rights at State-Operated Mental Health Facilities Legislative	6/25/2025	7/25/2025		7/25/2025	Approved 9/10/2025	HB4229 SB280 Bundled HB4215		
Health (64-67, repeal)	Distribution of State Funds for Support of Local Boards of Health Legislative	6/23/2025	7/23/2025		7/24/2025	Approved 10/8/2025	HB4220 SB271 Bundled HB4215		
Health (64-73)	Basic Public Health Service Standards for Local Boards of Health Legislative	6/23/2025	7/23/2025		7/25/2025	Authorized as Modified w/Certain Amendments 10/8/2025 Filed 12/5/2025	HB4221 SB272 Bundled HB4215		
Health (64-115)	Diabetes Self-Management Education Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 10/8/2025	HB4222 SB273 Bundled HB4215		
Health Care Authority (65-29) Sunset Provision	Exemption from Certificate of Need Legislative				7/21/2025	Approved 8/12/2025	HB4223 SB274 Bundled HB4215		
Higher Education Policy Commission (133-43, repeal)	Purchasing Efficiencies Legislative	6/30/2025	7/30/2025		7/31/2025	12/8/2025 Approved	HB5354		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Higher Education Policy Commission (133-48, repeal)	Research Trust Fund Legislative	6/30/2025	7/30/2025		7/31/2025	Approved 9/12/2025	HB5354		
Higher Education Policy Commission (133-63)	Mental Health Loan Repayment Program Legislative	6/30/2025	7/30/2025		7/31/2025	Approved 9/12/2025	HB5354		
Higher Education Policy Commission (133-64)	Administrative Exemption Legislative	6/30/2025	7/30/2025		7/31/2025	Modified & Approved 12/8/2025 Filed 12/10/2025	HB5354		
Highways (157-03)	Construction and Reconstruction of State Roads Legislative	6/24/2025	7/24/2025		8/7/2025				
Highways (157-05)	Traffic and Safety Rules Legislative	11/10/2025	12/10/2025	11/10/2025 Effective 12/22/2025	12/11/2025				
Insurance Comm. (114-02A) Sunset Provision	Fingerprinting Requirements for Applicants for Insurance Producer and Insurance Adjuster License Legislative				4/16/2025	Approved 8/5/2025	HB4241 SB288 Bundled HB4245		
Insurance Comm. (114-07, repeal)	Premium Financing of Life Insurance for College Students Legislative	6/19/2025	7/19/2025		7/22/2025	Approved 8/5/2025	HB4242 SB289 Bundled HB4245		
Insurance Comm. (114-09, repeal)	Mass Marketing of Property and Liability Insurance Legislative	6/25/2025	7/25/2025		7/25/2025	Approved 8/5/2025	HB4243 SB290 Bundled HB4245		
Insurance Comm. (114-10, repeal)	Advertisement of Accident and Sickness Insurance Legislative	6/19/2025	7/19/2025		7/22/2025	Approved 8/5/2025	HB4244 SB291 Bundled HB4245		
Insurance Comm. (114-25) Sunset Provision	Insurance Adjusters Legislative				4/16/2025	Approved 8/5/2025	HB4245 SB292 Bundled HB4245		
Insurance Comm. (114-35)	Insurance Holding Company Systems Legislative	6/19/2025	7/19/2025		7/22/2025	Modified & Approved 8/12/2025 Filed 8/21/2025	HB4246 SB293 Bundled HB4245		
Insurance Comm. (114-40) Sunset Provision	Credit for Reinsurance Legislative				4/16/2025	Modified & Approved 8/13/2025 Filed 8/21/2025	HB4247 SB294 Bundled HB4245		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Insurance Comm. (114-64) Sunset Provision	Mental Health Parity Legislative				4/16/2025	Approved 8/5/2025	HB4248 SB295 Bundled HB4245		
Labor (42-09)	Child Labor Legislative	6/23/2025	7/23/2025		7/24/2025	Modified & Approved 9/5/2025 Filed 9/10/2025	HB4325 SB376 Bundled SB374	3/16/2026	3/16/2026
Landscape Architects (9-03)	Fees Legislative	6/25/2025	7/25/2025		7/25/2025	Approved 10/8/2025	HB4290 SB341 Bundled HB4265		
Landscape Architects (9-04) Sunset Provision	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative				7/25/2025	Approved 8/5/2025	HB4291 SB342 Bundled HB4265		
Lottery Commission (179-10) Sunset Provision	West Virginia Lottery Interactive Wagering Rule Legislative				6/25/2025	Approved 8/5/2025	HB4249 SB296 Bundled HB4245		
Medicine (11-01B)	Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 10/8/2025	HB4292 SB343 Bundled HB4265		
Medicine (11-06)	Continuing Education for Physicians and Podiatric Physicians Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 10/8/2025	HB4293 SB344 Bundled HB4265		
Medical Imaging and Radiation Therapy Tech. Board of Examiners (18-01)	WV Medical Imaging and Radiation Therapy Tech. Board of Examiners Legislative	4/11/2025	5/31/2025		6/3/2025	Modified & Approved 8/5/2025 Filed 8/13/2025	HB4294 SB345 Bundled HB4265		
Medical Imaging and Radiation Therapy Tech. Board of Examiners (18-02, repeal)	Continuing Education Legislative	4/1/2025	5/31/2025		6/3/2025	Approved 8/5/2025	HB4295 SB346 Bundled HB4265		
Medical Imaging and Radiation Therapy Tech. Board of Examiners (18-05)	Standard of Ethics Legislative	6/13/2025	7/15/2025		7/16/2025	Modified & Approved 8/5/2025 Filed 8/13/2025	HB4296 SB347 Bundled HB4265		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Miners' Health Safety and Training (56-03)	Rule Governing the Safety of Those Employed in and Around Surface Mines in West Virginia Legislative	12/15/2025	1/16/2026	12/15/2025 Effective 1/26/2026	1/23/2026				
Miners' Health Safety and Training (56-08) Sunset Provision	Rule Governing the Submission and Approval of a Comprehensive Mine Safety Program for Coal Mining Operations in the State of West Virginia Legislative				9/24/2024	Approved 8/5/2025	HB4326 SB377 Bundled SB374		
Motor Vehicles (91-11, repeal)	Motor Vehicle Equipment Legislative	6/23/2025	7/23/2025		7/24/2025	Approved 8/5/2025	HB4262 SB309 Bundled SB309		
Motor Vehicles (91-13)	Compulsory Motor Vehicle Liability Insurance Legislative	6/23/2025	7/23/2025		7/24/2025	Modified & Approved 9/5/2025 Filed 9/22/2025	HB4263 SB310 Bundled SB309		
Motor Vehicles (91-25) Sunset Provision	Special Purpose Vehicles Legislative				6/23/2025	Approved 8/5/2025	HB4264 SB311 Bundled SB309		
Municipal Pensions Oversight Board (211-02) Sunset Provision	Exempt Purchasing Legislative				10/9/2024	Approved 8/5/2025	HB4297 SB348 Bundled HB4265		
Natural Resources (58-14, repeal)	Rules Governing Small Arms Hunting Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 8/5/2025	HB4327 SB378 Bundled SB374		
Natural Resources (58-21)	Wildlife Rehabilitation Legislative	6/24/2025	7/24/2025		7/25/2025	Modified & Approved 10/8/2025 Filed 12/11/2025	HB4328 SB379 Bundled SB374		
Natural Resources (58-26)	Special Boating Rules Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 10/8/2025	HB4329 SB380 Bundled SB374		
Natural Resources (58-46) Sunset Provision	Defining the Terms Used in All Hunting and Trapping Legislative				3/31/2025	Approved 8/5/2025	HB4330 SB381 Bundled SB374		
Natural Resources (58-47)	Prohibitions When Hunting and Trapping Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 10/8/2025	HB4331 SB382 Bundled SB374		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-50) Sunset Provision	Deer Hunting Rule Legislative				3/31/2025	Approved 8/5/2025	HB4332 SB383 Bundled SB374		
Natural Resources (58-56) Sunset Provision	Special Migratory Game Bird Hunting Legislative				3/31/2025	Approved 8/5/2025	HB4333 SB384 Bundled SB374		
Occupational Therapy (13-04)	Continuing Education and Competence Legislative	4/17/2025	6/1/2025		6/3/2025	Approved 8/5/2025	HB4298 SB349 Bundled HB4265		
Office of Technology (163-03) Sunset Provision	Cyber Reporting Legislative				7/18/2025	Modified & Approved 8/5/2025 Filed 8/14/2025	HB4201 SB252 Bundled SB251		
Office of the Inspector General (71-15)	Nursing Home Licensure Legislative	6/24/2025	7/24/2025		7/25/2025	Modified & Approved 12/10/2025 Filed 12/23/2025	HB4224 SB275 Bundled HB4215		
Office of the Inspector General (71-17)	Delegation of Medication Administration and Health Maintenance Tasks to Approved Medication Assistive Personnel Legislative	6/23/2025	7/23/2025		7/25/2025	Authorized with Certain Amendments 12/10/2025	HB4225 SB276 Bundled HB4215		
Office of the Inspector General (71-21)	Assisted Living Residences Legislative					Authorized with Certain Amendments 12/10/2025	HB4226 SB277 Bundled HB4215		
Office of the Inspector General (71-24)	Syringe Services Program Licensure Legislative	6/23/2025	7/23/2025		7/25/2025	Modified & Approved 12/10/2025 Filed 12/23/2025	HB4227 SB278 Bundled HB4215		
Office of the Inspector General (71-25)	Behavioral Health Centers Licensure Legislative					Authorized with Certain Amendments 12/10/2025	HB4228 SB279 Bundled HB4215		
Optometry (14-01)	Rules of the West Virginia Board of Optometry Legislative	6/10/2025	7/10/2025	6/10/2025 Approved 7/9/2025	7/23/2025	Modified & Approved 9/5/2025 Filed 9/18/2025	HB4299 SB350 Bundled HB4265		
Optometry (14-02)	Oral Pharmaceutical Certificate Legislative	6/10/2025	7/10/2025		7/23/2025	Modified & Approved 9/5/2025 Filed 9/18/2025	HB4300 SB351 Bundled HB4265		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE APPROVED	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Optometry (14-05)	Schedule of Fees Legislative	6/10/2025	7/10/2025	6/10/2025 Approved 7/9/2025	7/23/2025	Modified & Approved 9/5/2025 Filed 9/18/2025	HB4301 SB352 Bundled HB4265		
Optometry (14-06, repeal)	Interview Evaluation Legislative	11/19/2025	12/19/2025		12/23/2025		Bundled HB4265		
Optometry (14-08)	Licensure by Reciprocity Legislative	6/10/2025	7/10/2025	6/10/2025 Approved 7/9/2025	7/23/2025	Modified & Approved 9/5/2025 Filed 9/18/2025	HB4302 SB353 Bundled HB4265		
Optometry (14-10)	Continuing Education Legislative	6/10/2025	7/10/2025		7/23/2025	Modified & Approved 9/5/2025 Filed 9/18/2025	HB4303 SB354 Bundled HB4265		
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	6/25/2025	7/25/2025		7/28/2025	Modified & Approved 10/8/2025 Filed 12/9/2025	HB4304 SB355 Bundled HB4265		
Osteopathic Medicine (24-02)	Osteopathic Physician Assistants Legislative	6/25/2025	7/25/2025		7/28/2025	Modified & Approved 10/8/2025 Filed 12/9/2025	HB4305 SB356 Bundled HB4265		
Osteopathic Medicine (24-09) Sunset Provision	Emergency Temporary Permits to Practice During States of Emergency or States of Preparedness Legislative				3/27/2025	Approved 8/5/2025	HB4306 SB357 Bundled HB4265		
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 11/24/2025	HB4307 SB358 Bundled HB4265		
Pharmacy (15-06)	Mail-Order and Non-Resident Pharmacies Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 11/24/2025	HB4308 SB359 Bundled HB4265		
Pharmacy (15-07)	Board of Pharmacy Rules for Registration of Pharmacy Technicians Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 11/24/2025	HB4309 SB360 Bundled HB4265		
Pharmacy (15-10)	Board of Pharmacy Rules for Pharmacist Recovery Networks Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 11/24/2025	HB4310 SB361 Bundled HB4265		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-12)	Board of Pharmacy Rules for Immunizations Administered by Pharmacists, Pharmacy Interns, and Pharmacy Technicians Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 10/22/2025	HB4311 SB362 Bundled HB4265		
Pharmacy (15-15)	Rules Governing Pharmacy Permits Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/8/2025 Filed 11/24/2025	HB4312 SB363 Bundled HB4265		
Pharmacy (15-16)	Rules Governing Pharmacist Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 11/24/2025	HB4313 SB364 Bundled HB4265		
Pharmacy (15-19)	Inspections Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 10/22/2025	HB4314 SB365 Bundled HB4265		
Physical Therapy (16-01)	General Provisions for Physical Therapist and Physical Therapist Assistants Legislative	2/25/2025 6/17/2025	3/28/2025 7/17/2025	2/21/2025 Approved 2/25/2025	4/1/2025 7/24/2025	Modified & Approved 10/8/2025 Filed 10/21/2025	HB4315 SB366 Bundled HB4265		
Physical Therapy (16-05)	General Provisions for Athletic Trainers Legislative	6/17/2025	7/17/2025		7/24/2025	Modified & Approved 10/8/2025 Filed 10/21/2025	HB4316 SB367 Bundled HB4265		
Psychologists (17-03)	Requirements for Licensure as a Psychologist And/Or a School Psychologist Legislative	7/16/2025	8/16/2025	7/9/2025 Effective 8/20/2025	8/18/2025	Modified & Approved 12/10/2025 Filed 12/19/2025	HB4317 SB368 Bundled HB4265		
Public Service Commission (150-37) Sunset Provision	Rules Governing the Occupancy of Customer-Provided Conduit Legislative				3/12/2025	Approved 8/5/2025	HB4318 SB369 Bundled HB4265		
Racing Commission (178-01)	Thoroughbred Racing Legislative	6/23/2025	7/23/2025		7/24/2025	Modified & Approved 10/8/2025 Filed 11/5/2025	HB4250 SB297 Bundled HB4245		
Racing Commission (178-10) Sunset Provision	Advance Deposit Account Wagering (ADW) Legislative				7/22/2025	Approved 8/5/2025	HB4251 SB298 Bundled HB4245		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Real Estate Commission (174-01)	Licensing Real Estate Brokers, Associate Brokers, and Salespersons and the Conduct of Brokerage Business Legislative	7/1/2025	7/30/2025		7/31/2025	Modified & Approved 9/10/2025 Filed 9/18/2025	HB4319 SB370 Bundled HB4265		
Rehabilitation Services (198-01) Sunset Provision	Ron Yost Personal Assistance Services Act Board Legislative				3/31/2025	Approved 8/5/2025	HB4334 SB385 Bundled SB374		
Risk and Insurance Management (115-01) Sunset Provision	Mine Subsidence Insurance Legislative				7/18/2025	Modified & Approved 8/5/2025 Filed 8/14/2025	HB4202 SB253 Bundled SB251		
Risk and Insurance Management (115-02)	Public Entities Insurance Program Legislative	6/2/2025	7/1/2025		7/18/2025	Modified & Approved 10/2/2025 Filed 10/10/2025	HB4203 SB254 Bundled SB251		
Risk and Insurance Management (115-06, repeal)	Preferred Medical Liability and High Risk Medical Liability Program Legislative	6/19/2025	7/20/2025		7/21/2025	Approved 8/5/2025	HB4204 SB255 Bundled SB251		
Secretary of State (153-10) Sunset Provision	Loan and Grant Programs Under the Help America Vote Act (HAVA) for the Purchase of Voting Equipment, Election Systems, Software, Services and Upgrades Legislative				6/24/2025	Approved 8/5/2025	HB4320 SB371 Bundled HB4265		
Senior Services (76-06) Sunset Provision	Shared Table Initiative for Senior Citizens Legislative				7/21/2025	Approved 10/8/2025	HB4321 SB372 Bundled HB4265		
Social Work Examiners (25-03) Sunset Provision	Fee Schedule Legislative				7/25/2025	Approved 8/5/2025	HB4322 SB373 Bundled HB4265		
State Emergency Response Commission (55-01) Sunset Provision	Emergency Planning and Community Right-To-Know Legislative				1/8/2025	Modified & Approved 8/5/2025 Filed 8/13/2025	HB4232 SB283 Bundled SB281		
State Police (81-03)	West Virginia State Police Career Progression System Legislative	6/23/2025	7/23/2025		7/23/2025	Modified & Approved 9/5/2025 Filed 9/24/2025	HB4233 SB284 Bundled SB281		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
State Police (81-05)	Contracted Police or Security Services Legislative	6/23/2025	7/23/2025		7/23/2025	Modified & Approved 9/5/2025 Filed 9/24/2025	HB4234 SB285 Bundled SB281		
State Police (81-08)	West Virginia State Police Member Grievance Procedure Legislative	6/23/2025	7/23/2025		7/23/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4235 SB286 Bundled SB281		
Tax (110-01H)	Valuation of Timberland and Managed Timberland Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 9/7/2025	HB4252 SB299 Bundled HB4245		
Tax (110-01M)	Valuation of Public Utility Property for Ad Valorem Property Tax Purposes Legislative	6/25/2025	7/25/2025		7/25/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4253 SB300 Bundled HB4245		
Tax (110-13FF) Sunset Provision	Tax Credit for Providing Vehicles to Low-Income Workers Legislative				3/31/2025	Modified & Approved 8/5/2025 Filed 8/26/2025	HB4254 SB301 Bundled HB4245		
Tax (110-13GG) Sunset Provision	Downstream Natural Gas Manufacturing Investment Tax Credit Legislative				3/31/2025	Approved 8/5/2025	HB4255 SB302 Bundled HB4245		
Tax (110-13I) Sunset Provision	High-Wage Growth Business Tax Credit Legislative				3/31/2025	Approved 8/5/2025	HB4256 SB303 Bundled HB4245		
Tax (110-13Q, repeal)	Commerical Patent Incentives Tax Credit Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 9/7/2025	HB4257 SB304 Bundled HB4245		
Tax (110-16A)	On-Line Bingo and Raffles Legislative	6/24/2025	7/24/2025		7/25/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4258 SB305 Bundled HB4245		
Tax (110-19, repeal)	Soft Drinks Tax Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 8/5/2025	HB4259 SB306 Bundled HB4245		
Tax (110-21H)	Income Tax Credits for Property Taxes Paid Legislative	6/24/2025	7/24/2025		7/25/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4260 SB307 Bundled HB4245		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-36)	Preneed Cemetery Companies Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 9/10/2025	HB4261 SB308 Bundled HB4245		
Water Resources, Division of Water & Waste Mgmt. (47-02)	Requirements Governing Water Quality Standards Legislative	5/30/2025	7/15/2025 Extended to 7/21/2025		7/24/2025	Modified & Approved 12/10/2025 Filed 1/8/2026	HB4213 SB264 Bundled SB256	3/4/2026	7/1/2026

FILED

2026 MAR 17 A 10:45

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA DIVISION OF CORRECTIONS & REHABILITATION

LEGISLATIVE

POLICY DIRECTIVE UPDATES

NUMBER	DATE	SUBJECT
104.00	15 April 2026	Role of Outside Agencies
107.01	15 April 2026	Quarterly Reports
125.00	15 April 2026	Agency Insurance
127.01	15 April 2026	Trustee Accounts
131.02	15 April 2026	Probationary Period
139.01	15 April 2026	Travel Approval and Reimbursement
453.07	15 April 2026	Medications for Opioid Use Disorder (MOUD)
507.00	15 April 2026	Inmate Marriages

Please Stamp Filing Date

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION
INCOME MAINTENANCE MANUAL CHANGE FORM

FILED
2026 MAR 16 A 10:06
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF FILING CHANGES TO PUBLIC ASSISTANCE MANUAL WITH THE SECRETARY OF STATE

AGENCY: West Virginia Department of Health and Human Resources
BUREAU: Family Assistance

TITLE OF MANUAL TO WHICH POLICY IS BEING FILED: Income Maintenance Manual

STATE RULE: FEDERAL RULE: EFFECTIVE DATE: April 1, 2026

CHANGE NUMBER: Updated New Income Maintenance Manual 875

CHAPTERS/SECTIONS EFFECTED: 1, 4, 9, 12, 18, 21, Acronyms

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE:
To update Supplemental Nutrition Assistance Program (SNAP) benefit replacement policy regarding verification procedures as a last resort, and when the Governor of WV declares a State of Emergency. To remove policy related to SNAP benefit replacement due to card skimming, cloning, and phishing. To remove SNAP from the DFA-36-B card skimming replacement form. To remove Section 21.8 Introduction to the Low-Income Household Water Assistance Program (LIHWAP) and remove associated LIHWAP forms. To update Supplemental Nutrition Assistance Program (SNAP) to add SNAP soda restriction language. To add "solar unit" under items that are considered a utility and added a solar unit example. To remove the following language "See item D below" under deductions. Clarify the child support excess payment. Removed old policy related to reduction of the benefit amount due to sanctions. Explain rounding for participation hours. Clarified what should happen when EAP case does not cooperate with Child Support. Added if a protective payee is not selected at application the application is denied.

THIS IS PART OF AN EXISTING LEGISLATIVE RULE

The above policy is hereby filed as an incorporated portion of an existing legislative rule.



WEST VIRGINIA SECRETARY OF STATE
 KRIS WARNER
 ADMINISTRATIVE LAW DIVISION

eFILED
 3/16/2026 1:34:25 PM
 Office of West Virginia
 Secretary Of State

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
 BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Labor TITLE-SERIES: 42-09
 RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
 RULE NAME: Child Labor
 CITE STATUTORY AUTHORITY: W. Va. Code §21-6-11
 The above rule has been authorized by the West Virginia Legislature.
 Authorization is cited in (house or senate bill number) SB 374
 Section §64-10-3 Passed On 3/2/2026 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

March 16, 2026

This rule shall terminate and have no further force or effect from the following date:

August 01, 2031

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

Yes

Mitchell E Woodrum -- 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.

Orders Report

Docket Number	Agency	Respondent	Date Rendered
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NONE FILED THIS WEEK

OFFICE OF TAX APPEAL DECISIONS

NO.	SYNOPOSIS	DATE ISSUED
24-1036	<p>This is a Natural Resources Property Tax Appeal for the 2024 Tax Year. The Taxpayer, an oil and natural gas producer, owns working interests in wells in West Virginia and other states. The underlying dispute concerns the valuation of certain wells in Harrison and Taylor Counties that began production in 2022, the year preceding their first assessment in July 2023.</p> <p>The Taxpayer filed two Petitions for Appeal with this tribunal—one for the Harrison County wells and the other for the Taylor County wells—challenging the State Tax Commissioner’s valuation of the wells, and the two Petitions were consolidated into a single appeal. This tribunal held an Evidentiary Hearing on May 15, 2025. The parties filed post-hearing briefs, and the matter became ripe for decision when the record closed on September 12, 2025. Having reviewed the exhibits, the hearing transcript, the parties’ briefs and arguments, and the applicable authorities, this tribunal finds that the Petitioner has <i>not</i> met its burden of proving that the Tax Commissioner’s actions were wrong.</p>	03/06/2026
24-1047	<p>This is a Natural Resources Property Tax Appeal involving the 2024 Tax Year. The Taxpayer, an oil and natural gas producer, owns working interests in wells located in West Virginia and other states. The underlying dispute centers on the valuation of certain wells in Marshall County that began production in 2022, the year preceding their first assessment in July 2023.</p> <p>The Taxpayer filed three Petitions for Appeal with this tribunal challenging the State Tax Commissioner’s valuation of the Taxpayer’s working interests in natural gas wells in Marshall, Marion, and Wetzel Counties, West Virginia, and the three Petitions were consolidated into a single appeal. The Taxpayer later withdrew the Marion County and Wetzel County appeals and proceeded only with the Marshall County appeal.</p> <p>This tribunal held an Evidentiary Hearing on May 8, 2025, the parties filed post-hearing briefs, and the matter became ripe for a decision when the record closed on August 28, 2025. Having reviewed the exhibits, the hearing transcript, the parties’ briefs and arguments, and the applicable authorities, this tribunal finds that the Petitioner has <i>not</i> met its burden of proving that the Tax Commissioner’s actions were wrong.</p>	03/06/2026
25-1055	<p>This is a Commercial Property Tax Appeal for the 2025 Tax Year. The Taxpayer, a hotel ownership company, owns a XYZ Motel in Mercer County, West Virginia. This dispute involves the Mercer County Assessor’s valuation of that motel.</p> <p>On February 26, 2025, the Taxpayer filed a Petition for Appeal with this tribunal. An Evidentiary Hearing was held on September 8, 2025, and the case became ripe for decision when the record closed on October 29, 2025. After reviewing the exhibits, hearing transcript, and relevant authorities, this tribunal concludes that the Petitioner has not met its burden of proving that the Assessor’s appraisal and assessment were incorrect.</p>	03/18/2026

FILED

2025 MAR 17 A 10: 36

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE



State of West Virginia
Office of the Attorney General

John B. McCuskey
Attorney General

Phone: (304) 558-2021
Fax: (304) 558-0140

March 17, 2026

The Honorable Christina C. Flanigan
Lewis County Prosecuting Attorney
117 Court Avenue, Room 201
Weston, West Virginia 26452

Dear Prosecutor Flanigan:

You requested an Opinion of the Attorney General interpreting West Virginia Code § 7-5-4(a). Specifically, you ask whether all checks and written disbursements of money must be hand-signed when a county's population is less than 50,000.

We are issuing this opinion under West Virginia Code § 5-3-2, which provides that the Attorney General "may consult with and advise the several prosecuting attorneys in matters relating to the official duties of their office." When this Opinion relies on facts, it depends solely on the factual assertions in your correspondence and discussions with the Office of the Attorney General.

Your letter raised the following legal questions:

- (1) Does West Virginia Code § 7-5-4 require a County Commission to have an individual commissioner execute, by hand signature, all checks/written disbursements of money?
- (2) If a County Commission has a standing order authorizing payroll, does West Virginia Code § 7-5-4 prohibit the use of a signature stamp to authorize payroll checks?

Although the relevant statutes contain some uncertainties, we ultimately conclude that the president of the county commission and county clerk (or an alternative signatory under West Virginia Code § 7-5-4(b)) must hand-sign an order directing payment in a county with a population of less than 50,000. So where a check or disbursement is the only "order," that check must be hand-signed, too. A standing order for all payroll would not suffice because it would not meet the requirements of West Virginia Code § 7-5-6.

DISCUSSION

West Virginia Code § 7-5-4(a) provides that "[m]oney may not be paid by the sheriff out of the county treasury except upon an order signed by the president of the county commission and the county clerk, and properly endorsed." Courts would "look first to the statute's language" when determining how this provision should be applied. *Ancient Energy, Ltd. v. Ferguson*, 239 W. Va. 723, 726, 806 S.E.2d 154, 157 (2017) (cleaned up). When the plain meaning of the text "answers the interpretive question, the language must prevail and further inquiry is foreclosed." *Id.* (cleaned up).

Here, the statutory language speaks for itself. "[A]n order signed by the president of the county commission and the county clerk, and properly endorsed," is the only listed way to secure money from the county treasury. W. VA. CODE § 7-5-4(a) (emphasis added). "A statute which specifically provides that a thing is to be done in a particular manner, normally implies that it shall not be done in any other manner." *State ex rel. Riffle v. Ranson*, 195 W. Va. 121, 128, 464 S.E.2d 763, 770 (1995). The statute's blanket "may not" provision separately confirms as much. "The phrase 'may not' has exactly the same meaning as 'shall not.'" *In re Brandt*, 437 B.R. 294, 298 (Bankr. M.D. Tenn. 2010) (cleaned up); see also *Wickle v. Boyd*, 297 So. 3d 1255, 1267 (Ala. Civ. App. 2019) (same). Just as the word "may" implies discretion, *Pioneer Pipe, Inc. v. Swain*, 237 W. Va. 722, 725, 791 S.E.2d 168, 171 (2016), the provision "may not" implies a lack of discretion—that is, a mandatory provision, see *Barr v. Gainer*, 203 W. Va. 379, 383, 508 S.E.2d 96, 100 (1998) (finding Legislature intended "may not" as used in statute had mandatory effect).

Thus, "[a] county of this state has no other mode of paying claims against it except by orders drawn upon the treasury and directed to the sheriff; the exofficio treasurer." *State ex rel. Dunnon v. Ferrell*, 149 W. Va. 773, 776, 143 S.E.2d 469, 471 (1965) (interpreting Code § 7-5-4); cf. *Bennett v. Westfall*, 640 F. Supp. 169, 171 (S.D.W. Va. 1986), *aff'd by*, 836 F.2d 1342 (4th Cir. 1988) (referencing Code § 7-5-4 and explaining that plaintiff "[a]pparently . . . joined [county clerk] because of the statutory provision which requires the Clerk of the County Commission to sign off on any order paying monies out of the county treasury").

"Signing" implies that all the relevant parties will apply their own signatures.¹ *Sign, BLACK'S LAW DICTIONARY* (12th ed. 2024). Were that not clear enough, Section 2-2-10(a)(15)

¹ In *Gerhardt v. Board of Canvassers of Berkeley County*, a county clerk injured his shoulder, so he began individually applying a stamped copy of his signature on ballots; the Court found that stamp to be an acceptable "signature." 113 W. Va. 214, 214, 167 S.E. 130, 131 (1932). *Gerhardt* is likely the best authority for the notion that stamped signatures are generally enough—but we ultimately find it distinguishable. As explained below, Section 7-5-4 expressly addresses the circumstances in which mechanical devices may be used, while the statute at issue in *Gerhardt* did not. That distinction matters. If *Gerhardt* applied to Section 7-5-4, then the statute's "mechanical device" exception described below would become surplusage. "If possible, the court must give effect to every word, clause, and sentence; it must not read a statute so as to render any part inoperative, superfluous, or insignificant." *In re A.P.*, 245 W. Va. 248, 254, 838 S.E.2d 873, 879 (2021) (cleaned up).

says that, "when the signature of any person is required, it must be in his or her own proper handwriting, or his or her mark, attested, proved, or acknowledged."²

A single exception to this non-discretionary signature requirement was written into the code, but that exception only confirms that Lewis County must apply wet-ink signatures to its payment orders. "In counties having a population in excess of 50,000 ...[.] such signatures may be made by means of such mechanical or electrical device as the county court may select." W. VA. CODE § 7-5-4(a). But the familiar maxim of *expressio unius est exclusio alterius*—the express mention of one thing implies the exclusion of another—applies here. *Syl. pt. 3, Manchin v. Dunfee*, 174 W. Va. 532, 327 S.E.2d 710 (1984). When the Legislature carved out this singular exception for larger counties, the Legislature impliedly excluded any other exception to the general rule. Because Lewis County has a population smaller than 50,000, it cannot take advantage of the "mechanical device" exception.

We also conclude that the standing order your request contemplates would not comply with the statute. We recognize that the statute does not require the "order" and the negotiable instrument that renders payment to the third-party payee to be one and the same. For instance, in *263 Towing, Inc. v. Marcum Trucking Co.*, 222 W. Va. 80, 84-85, 662 S.E.2d 522, 526-27 (2008), the Court seemed to describe a process in which a pay order from the commission and clerk was separate from the check ultimately issued by the sheriff. *See also* W. VA. CODE § 7-5-4(d) (referring to "warrant[s], order[s], or check[s]" as distinct items).

But separating "orders" from "checks" would still not permit the "standing order" approach. Section 7-5-6 describes the necessary elements of a pay order, and those orders must identify a specific sum paid on specific date to a specific payee based on an identified appropriation. Likewise, Section 7-5-5 addresses payments made at "stated intervals," like payroll, and that section similarly contemplates an individual pay order for each payment due. A standing order would not seem to meet any of these requirements.

In other words, a standing order may lawfully pre-authorize the disbursement of payroll as a category of expenditure, relieving the commission of the need to vote on each individual paycheck. But a standing order cannot override or waive the statutory requirements for individual pay orders.

* * *

Ultimately, West Virginia Code § 7-5-4(a) requires the president of the county commission and the county clerk, or their alternative signatories, to sign the order by hand. Although counties

² Section 2-2-10(a)(15) also contemplates electronic signatures. But the provisions in Section 7-5-4 governing "mechanical" or "electrical" signatures—which were amended by the Legislature as recently as 2025—once again explain why we also do not believe the provisions of the Uniform Electronic Transactions Act apply here. *See Benjamin v. Walker*, 237 W. Va. 181, 192, 786 S.E.2d 200, 211 (2016) (acknowledging that the provisions of a more specific statute can except that statute from the scope of the UETA). Section 7-5-4's more specific provisions should govern over more general ones. *See Newark Ins. Co. v. Brown*, 218 W. Va. 346, 351, 624 S.E.2d 783, 788 (2005).

with populations of more than 50,000 are exempt from the hand signature requirement, smaller counties are not.

The Legislature could end the need for hand signatures by simply removing the population clause ("In counties having a population in excess of 50,000 as shown by the last preceding federal census") from Section 7-5-4. Given the increasing prevalence of electronic signatures and common use of non-handwritten signatures in at least some West Virginia counties, such an amendment seems advisable. The Attorney General's Office stands ready to assist counties in enlisting the Legislature's help if counties like yours agree that handwritten signatures are an unjustified burden in all West Virginia counties, big and small. Until then, the language of the statute controls.

Sincerely,



John B. McCuskey
West Virginia Attorney General

Michael R. Williams
Solicitor General

AG

**WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED**

100 Dee Drive
Charleston, West Virginia 25311-1600

03/16/2026

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **03/13/2026**.

LETTER OF INTENT RECEIVED

March 9, 2026 - Hometown Care, LLC, CON File #26-5-13548-PC, for the provision of personal care services in Jackson and Wood Counties in West Virginia. Capital Expenditure \$1,500.

CERTIFICATE OF NEED APPLICATION RECEIVED

March 9, 2026 - Westbrook Health Services, CON File #26-5-13535-P, for the development of Primary Care services in Parkersburg, Wood County, West Virginia. Capital Expenditure \$11,500.

March 13, 2026 - Boone Memorial Hospital, Inc., CON File #26-2-13540-P, for the development of an ambulatory health care center at 660 Main Street, Chapmanville, Logan County, West Virginia. Capital Expenditure \$4,978,500.

March 13, 2026 - Lifepoint Health, Inc., CON File #26-2-13542-A, for the restructuring transaction involving Lifepoint's acquisition of Logan General Hospital, LLC d/b/a Logan Regional Medical Center in Logan County, West Virginia. Capital Expenditure \$41,035,000.

APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW

March 9, 2026 - Southern Highlands Community Mental Health Center, Inc., CON File #26-1-13522-P, for the provision of primary care services at its office in Princeton, Mercer County, West Virginia. Capital Expenditure \$10,000.

March 11, 2026 - University Physicians & Surgeons, Inc., CON File #26-2-13525-P, for the development of an ambulatory health care facility in Cabell County, West Virginia. Capital Expenditure \$35,000.

March 12, 2026 - Monongalia Health System, Inc., CON File #26-6-13533-A, to become the sole member of Grafton City Hospital in Grafton, Taylor County, West Virginia. Capital Expenditure \$10,000,000.

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PROJECTS EXEMPT FROM REVIEW

March 10, 2026 - ADF Behavioral Health Services, Inc., d/b/a Generations Behavioral Health, CON File #26-1-13532-X, for the relocation from 1842 Harper Road, Beckley, Raleigh County, WV to 2401 South Kanawha Street, Suites 100A and 101, Beckley, Raleigh County, WV to continue providing the same services for outpatient behavioral health and substance abuse counseling treatment.

March 10, 2026 - A Set Chance, CON File #26-4-13524-X, for the provision of providing outpatient behavioral health services located at 191 Lekan Lane, Oak Hill, Fayette County, West Virginia.

March 10, 2026 - Belington Community Medical Services Association, d/b/a Barbour Community Health Association, CON File #26-7-13515-X, for the establishment of a walk-in clinic located at 95 S Crim Avenue, Belington, Barbour County, West Virginia.

March 10, 2026 - Best Day Psychiatry and Counseling, PC, CON File #26-3-13534-X, for the provision of the development of an outpatient behavioral health facility located at 500 Lee St., Suite 1130, Charleston, Kanawha County, WV.

March 10, 2026 - Contemplations Behavioral Health Services, CON File #26-2-13523-X, for the provision of providing outpatient behavioral health and substance abuse services located at 1727 Oak Street, Kenova, Wayne County, West Virginia.

March 10, 2026 - Faith Haven Healthcare, LLC, CON File #26-5-13521-X, for the establishment of an outpatient Licensed Behavioral Health Center at 222 Main Street, West Ripley, Jackson County, West Virginia. The center will provide Mental Health, Substance Use Disorder, Medication Assisted Treatment (not Opioid Treatment), Peer Recovery Support Services, and Intensive Outpatient Services.

March 10, 2026 - Ritchie County Primary Care Association, Inc., d/b/a Integrated Health Centers of West Virginia, CON File #26-5-13527-X, for the provision of providing behavioral health services at Martin Elementary located at 1301 Hillcrest Street, Parkersburg, Wood County, West Virginia. Behavioral Health services will be offered to patients via a therapist or medical provider in person.

March 10, 2026 - Shining Starr LLC, CON File #26-9-13526-X, for the provision of providing outpatient center based Applied Behavior Analysis services to children under age of 18 to be located in The HUB, within Suites 201, 202, and 203 at 142 N. Queen Street, Martinsburg, Berkeley County, West Virginia.

March 10, 2026 - St. Joseph Recovery Center, LLC, CON File #26-4-13498-X, for the addition of beds from 33 to 60 for medication management, therapy, case

OTHER

management and peer recovery support located at 1073 Arbuckle Road, Summersville, Nicholas County, West Virginia.

March 10, 2026 - United Hospital Center, Inc., d/b/a United Hospital Center, CON File #26-6-13530-X, for the provision of mobile magnetic resonance imaging ("MRI") services on its hospital campus in Bridgeport located at 327 Medical Park Drive, Bridgeport, Harrison County, West Virginia. UCH will provide mobile MRI services one (1) day a week on the above hospital campus. UHC will develop these services using the MRI equipment currently serving Braxton County Memorial Hospital, Summersville Regional Medical center, and UHC's MOB in Elkins, West Virginia.

March 10, 2026 - United Hospital Center, Inc. d/b/a United Hospital Center, CON File #26-6-13531-X, for the provision of mobile computed tomography ("CT") services on its hospital campus in Bridgeport located at 327 Medical Park Drive, Bridgeport, Harrison County, West Virginia. UCH will provide mobile CT services one (1) day a week on the above hospital campus. UHC will develop these services using the CT equipment currently serving Braxton County Memorial Hospital, Summersville Regional Medical center, and UHC's MOB in Elkins, West Virginia.

RENEWAL GRANTED

March 10, 2026 - Princeton Community Hospital, CON File #24-1-13161-H, to relocate outpatient hospital services from the former Bluefield Regional Medical Center campus to PCH's Behavioral Health Pavilion hospital campus in Bluefield, West Virginia and add fixed site magnetic resonance imaging services. Renewal granted through February 28, 2027.

Further information may be obtained on any of the above-referenced projects by contacting The West Virginia Healthcare Authority Staff at 305.558.7000.

Notice of Review

March 17, 2026

NEWS ITEM

The West Virginia Health Care Authority (Authority), pursuant to the Certificate of Need program, has declared complete and accepted for review the expedited applications referenced below:

March 9, 2026 - Southern Highlands Community Mental Health Center, Inc., CON File #26-1-13522-P, for the provision of primary care services at its office in Princeton, Mercer County, West Virginia. Capital Expenditure \$10,000.

March 11, 2026 - University Physicians & Surgeons, Inc., CON File #26-2-13525-P, for the development of an ambulatory health care facility in Cabell County, West Virginia. Capital Expenditure \$35,000.

March 12, 2026 - Monongalia Health System Inc., CON File #26-6-13533-A, to become the sole member of Grafton City Hospital in Grafton, Taylor County, West Virginia. Capital Expenditure \$10,000,000.



OTHER

An application that has been declared complete is one in which there is sufficient information for the Authority to make an informed decision. It does not mean that the approval of the application is warranted.

The review cycle begins on **March 16, 2026**.

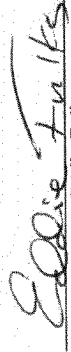
On or before **April 14, 2026**, any affected person has the right to request that the Authority hold a public hearing on the projects as part of the review. If a public hearing is conducted during the course of the review, a notice of hearing, specifying the date, time and location of the hearing, will be issued to affected persons.

If no public hearing is requested, the file closing date will be **April 20, 2026**. After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the applications.

The Decision on the project referenced above will be issued by the Authority after it has reviewed the contents of the case files of the projects, including the application, additional information submitted to the Authority during the review, and the record of any Authority public hearing. If there is no request for public hearing, the Decision will be issued on or before **May 14, 2026**.

A press release will be issued after the Decision is made. Anyone wishing to be directly notified of the Decision should submit a written request to Gordon C. Lane, Jr., Interim Executive Director, Certificate of Need, West Virginia Health Care Authority, 100 Dee Drive, Charleston, West Virginia, 25311. Further information on any project referenced in this news release may be obtained by contacting the Certificate of Need office at telephone number (304) 558-7000.

March 17, 2026
Date


Eddie Fuiks

CON Secretary
West Virginia Health Care Authority