

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

ENROLLED

House Bill 5354

BY DELEGATES STATLER AND TONEY

[March 13, 2026; in effect from passage]

FILED
2025 APR -1 P 10:53
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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1 AN ACT to amend and reenact §18B-17-2 and §18B-17-3 of the Code of West Virginia, 1931, as
2 amended, relating to authorizing legislative rules regarding higher education; authorizing
3 legislative rules for the Higher Education Policy Commission regarding administrative
4 exemption and mental health loan program; authorizing repeal of rules for the Higher
5 Education Policy Commission regarding purchasing efficiencies and research trust fund
6 program; authorizing legislative rules for the Community and Technical College Education
7 regarding the STAND program; and authorizing repeal of a rule for the Council for
8 Community and Technical College Education regarding purchasing efficiencies.

Be it enacted by the Legislature of West Virginia:

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 September 10, 2008, relating to the
2 Higher Education Policy Commission (Medical Student Loan Program, 133 CSR 34), is
3 authorized, with the following amendment:

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

7 (b) The legislative rule filed in the State Register on May 20, 2009, relating to the Higher
8 Education Policy Commission (Energy and Water Savings Revolving Loan Fund Program, 133
9 CSR 50), is authorized.

10 (c) The legislative rule filed in the State Register on August 10, 2012, relating to the Higher
11 Education Policy Commission (initial authorization of degree-granting institutions, 133 CSR 20),
12 is authorized.

13 (d) The legislative rule filed in the State Register on January 22, 2019, relating to the
14 Higher Education Policy Commission (Acceptance of Advanced Placement Credit, 133 CSR 15),
15 is repealed.

16 (e) The legislative rule filed in the State Register on January 22, 2019, relating to the
17 Higher Education Policy Commission (Human Resources Administration, 133 CSR 53), is
18 repealed.

19 (f) The legislative rule filed in the State Register on October 4, 2019, relating to the Higher
20 Education Policy Commission (Accountability System, 133 CSR 49) is repealed.

21 (g) The legislative rule filed in the State Register on July 29, 2022, relating to the Higher
22 Education Policy Commission (Performance-Based Funding Formula, 133 CSR 02) is authorized.

23 (h) The legislative rule filed in the State Register on June 14, 2022, relating to the Higher
24 Education Policy Commission (Capital Project Management, 133 CSR 12) is authorized.

25 (i) The legislative rule filed in the State Register on July 29, 2022, relating to the Higher
26 Education Policy Commission (Tuition and Fee Policy, 133 CSR 32) is authorized.

27 (j) The legislative rule filed in the State Register on July 29, 2022, relating to the Higher
28 Education Policy Commission (Annual Reauthorization of Degree-Granting Institutions, 133 CSR
29 52) is authorized.

30 (k) The legislative rule filed in the State Register on June 14, 2022, relating to the Higher
31 Education Policy Commission (Human Resources Administration, 133 CSR 55) is authorized.

32 (l) The legislative rule filed in the State Register on July 25, 2023, relating to the Higher
33 Education Policy Commission (Guidelines for Employing and Evaluating Presidents, 133 CSR 05)
34 is authorized.

35 (m) The legislative rule filed in the State Register on September 12, 2023, relating to the
36 Higher Education Policy Commission (Higher Education Adult Part-Time Student (HEAPS) Grant
37 Program, 133 CSR 06) is authorized.

38 (n) The legislative rule filed in the State Register on July 26, 2023, relating to the Higher
39 Education Policy Commission (West Virginia Providing Real Opportunities for Maximizing In-State
40 Student Excellence (PROMISE) Scholarship Program, 133 CSR 07) is authorized.

41 (o) The legislative rule filed in the State Register on July 28, 2023, relating to the Higher
42 Education Policy Commission (Dual Enrollment Pilot Program, 133 CSR 19) is authorized.

43 (p) The legislative rule filed in the State Register on July 24, 2023, relating to the Higher
44 Education Policy Commission (West Virginia Science, Technology, Engineering, and Math
45 (STEM) Scholarship Program, 133 CSR 28) is authorized.

46 (q) The legislative rule filed in the State Register on July 24, 2023, relating to the Higher
47 Education Policy Commission (West Virginia Higher Education Grant Program, 133 CSR 42) is
48 authorized.

49 (r) The legislative rule filed in the State Register on July 24, 2023, relating to the Higher
50 Education Policy Commission (Nursing Scholarship Program, 133 CSR 58) is authorized.

51 (s) The legislative rule filed in the State Register on July 19, 2024, relating to the Higher
52 Education Policy Commission (Accountability System, 133 CSR 03) is authorized.

53 (t) The legislative rule filed in the State Register on July 19, 2024, relating to the Higher
54 Education Policy Commission (Underwood-Smith Teaching Scholars and Teacher Education
55 Loan Repayment Program, 133 CSR 26) is authorized.

56 (u) The legislative rule filed in the State Register on July 31, 2025, relating to the Higher
57 Education Policy Commission (Purchasing Efficiencies, 133 CSR 43) is repealed.

58 (v) The legislative rule filed in the State Register on July 31, 2025, relating to the Higher
59 Education Policy Commission (Research Trust Fund Program, 133 CSR 48) is repealed.

60 (w) The legislative rule filed in the State Register on July 31, 2025, relating to the Higher
61 Education Policy Commission (Mental Health Loan Repayment Program, 133 CSR 63) is
62 authorized.

63 (x) The modified legislative rule filed in the State Register on December 10, 2025, relating
64 to the Higher Education Policy Commission (Administrative Exemption, 133 CSR 64) is
65 authorized.

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

(a) The legislative rule filed in the State Register on September 26, 2018, relating to the West Virginia Council for Community and Technical College Education (Acceptance of Advanced Placement Credit, 135 CSR 15), is repealed.

(b) The legislative rule filed in the State Register on April 27, 2021 (Business, Occupational, and Trade Schools, 135 CSR 35) is authorized.

(c) The legislative rule filed in the State Register on November 10, 2021 (West Virginia Invests Grant Program, 135 CSR 08) is authorized.

(d) The legislative rule filed in the State Register on July 22, 2022 (Performance-Based Funding Formula, 135 CSR 02) is authorized.

(e) The legislative rule filed in the State Register on June 13, 2022 (Capital Project Management, 135 CSR 12) is authorized.

(f) The legislative rule filed in the State Register on July 21, 2022 (Workforce Development Initiative Grant Programs, 135 CSR 27) is authorized.

(g) The legislative rule filed in the State Register on July 21, 2022 (Annual Reauthorization of Degree-Granting Institutions, 135 CSR 52) is authorized, with the following amendment:

On page 13 by adding a new subsection designated 12.23 to read as follows: Nothing in this rule in any way affects or limits the due process protections or other protections afforded to proprietary schools under either W. Va. Code § 18B-2B-9 or 135 C.S.R. 35, Business, Occupational, and Trade Schools.

(h) The legislative rule filed in the State Register on June 13, 2022 (Human Resources Administration, 135 CSR 55) is authorized.

(i) The legislative rule filed in the State Register on July 26, 2023, relating to the Council for Community and Technical College Education (Higher Education Accountability System, 135 CSR 06) is authorized.

25 (j) The legislative rule filed in the State Register on September 14, 2023, relating to the
26 Council for Community and Technical College Education (Dual Enrollment Pilot Program, 135
27 CSR 19) is authorized.

28 (k) The legislative rule filed in the State Register on July 26, 2023, relating to the Council
29 for Community and Technical College Education (Initial Authorization of Degree-Granting
30 Institutions, 135 CSR 20) is authorized.

31 (l) The legislative rule filed in the State Register on July 26, 2023, relating to the Council
32 for Community and Technical College Education (Tuition and Fees, 135 CSR 32) is authorized.

33 (m) The legislative rule filed in the State Register on July 26, 2023, relating to the Council
34 for Community and Technical College Education (Accountability System, 135 CSR 49) is
35 repealed.

36 (n) The legislative rule filed in the State Register on July 25, 2024, relating to the Council
37 for Community and Technical College Education (Employing and Evaluating Presidents, 135 CSR
38 05) is authorized.

39 (o) The legislative rule filed in the State Register on July 18, 2025, relating to the Council
40 for Community and Technical College Education (Purchasing Efficiencies, 135 CSR 43) is
41 repealed.

42 (p) The modified legislative rule filed in the State Register on September 9, 2025, relating
43 to the Council for Community and Technical College Education (Skilled Trades Apprenticeship
44 Nontraditional Degree (STAND) Program, 135 CSR 28) is authorized.

Enr HB 5354

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



Clerk of the House of Delegates



Clerk of the Senate

FILED
2025 APR -1 P 10:53
OFFICE OF THE CLERK OF THE SENATE
SECRETARY OF STATE

Originated in the House of Delegates.

In effect from passage.



Speaker of the House of Delegates



President of the Senate

The within is approved this the 1st
Day of April, 2026.


Governor

PRESENTED TO THE GOVERNOR

10:00 AM

Time 10:00am