

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 374**

BY SENATOR RUCKER

[Reported January 28, 2026, from the Committee on  
the Judiciary]



1 A BILL to amend and reenact §64-10-1 *et seq.* of the Code of West Virginia, 1931, as amended,  
2 relating to authorizing certain agencies of the Department of Commerce to promulgate  
3 legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-  
4 Making Review Committee and as amended by the Legislature; authorizing the Division  
5 of Economic Development to promulgate a legislative rule relating to tourism development  
6 districts; authorizing the Division of Forestry to promulgate a legislative rule relating to  
7 rules for the certification of managed timberland; authorizing the Division of Labor to  
8 promulgate a legislative rule relating to child labor; authorizing the Office of Miners' Health,  
9 Safety, and Training to promulgate a legislative rule relating to the submission and  
10 approval of a comprehensive Mine Safety Program for coal mining operations in the State  
11 of West Virginia; authorizing the Division of Natural Resources to promulgate a legislative  
12 rule relating to small arms hunting; authorizing the Division of Natural Resources to  
13 promulgate a legislative rule relating to wildlife rehabilitation; authorizing the Division of  
14 Natural Resources to promulgate a legislative rule relating to special boating; authorizing  
15 the Division of Natural Resources to promulgate a legislative rule relating to defining terms  
16 used in hunting and trapping; authorizing the Division of Natural Resources to promulgate  
17 a legislative rule relating to prohibitions when hunting and trapping; authorizing the  
18 Division of Natural Resources to promulgate a legislative rule relating to deer hunting;  
19 authorizing the Division of Natural Resources to promulgate a legislative rule relating to  
20 special migratory game bird hunting; and authorizing the Division of Rehabilitation  
21 Services to promulgate a legislative rule relating to the Ron Yost Personal Assistance  
22 Services Act Board.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 10. AUTHORIZATION FOR DEPARTMENT OF COMMERCE TO  
PROMULGATE LEGISLATIVE RULES.**

**§64-10-1. Division of Economic Development.**

1        The legislative rule filed in the State Register on October 8, 2024, authorized under the  
2 authority of §5B-1-9 of this code, relating to the Division of Economic Development (Tourism  
3 Development Districts, 145 CSR 16), is authorized.

**§64-10-2. Division of Forestry.**

1        The legislative rule filed in the State Register on July 25, 2025, authorized under the  
2 authority of 11-1C-11 of this code, modified by the Division of Forestry to meet the objections of  
3 the Legislative Rule-Making Review Committee and refiled in the State Register on December  
4 10, 2025, relating to the Division of Forestry (rules for the certification of managed timberland, 22  
5 CSR 06), is authorized.

**§64-10-3. Division of Labor.**

1        The legislative rule filed in the State Register on July 24, 2025, authorized under the  
2 authority of §21-6-11 of this code, modified by the Division of Labor to meet the objections of the  
3 Legislative Rule-Making Review Committee and refiled in the State Register on September 10,  
4 2025, relating to the Division of Labor (child labor, 42 CSR 09), is authorized.

**§64-10-4. Office of Miners' Health, Safety, and Training.**

1        The legislative rule filed in the State Register on September 24, 2024, authorized under  
2 the authority of §22A-1-6 of this code, relating to the Office of Miners' Health, Safety, and Training  
3 (submission and approval of a comprehensive Mine Safety Program for coal mining operations in  
4 the State of West Virginia, 56 CSR 08), is authorized.

**§64-10-5. Division of Natural Resources.**

1        (a) The legislative rule filed in the State Register on July 25, 2025, authorized under the  
2 authority of §20-1-7 of this code, relating to the Division of Natural Resources (small arms hunting,  
3 58 CSR 14), is authorized.

4        (b) The legislative rule filed in the State Register on July 25, 2025, authorized under the  
5 authority of §20-2D-3 of this code, modified by the Division of Natural Resources to meet the

6 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
7 December 11, 2025, relating to the Division of Natural Resources (wildlife rehabilitation, 58 CSR  
8 21), is authorized.

9 (c) The legislative rule filed in the State Register on July 25, 2025, authorized under the  
10 authority of §20-7-23 of this code, relating to the Division of Natural Resources (special boating,  
11 58 CSR 26), is authorized with the following amendment:

12 On page 7, by striking out all of subdivision 3.1.103. and inserting in lieu thereof a new  
13 subdivision 3.1.103. to read as follows:

14 3.1.103. Stonecoal (Lewis and Upshur counties): Motorboat operators must observe no-  
15 wake zones marked by buoys or posted signs which are approved by the Director. Motorboats of  
16 greater than 10 horsepower may only operate in a manner where no wake is created.

17 (d) The legislative rule filed in the State Register on March 31, 2025, authorized under the  
18 authority of §20-1-7 of this code, relating to the Division of Natural Resources (defining terms  
19 used in hunting and trapping, 58 CSR 46), is authorized.

20 (e) The legislative rule filed in the State Register on July 25, 2025, authorized under the  
21 authority of §20-1-7 of this code, relating to the Division of Natural Resources (prohibitions when  
22 hunting and trapping, 58 CSR 47), is authorized.

23 (f) The legislative rule filed in the State Register on March 31, 2025, authorized under the  
24 authority of §20-1-7 of this code, relating to the Division of Natural Resources (deer hunting, 58  
25 CSR 50), is authorized.

26 (g) The legislative rule filed in the State Register on March 31, 2025, authorized under the  
27 authority of §20-1-7 of this code, relating to the Division of Natural Resources (special migratory  
28 game bird hunting, 58 CSR 56), is authorized.

#### **§64-10-6. Division of Rehabilitation Services.**

1 The legislative rule filed in the State Register on March 31, 2025, authorized under the  
2 authority of §18-10L-6 of this code, relating to the Rehabilitation Services (Ron Yost Personal  
3 Assistance Services Act Board, 198 CSR 01), is authorized.