WEST VIRGINIA CODE: §5A-11-7

§5A-11-7. Effectuation of transfer of Public Land Corporation and transition.

To effectuate the transfer of the public property formerly maintained by the Public Land Corporation to the Division of Natural Resources upon the effective date of this section in the year 2026:

(1) All orders, determinations, rules, permits, grants, contracts, certificates, licenses, waivers, bonds, authorizations, and privileges which have been issued, made, granted, or allowed to become effective by the Governor, by any state department or agency, or official thereof, or by a court of competent jurisdiction, in the performance of functions which have been transferred to the Division of Natural Resources and were in effect on the date the transfer occurred continue in effect, for the benefit of the division, according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with the law by the Governor, the Director of the Division of Natural Resources, or other authorized official, a court of competent jurisdiction, or by operation of law.

(2) Any proceedings, including, but not limited to, notices of proposed rulemaking, in which the Public Land Corporation was an initiating or responding party are not affected by the elimination of the Public Land Corporation and the transfer of the public property to the Division of Natural Resources. Orders issued in any proceedings continue in effect until modified, terminated, superseded, or revoked by the Governor, the Director of the Division of Natural Resources, by a court of competent jurisdiction, or by operation of law. Nothing in this subdivision prohibits the discontinuance or modification of any proceeding under the same terms and conditions and to the same extent that a proceeding could have been discontinued or modified if the Public Land Corporation had not been eliminated. Transfer of the public property formerly vested with the Public Land Corporation does not affect suits commenced prior to the effective date of the transfer and all such suits and proceedings shall be had, appeals taken, and judgments rendered in the same manner and with like effect as if the transfer had not occurred, except that the Director of the Division of Natural Resources or other officer may, in an appropriate case, be substituted or added as a party.

WV Legislature