

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4617

By Delegates Burkhammer, Mazzochi, Chiarelli,
Flanigan, Heckert, Kimble, Miller, Pinson, Pritt, and
Adkins

[Introduced January 20, 2026; referred to the
Committee on Government Organization]

1 A BILL to amend and reenact §49-2-121 of the Code of West Virginia, 1931, as amended, relating
2 to requiring the Bureau of Social Service to file a legislative rule.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.

§49-2-121. Rule-making.

1 (a) The secretary shall promulgate legislative rules in accordance with §29A-3-1 *et seq.* of
2 this code regarding the licensure, approval, certification, and registration of child care facilities and
3 the implementation of this article.

4 (b) The secretary shall review the rules promulgated pursuant to this article at least once
5 every five years, making revisions when necessary or convenient.

6 (c) The rules shall incorporate, by reference, the requirements of the Integrated Pest
7 Management Program established by legislative rule by the Department of Agriculture under §19-
8 16A-4 of this code.

9 (d) (1) The Bureau of Social Services shall prepare, compile, and file its complete policy
10 manual, including all policies governing child protective services, foster care, youth services,
11 licensing, casework standards, and any other operational or programmatic guidance used by the
12 bureau, as a legislative rule in accordance with the provisions of §29A-3-1 *et seq.* of this code.

13 (2) The bureau shall file the legislative rule required under subsection (d) with the
14 Secretary of States' Office on or before July 1, 2026.

15 (3) Following the initial filing required, the bureau shall file all subsequent amendments,
16 supplements, and revisions to its policy manual as legislative rules in accordance with §29A-3-1 *et*
17 *seq.* of this code.

18 (4) Nothing in this subsection prohibits the bureau from issuing internal guidance or
19 emergency procedures as necessary to protect child safety; however, any such guidance that
20 remains in effect for more than 180 days shall be incorporated into the legislative rule process.

NOTE: The purpose of this bill is to require the Bureau of Social Service to file its policy manual as a legislative rule.

This bill was recommended for introduction by the Joint Committee on Children and Families.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.