

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

ENROLLED

House Bill 2706

OFFICE WEST VIRGINIA
SECRETARY OF STATE

2017 APR 11 P 3:39

FILED

BY DELEGATES ESPINOSA, STATLER, UPSON,

DEAN, ROHRBACH, WILSON, ROWAN, HARSHBARGER,

R. ROMINE, HIGGINBOTHAM AND KELLY

[Passed April 4, 2017; in effect ninety days from passage.]

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[Passed April 4, 2017; in effect ninety days from passage.]

1 AN ACT to amend and reenact §18B-17-2 and §18B-17-3 of the Code of West Virginia, 1931, as
2 amended, all relating to authorizing legislative rules regarding higher education;
3 authorizing legislative rules for the Higher Education Policy Commission regarding the
4 West Virginia Higher Education Grant Program, Providing Real Opportunities for
5 Maximizing In-state Student Excellence (PROMISE), Research Trust Fund Program, and
6 Annual Reauthorization of Degree-Granting Institutions; and authorizing legislative rules
7 for the Council for Community and Technical College Education regarding the Annual
8 Reauthorization of Degree-Granting Institutions, and Business, Occupational and Trade
9 Schools.

Be it enacted by the Legislature of West Virginia:

1 That §18B-17-2 and §18B-17-3 of the Code of West Virginia, 1931, as amended, be
2 amended and reenacted, all to read as follows:

ARTICLE 17. LEGISLATIVE RULES.

§18B-17-2. Authorizing rules of Higher Education Policy Commission.

1 (a) The legislative rule filed in the State Register on October 15, 2004, relating to the
2 Higher Education Policy Commission (Underwood-Smith Teacher Scholarship Program rule) is
3 authorized.

4 (b) The legislative rule filed in the State Register on October 15, 2004, relating to the
5 Higher Education Policy Commission (West Virginia Engineering, Science and Technology
6 Scholarship Program rule) is authorized.

7 (c) The legislative rule filed in the State Register on October 15, 2004, relating to the
8 Higher Education Policy Commission (Medical Education Fee and Medical Student Loan Program
9 rule) is authorized.

10 (d) The legislative rule filed in the State Register on October 27, 2005, relating to the
11 Higher Education Policy Commission (Authorization of degree-granting institutions) is authorized.

12 (e) The legislative rule filed in the State Register on August 23, 2006, relating to the Higher
13 Education Policy Commission (West Virginia Higher Education Grant Program) is authorized.

14 (f) The legislative rule filed in the State Register on January 4, 2008, relating to the Higher
15 Education Policy Commission (Providing Real Opportunities for Maximizing In-state Student
16 Excellence - PROMISE) is authorized.

17 (g) The legislative rule filed in the State Register on August 25, 2008, relating to the Higher
18 Education Policy Commission (Research Trust Program) is authorized.

19 (h) The legislative rule filed in the State Register on January 8, 2009, relating to the Higher
20 Education Policy Commission (Guidelines for Governing Boards in Employing and Evaluating
21 Presidents) is authorized.

22 (i) The legislative rule filed in the State Register on September 10, 2008, relating to the
23 Higher Education Policy Commission (Medical Student Loan Program) is authorized, with the
24 following amendment:

25 On page 2, subsection 5.1, following the words "financial aid office" by inserting a new
26 subdivision 5.1.3 to read as follows: "United States citizenship or legal immigrant status while
27 actively pursuing United States citizenship."

28 (j) The legislative rule filed in the State Register on December 1, 2008, relating to the
29 Higher Education Policy Commission (West Virginia Higher Education Grant Program) is
30 authorized.

31 (k) The legislative rule filed in the State Register on January 26, 2009, relating to the
32 Higher Education Policy Commission (Accountability System) is authorized.

33 (l) The legislative rule filed in the State Register on May 20, 2009, relating to the Higher
34 Education Policy Commission (Energy and Water Savings Revolving Loan Fund Program) is
35 authorized.

36 (m) The legislative rule filed in the State Register on January 27, 2010, relating to the
37 Higher Education Policy Commission (Providing Real Opportunities for Maximizing In-state
38 Student Excellence - PROMISE) is authorized.

39 (n) The legislative rule filed in the State Register on December 8, 2010, relating to the
40 Higher Education Policy Commission (Authorization of Degree Granting Institutions) is
41 authorized.

42 On page 28, subsection 9.1.b, following the words "Good cause shall consist of" by
43 inserting the words "any one or more of the following".

44 (o) The legislative rule filed in the State Register on December 12, 2011, relating to the
45 Higher Education Policy Commission (Tuition and Fee Policy) is authorized.

46 (p) The legislative rule filed in the State Register on August 10, 2012, relating to the Higher
47 Education Policy Commission (Authorization of Degree Granting Institutions) is authorized.

48 (q) The legislative rule filed in the State Register on August 10, 2012, relating to the Higher
49 Education Policy Commission (Annual Reauthorization of Degree Granting Institutions) is
50 authorized.

51 (r) The legislative rule filed in the State Register on March 20, 2013, relating to the Higher
52 Education Policy Commission (Human Resources Administration) is authorized.

53 (s) The legislative rule filed in the State Register on January 24, 2014, relating to the
54 Higher Education Policy Commission (Capital Project Management) is authorized.

55 (t) The legislative rule filed in the State Register on April 4, 2014, relating to the Higher
56 Education Policy Commission (Underwood-Smith Teacher Scholarship Program) is authorized.

57 (u) The legislative rule filed in the State Register on August 4, 2014, relating to the Higher
58 Education Policy Commission (Nursing Scholarship Program) is authorized.

59 (v) The legislative rule filed in the State Register on October 28, 2015, relating to the
60 Higher Education Policy Commission (Underwood-Smith Teacher Scholarship Program) is
61 authorized.

62 (w) The legislative rule filed in the State Register on October 28, 2015, relating to the
63 Higher Education Policy Commission (Nursing Scholarship Program) is authorized.

64 (x) The legislative rule filed in the State Register on December 20, 2016, relating to the
65 Higher Education Policy Commission (West Virginia Higher Education Grant Program) is
66 authorized.

67 (y) The legislative rule filed in the State Register on December 20, 2016, relating to the
68 Higher Education Policy Commission (Providing Real Opportunities for Maximizing In-state
69 Student Excellence - PROMISE) is authorized.

70 (z) The legislative rule filed in the State Register on December 20, 2016, relating to the
71 Higher Education Policy Commission (Research Trust Fund Program) is authorized.

72 (aa) The legislative rule filed in the State Register on December 20, 2016, relating to the
73 Higher Education Policy Commission (Annual Reauthorization of Degree-Granting Institutions) is
74 authorized.

**§18B-17-3. Authorizing rules of the Council for Community and Technical College
Education.**

1 (a) The legislative rule filed in the State Register on September 29, 2004, relating to the
2 West Virginia Council for Community and Technical College Education (performance indicators)
3 is authorized.

4 (b) The legislative rule filed in the State Register on October 13, 2005, relating to the West
5 Virginia Council for Community and Technical College Education (Authorization of degree-
6 granting institutions) is authorized.

7 (c) The legislative rule filed in the State Register on October 30, 2006, relating to the West
8 Virginia Council for Community and Technical College Education (Workforce Development
9 Initiative Program) is authorized.

10 (d) The legislative rule filed in the State Register on December 4, 2008, relating to the
11 West Virginia Council for Community and Technical College Education (Employing and
12 Evaluating Presidents) is authorized.

13 (e) The legislative rule filed in the State Register on December 23, 2008, relating to the
14 West Virginia Council for Community and Technical College Education (Performance Indicators)
15 is authorized.

16 (f) The legislative rule filed in the State Register on February 5, 2009, relating to the West
17 Virginia Council for Community and Technical College Education (Finance) is authorized.

18 (g) The legislative rule filed in the State Register on February 5, 2009, relating to the West
19 Virginia Council for Community and Technical College Education (Accountability System) is
20 authorized.

21 (h) The legislative rule filed in the State Register on June 15, 2011, relating to the West
22 Virginia Council for Community and Technical College Education (Workforce Development
23 Initiative Program) is authorized.

24 (i) The legislative rule filed in the State Register on October 26, 2011, relating to the West
25 Virginia Council for Community and Technical College Education (Tuition and Fees) is authorized.

26 (j) The legislative rule filed in the State Register on October 17, 2012, relating to the West
27 Virginia Council for Community and Technical College Education (Authorization of Degree
28 Granting Institutions) is authorized.

29 (k) The legislative rule filed in the State Register on October 17, 2012, relating to the West
30 Virginia Council for Community and Technical College Education (Annual Reauthorization of
31 Degree Granting Institutions) is authorized.

32 (l) The legislative rule filed in the State Register on March 21, 2013, relating to the West
33 Virginia Council for Community and Technical College Education (Human Resources
34 Administration) is authorized.

35 (m) The legislative rule filed in the State Register on August 21, 2012, relating to the West
36 Virginia Council for Community and Technical College Education (West Virginia EDGE Program)
37 is authorized.

38 (n) The legislative rule filed in the State Register on January 28, 2014, relating to the West
39 Virginia Council for Community and Technical College Education (Capital Project Management)
40 is authorized.

41 (o) The legislative rule filed in the State Register on January 18, 2017, relating to the West
42 Virginia Council for Community and Technical College Education (Annual Reauthorization of
43 Degree-Granting Institutions) is authorized.

44 (p) The legislative rule filed in the State Register on January 18, 2017, relating to the West
45 Virginia Council for Community and Technical College Education (Business, Occupational and
46 Trade Schools) is authorized.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


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Chairman, House Committee


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Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.


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Clerk of the House of Delegates


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Clerk of the Senate


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Speaker of the House of Delegates


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President of the Senate

FILED
2017 APR 11 P 3 39
OFFICE WEST VIRGINIA
SECRETARY OF STATE

The within is approved this the 11th
day of April, 2017.


.....
Governor

PRESENTED TO THE GOVERNOR

APR 06 2017

Time 9:18am