

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Enrolled

Senate Bill 428

BY SENATOR WOODRUM

[Passed February 12, 2024; in effect 90 days from
passage (May 12, 2024)]

FILED

2024 FEB 20 P 4: 43

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SB428

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1 An ACT to amend and reenact §19-11B-12 of the Code of West Virginia, 1931, as amended,
2 relating to establishing that appeals from administrative rulings are to be filed with the
3 Intermediate Court of Appeals.

Be it enacted by the Legislature of West Virginia:

ARTICLE 11B. FROZEN DESSERTS AND IMITATION FROZEN DESSERTS LAW.

§19-11B-12. Hearings and appeals.

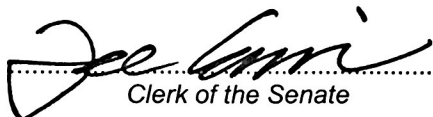
1 (a) Any person aggrieved by any action taken under this article shall be afforded the
2 opportunity for a hearing before the commissioner under the rules promulgated by the
3 commissioner.

4 (b) Hearings shall be conducted in accordance with procedures set forth by rule.

5 (c) All the testimony and evidence at a hearing shall be recorded by mechanical means,
6 which may include the use of tape recordings. The mechanical record shall be maintained for 90
7 days from the date of the hearing and a transcript shall be made available to the aggrieved party.

8 (d) Any party who feels aggrieved of the suspension, revocation, or denial order may
9 appeal to the Intermediate Court of Appeals pursuant to the provisions of §29A-5-4 of this code.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

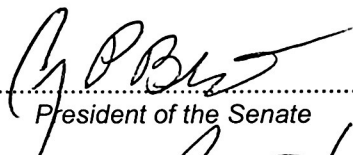

Clerk of the Senate


Clerk of the House of Delegates

FILED
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SECRETARY OF STATE

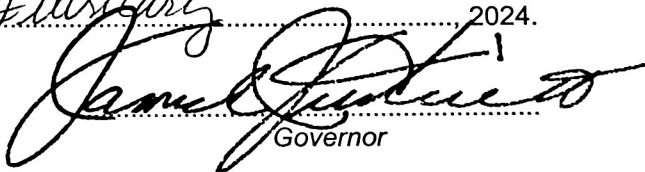
Originated in the Senate.

In effect 90 days from passage.


President of the Senate


Speaker of the House of Delegates

The within is approved this the 20th
Day of February, 2024.


Governor

PRESENTED TO THE GOVERNOR

FEB 14 2024

Time 1:57pm