

# **WEST VIRGINIA LEGISLATURE**

**2021 REGULAR SESSION**

**Enrolled**

**Committee Substitute**

**for**

**Senate Bill 156**

BY SENATOR SYPOLT

[Passed March 23, 2021; in effect from passage]



1 AN ACT to amend and reenact §64-6-1 *et seq.* of the Code of West Virginia, 1931, as amended,  
2 all relating generally to authorizing certain agencies of the Department of Homeland  
3 Security to promulgate legislative rules; authorizing the rules as filed and as amended by  
4 the Legislature; relating to authorizing the Fire Commission to promulgate a legislative  
5 rule relating to standards for the certification and continuing education of municipal,  
6 county, and other public sector building code officials, building code inspectors, and plans  
7 examiners; relating to authorizing the Fire Marshal to promulgate a legislative rule relating  
8 to standards for the certification and continuing education of municipal, county, and other  
9 public sector building code officials, building code inspectors, and plans examiners;  
10 relating to authorizing the State Emergency Response Commission to promulgate a  
11 legislative rule relating to emergency planning and community right-to-know; and relating  
12 to authorizing the State Emergency Response Commission to promulgate a legislative  
13 rule relating to the emergency planning grant program.

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

**ARTICLE 6. AUTHORIZATION FOR DEPARTMENT OF HOMELAND SECURITY TO  
PROMULGATE LEGISLATIVE RULES.**

**§64-6-1. Fire Commission.**

1 The legislative rule filed in the State Register on August 24, 2020, authorized under the  
2 authority of §15A-11-5 of this code, relating to the Fire Commission (standards for the certification  
3 and continuing education of municipal, county, and other public sector building code officials,  
4 building code inspectors, and plans examiners, 87 CSR 07), is authorized.

**§64-6-2. Fire Marshal.**

1 The legislative rule filed in the State Register on August 13, 2020, authorized under the  
2 authority of §15A-10-5(a) of this code, relating to the Fire Marshal (standards for the certification  
3 and continuing education of municipal, county, and other public sector building code officials,

4 building code inspectors, and plans examiners, 103 CSR 06), is authorized with the following  
5 amendment:

6 On page six, after subdivision 8.1.a, by adding a new subdivision 8.1.b to read as follows:

7 “Each inspector, during the inspection, shall maintain and have readily available the  
8 current provisions in paper or electronic format of the appropriate standard for the relevant  
9 discipline available for review. The Code Official is responsible for ensuring that this is done, and  
10 that the inspector shall inform the building owner or agent, in writing, of the specific violation of  
11 the code by number and or title.”

**§64-6-3. State Emergency Response Commission.**

1 (a) The legislative rule filed in the State Register on August 28, 2020, authorized under the  
2 authority of §15-5A-5 of this code, relating to the State Emergency Response Commission  
3 (emergency planning and community right-to-know, 55 CSR 01), is authorized.

4 (b) The legislative rule filed in the State Register on August 28, 2020, authorized under the  
5 authority of §15-5A-5 of this code, relating to the State Emergency Response Commission  
6 (emergency planning grant program, 55 CSR 02), is authorized with the following amendments:

7 On page 1, section 2, by striking out all of subsection 2.4;

8 And,

9 By renumbering the remaining subsection.

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

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*Chairman, Senate Committee*

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*Chairman, House Committee*

Originated in the Senate.

In effect from passage.

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*Clerk of the Senate*

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*Clerk of the House of Delegates*

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*President of the Senate*

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*Speaker of the House of Delegates*

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The within ..... this the.....  
Day of ....., 2021.

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*Governor*