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Regular Sixty-Day Session, 2023

First Extraordinary Session, 2023

VOLUME III



NOTE: The third volume continues with Journal proceedings proper (page 2519) of March 10 through March 11, the date of final adjournment; followed by the Appendix consisting of remarks of members during the Regular Session, 2023; History of Bills and Resolutions of both houses considered by the Senate; a Topical Index of all Senate bills introduced; and the Index of the Official Journal.

The remainder of this volume consists of the Journal proceedings proper, together with the Appendix and Index for the same of the First Extraordinary Session (August 6-8, 2023).

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3108) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3108) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. House Bill 3509, Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission – Consumer Advocate Fund.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3509) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3509) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. House Bill 3513, Making a supplementary appropriation to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Chapman, Jeffries, and Karnes—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3513) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Chapman, Jeffries, and Karnes—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3513) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. House Bill 3515, Making a supplementary appropriation to the Department of Veterans' Assistance, Veterans' Facilities Support Fund.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3515) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3515) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. House Bill 3518, Making a supplementary appropriation to the Department of Agriculture.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3518) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3518) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. House Bill 3524, Making a supplementary appropriation to the Department of Agriculture – West Virginia Spay Neuter Assistance Fund.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3524) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3524) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. House Bill 3526, Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3526) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3526) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. House Bill 3552, Relating to per diem jail costs.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Clements, Deeds, Grady, Hamilton, Hunt, Maroney,

Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—30.

The nays were: Caputo and Chapman—2.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 3552) passed.

The following amendment to the title of the bill, from the Committee on Government Organization, was reported by the Clerk and adopted:

Eng. House Bill 3552—A Bill to amend and reenact §15A-3-16 of the Code of West Virginia, 1931, as amended, relating to per diem jail costs; providing authority for counties to seek reimbursement from certain municipalities for certain per diem costs; providing for the payment of housing and maintenance of inmates; setting a per day, per inmate base rate for payments; establishing a means of calculating fees; providing for a reduced rate in certain circumstances; providing for an enhanced rate in certain circumstances; providing for recalculation every decennial; requiring publication on the agency webpage; establishing an effective date; providing for official and personal liability for payment; and providing for an exception to personal liability.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Pending announcement of a meeting of the Committee on Rules,

On motion of Senator Takubo, at 12:59 p.m., the Senate recessed until 2 p.m. today.

The Senate reconvened at 2:40 p.m. and, at the request of Senator Takubo, unanimous consent being granted, returned to the second order of business and the introduction of guests.

Senator Takubo announced that in the meeting previously held, the Committee on Rules, in accordance with Rule 17 of the Rules of the Senate, had placed consideration of **Engrossed Committee Substitute for House Bill 3147, Engrossed House Bill 3432, Engrossed Committee Substitute for House Bill 3270, Engrossed Committee Substitute for House Bill 2436, Engrossed Committee Substitute for House Bill 3303, Engrossed Committee Substitute for House Bill 3153, Engrossed Committee Substitute for House Bill 3135, Engrossed House Bill 3203, Engrossed Committee Substitute for House Bill 3311, Engrossed Committee Substitute for House Bill 3313, Engrossed Committee Substitute for House Bill 3315, Engrossed House Bill 3560, Engrossed House Bill 2939, and Engrossed House Bill 3360** preceding consideration of all other bills on today's third reading calendar.

The Senate again proceeded to the eighth order of business.

Eng. Com. Sub. for House Bill 3147, To create the Upper Ohio Valley Trail Network.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3147) passed.

The following amendment to the title of the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 3147—A Bill to amend and reenact §20-17A-1 and §20-17A-2 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §20-17B-1, §20-17B-2, §20-17B-3, §20-17B-4, and §20-17B-5, all relating to the expansion of the Mountaineer Trail Network Recreation Authority and the creation of the Upper Ohio Valley Trail Network Recreation Authority; providing for legislative findings and purposes; providing for interconnection of recreational trail networks; providing for the creation of the Upper Ohio Valley Trail Network Recreation Authority and the establishment of the recreation area; providing recreational purposes; providing for a governing body and expenses; and providing for protection for private landowners.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. House Bill 3432, Relating to statutory construction.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 3432) passed.

The following amendment to the title of the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

Eng. House Bill 3432—A Bill to amend and reenact §2-2-10 and §2-2-12 of the Code of West Virginia, 1931, as amended; and to amend and reenact §4-1-13 of said code, all relating to statutory construction generally; defining terms; clarifying that where two bills affecting the same section of code pass the Legislature in the same session, the later passed version controls; and clarifying the authority of the legislative clerks.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3432) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 3270, To amend the deliberate intent statute to limit noneconomic damages to \$500,000.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for House Bill 3270 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Clements, Deeds, Grady, Hunt, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woodrum, and Blair (Mr. President)—24.

The nays were: Caputo, Chapman, Hamilton, Martin, Rucker, Smith, Stover, and Woelfel—8.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3270) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. Com. Sub. for House Bill 2436, Relating to the implementation of an acuity-based patient classification system.

On third reading, coming up out of regular order, with the unreported Health and Human Resources committee amendment pending, and with the right having been granted on yesterday, Thursday, March 9, 2023, for further amendments to be received on third reading, was read a third time.

At the request of Senator Maroney, as chair of the Committee on Health and Human Resources, and by unanimous consent, the unreported Health and Human Resources committee amendment to the bill was withdrawn.

On motion of Senator Maroney, the following amendment to the bill was reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

CHAPTER 16. PUBLIC HEALTH.**ARTICLE 5B. HOSPITALS AND SIMILAR INSTITUTIONS.****§16-5B-20. Patient safety and transparency.**

(a) As used in this section:

"Acuity-based patient classification system" means a set of criteria based on scientific data that acts as a measurement instrument which predicts registered nursing care requirements for individual patients based on severity of patient illness, need for specialized equipment and technology, intensity of nursing interventions required, and the complexity of clinical nursing judgment needed to design, implement and evaluate the patient's nursing care plan consistent with professional standards of care. The acuity system criteria shall take into consideration the patient care services provided by registered nurses, licensed practical nurses and other health care personnel.

"Competency" means those observable and measurable knowledge, skills, abilities and personal attributes, as determined by the facility, that demonstrate a nurse's ability to safely perform expected nursing duties of a unit.

"Direct-care registered nurse" means a registered nurse, who is a member of the facility's staff, has no management role or responsibility, and accepts direct responsibility and accountability to carry out medical regimens, nursing or other bedside care for patients.

"Facility" means a hospital, licensed pursuant to the provisions of this article, a licensed private or state-owned and operated general acute-care hospital, an acute psychiatric hospital, or any acute-care unit within a state operated facility.

"Nursing care" means care which falls within the scope of practice, as provided §30-7-1 *et seq.* of this code.

"Orientation" means the process that the facility develops to provide initial training and information to clinical staff relative to job responsibilities and the organization's mission and goals.

"Unit" means those areas of the hospital organization not considered departments which provide specialized patient care.

"Unit Nurse Staffing Committee" means a committee made up of facility employees which includes a minimum of 51 percent of direct-care registered nurses who regularly provide direct nursing care to patients on the unit of the facility for which the nurse staffing plan is developed.

(b) The Legislature finds that to better improve the quality and efficiency of health care and to better facilitate planning for future states of emergency in West Virginia, a comprehensive system for nurses should be established to create staffing plans to ensure facilities are adequately staffed to handle the daily workload that may accompany a state of emergency. Further, the Legislature finds that nurses in West Virginia fall under the definition of "critical infrastructure," and by establishing a comprehensive staffing plan, West Virginia will be better equipped to deal with employment and staffing issues associated with higher acuity treatment in facilities. Additionally, the Legislature finds that based upon the nature of the acuity-based patient classification system it relies upon confidential patient information to generate a staffing plan model and therefore both the classification system and the staffing plan are considered confidential records as defined in §30-3C-3 of this code and are therefore not subject to discovery in any civil action or administrative proceeding.

(c) A facility shall:

(1) Develop, by July 1, 2024, an acuity-based patient classification system to be used to establish the staffing plan to be used for each unit;

(2) Direct each unit nurse staffing committee to annually review the facility's current acuity-based patient classification

system and submit recommendations to the facility for changes based on current standards of practice; and

(3) Provide orientation, competency validation, education, and training programs in accordance with a nationally recognized accrediting body recognized by the Centers for Medicare and Medicaid Services or in accordance with the Office of Health Facility Licensure and Certification. The orientation shall include providing for orientation of registered nursing staff to assigned clinical practice areas.

CHAPTER 33. INSURANCE.

ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.

§33-15-23. Copayments for certain services.

(a) A policy, provision, contract, plan, or agreement subject to this article may not impose a copayment, coinsurance, or office visit deductible amount charged to the insured for services rendered for each date of service by a licensed occupational therapist, licensed occupational therapist assistant, licensed speech-language pathologist, licensed speech-language pathologist assistant, licensed physical therapist, or a licensed physical therapist assistant that is greater than the copayment, coinsurance, or office visit deductible amount charged to the insured for the services of a primary care physician or an osteopathic physician.

(b) The policy, provision, contract, plan, or agreement shall clearly state the availability of occupational therapy, speech-language therapy, and physical therapy coverage and all related limitations, conditions, and exclusions.

ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.

§33-16-19. Copayments for certain services.

(a) A group health plan, health benefit plan or network plan subject to this article may not impose a copayment, coinsurance, or office visit deductible amount charged to the insured for services

rendered for each date of service by a licensed occupational therapist, licensed occupational therapist assistant, licensed speech-language pathologist, licensed speech-language pathologist assistant, licensed physical therapist, or a licensed physical therapist assistant that is greater than the copayment, coinsurance, or office visit deductible amount charged to the insured for the services of a primary care physician or an osteopathic physician.

(b) The group health plan, health benefit plan or network plan shall clearly state the availability of occupational therapy, speech-language therapy, and physical therapy coverage and all related limitations, conditions, and exclusions.

ARTICLE 24. HOSPITAL SERVICE CORPORATIONS, MEDICAL SERVICE CORPORATIONS, DENTAL SERVICE CORPORATIONS AND HEALTH SERVICE CORPORATIONS.

§33-24-7x. Copayments for certain services.

(a) A policy, provision, contract, plan, or agreement subject to this article may not impose a copayment, coinsurance, or office visit deductible amount charged to a subscriber for services rendered for each date of service by a licensed occupational therapist, licensed occupational therapist assistant, licensed speech-language pathologist, licensed speech-language pathologist assistant, licensed physical therapist, or a licensed physical therapist assistant that is greater than the copayment, coinsurance, or office visit deductible amount charged to the subscriber for the services of a primary care physician or an osteopathic physician.

(b) The policy, provision, contract, plan, or agreement shall clearly state the availability of occupational therapy, speech-language therapy, and physical therapy coverage and all related limitations, conditions, and exclusions.

ARTICLE 25. HEALTH CARE CORPORATIONS.

§33-25-8u. Copayments for certain services.

(a) A policy, provision, contract, plan, or agreement subject to this article may not impose a copayment, coinsurance, or office

visit deductible amount charged to a subscriber or member for services rendered for each date of service by a licensed occupational therapist, licensed occupational therapist assistant, licensed speech-language pathologist, licensed speech-language pathologist assistant, licensed physical therapist, or a licensed physical therapist assistant that is greater than the copayment, coinsurance, or office visit deductible amount charged to the subscriber or member for the services of a primary care physician or an osteopathic physician.

(b) The policy, provision, contract, plan, or agreement shall clearly state the availability of occupational therapy, speech-language therapy, and physical therapy coverage and all related limitations, conditions, and exclusions.

ARTICLE 25A. HEALTH MAINTENANCE ORGANIZATION ACT.

§33-25A-8x. Copayments for certain services.

(a) A health maintenance organization issuing coverage in this state pursuant to the provisions of this article may not impose a copayment, coinsurance, or office visit deductible amount charged to a subscriber or member for services rendered for each date of service by a licensed occupational therapist, licensed occupational therapist assistant, licensed speech-language pathologist, licensed speech-pathologist assistant, licensed physical therapist, or a licensed physical therapist assistant that is greater than the copayment, coinsurance, or office visit deductible amount charged to the subscriber or member for the services of a primary care physician or an osteopathic physician.

(b) The policy, provision, contract, plan, or agreement subject to this article shall clearly state the availability of occupational therapy, speech-language therapy, and physical therapy coverage and all related limitations, conditions, and exclusions.

On motion of Senator Chapman, the following amendments to Senator Maroney's amendment to the bill (Eng. Com. Sub. for H.

B. 2436) were reported by the Clerk and considered simultaneously:

On page 2, section 20, lines 42-43 by striking out the words "which is protected information as provided in §29B-1-4(a)(14)";

And,

On page 2, by adding a new subsection "(e)" to read as follows:

(e) The legislature finds that patient care is optimized when meaningful choice is provided. Therefore, every staffing plan for each treatment facility shall be posted on a public electronic forum in an easily searchable and conspicuous manner. The staffing plan shall contain a summary of the patient and staff ratio so a meaningful decision of care may be made.

Following discussion,

The question being on the adoption of Senator Chapman's amendments to Senator Maroney's amendment to the bill, the same was put and did not prevail.

The question now being on the adoption of Senator Maroney's amendment to the bill (Eng. Com. Sub. for H. B. 2436).

Senator Martin arose to a point of order that Senator Maroney's amendment to the bill was not germane.

Thereafter, Senator Martin withdrew his point of order.

Senators Tarr and Smith, respectively, requested rulings from the Chair as to whether they should be excused from voting under Rule 43 of the Rules of the Senate.

The Chair replied that any impact on Senators Tarr and Smith would be as members of a class of persons and that they would be required to vote.

The question now being on the adoption of Senator Maroney's amendment to the bill, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 2436, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—30.

The nays were: Chapman and Martin—2.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2436) passed.

At the request of Senator Maroney, as chair of the Committee on Health and Human Resources, and by unanimous consent, the unreported Health and Human Resources committee amendment to the title of the bill was withdrawn.

On motion of Senator Maroney, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 2436—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-5B-20; by adding thereto a new section, designated §33-15-23; by adding thereto a new section, designated §33-16-19; by adding thereto a new section, designated §33-24-7x; by adding thereto a new section, designated §33-25-8u; and by adding thereto a new section, designated §33-25A-8x, all relating to healthcare; defining terms; providing for legislative findings; providing certain information is not subject to discovery; establishing a process to develop a plan; providing for training; and prohibiting an insurer from imposing a copayment, for services rendered by a licensed occupational therapist, licensed occupational therapist assistant, licensed speech-language pathologist, licensed speech-language pathologist assistant, licensed physical therapist or a licensed physical therapist assistant,

that is more than a copayment imposed for the services of a primary care physician or an osteopathic physician.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 3303, Clarifying and expanding the powers and duties of the director of the Coalfield Community Development Office.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for House Bill 3303 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3303) passed.

At the request of Senator Tarr, as chair of the Committee on Finance, and by unanimous consent, the unreported Finance committee amendment to the title of the bill was withdrawn.

On motion of Senator Tarr, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 3303—A Bill to amend and reenact §5B-2A-4 and §5B-2A-5 of the Code of West Virginia,

1931, as amended, and by adding thereto a new section, §5B-2A-14, all relating to the Office of Coalfield Community Development; continuing the Office of Coalfield Community Development under the Department of Economic Development; providing that the Governor appoint and set the salary of the director of the office by July 1, 2026; providing that funding for position to carry out the duties of the office shall be as provided by appropriation of the Legislature; clarifying and providing additional duties, powers, and responsibilities for the Office of Coalfield Community Development; and providing a sunset date.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 3153, Relating to distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers.

On third reading, coming up out of regular order, with the unreported Finance committee amendment pending, and with the right having been granted on yesterday, Thursday, March 9, 2023, for further amendments to be received on third reading, was read a third time.

The following amendment to the bill, from the Committee on Finance, was reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

**CHAPTER 29. MISCELLANEOUS BOARDS AND
OFFICERS.**

ARTICLE 3E. FIREWORKS SAFETY.

§29-3E-7. Fireworks safety fee; administration; tax crimes; collections; remittances; deposits; distributions; rules.

(a) In addition to the sales tax, a fireworks safety fee of 12 percent of all sales is levied on retail sales of consumer fireworks

in this state. The fee shall be distributed pursuant to the provisions of this subsection. The fee computation under this subsection shall be carried to the third decimal place, and the fee rounded up to the next whole cent whenever the third decimal place is greater than four and rounded down to the lower whole cent whenever the third decimal place is four or less.

The State Tax Commissioner shall disburse all proceeds of the fireworks safety fee into the State Treasury each month in the following manner:

(1) Seventy-five percent shall be deposited into a special account in the State Treasury, designated the Veterans' Facility Support Fund established by the provisions of §9A-1-11 of this code for expenditure on veterans' programs.

(2) Twenty-five percent shall be deposited into a special account in the State Treasury, designated the Fire Protection Fund ~~established in §33-3-33 of this code~~ and shall be allocated and distributed in accordance with that section to each volunteer fire company or department on an equal share basis by the State Treasurer according to the requirements of §33-3-33 of this code.

(b) A person who purchases consumer fireworks in a retail transaction shall pay to the retailer the amount of the fee levied by this section, which fee is added to and constitutes a part of the sale price and is collectible by the retailer who shall account to the state for all fees paid by a purchaser. If the retailer fails to collect the fee or fails to account to the state for the fees paid by a purchaser, then the retailer is liable for the payment of the fee to the state.

(c) A retailer shall remit to the State Tax Commissioner no later than 30 days after the end of each preceding month all moneys collected for such preceding month, pursuant to the requirements of this section, and shall report such collections on forms and in the manner prescribed by the State Tax Commissioner.

(d) All moneys so remitted, net of refunds and adjustments, shall be paid by the State Tax Commissioner into the funds specified in this section.

(e) Each and every provision of the West Virginia Tax Crimes and Penalties Act set forth §11-9-1 *et seq.* of this code applies to the fees imposed pursuant to this article, with like effect as if that act were applicable only to the fees imposed by this article and were set forth in extenso in this article.

(f) The State Tax Commissioner shall propose legislative rules and may promulgate such emergency rules as are necessary to implement the provisions of this article.

CHAPTER 33. INSURANCE.

ARTICLE 3. LICENSING, FEES, AND TAXATION OF INSURERS.

§33-3-14d. Additional fire and casualty insurance premium tax; allocation of proceeds; effective date.

(a) (1) For the purpose of providing additional revenue for municipal policemen's and firemen's pension and relief funds and the Teachers Retirement System Reserve Fund and for volunteer and part-volunteer fire companies and departments, there is hereby levied and imposed an additional premium tax equal to one percent of taxable premiums for fire insurance and casualty insurance policies. For purposes of this section, casualty insurance does not include insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transaction or insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction while the debtor is disabled as defined in the policy.

(2) All moneys collected from this additional tax shall be received by the commissioner and paid by him or her into a special account in the State Treasury, designated the Municipal Pensions and Protection Fund, to be allocated as follows: *Provided, That on* ~~or after January 1, 2010, the commissioner shall pay~~

(A) Ten percent of the amount collected ~~to~~ shall be deposited in the Teachers Retirement System Reserve Fund created in §18-7A-18 of this code; *Provided, That if the Teachers Retirement System demonstrates an unfunded liability of 20% or less for two*

consecutive years, the ten percent of the amount collected provided for in this paragraph shall be deposited instead in the Fire Protection Fund as provided in paragraph (B) of this subdivision.

(B) Twenty-five percent of the amount collected ~~to~~ shall be deposited in the Fire Protection Fund created in section 33 of this article for allocation distribution by the State Treasurer to volunteer and part-volunteer fire companies and departments according to the requirements of §33-3-33 of this code; and

~~65% of the amount collected to the Municipal Pensions and Protection Fund: *Provided, however,* That upon notification by the Municipal Pensions Oversight Board pursuant to the provisions of §8-22-18b of this code, on or after January 1, 2010, or as soon thereafter as the Municipal Pensions Oversight Board is prepared to receive the funds,~~

(C) Sixty-five percent of the amount collected by the commissioner shall be deposited in the Municipal Pensions Security Fund created in §8-22-18b of this code ~~the net proceeds of this tax after appropriation thereof by the Legislature is to be~~ distributed in accordance with the provisions of this section, except for distribution from proceeds pursuant to §8-22-18a(d) of this code.

(b) *Municipal Pensions Security Fund allocation and distribution* —

(1) Before August 1 of each year, the treasurer of each municipality in which a municipal policemen's or firemen's pension and relief fund is established shall report to the ~~State Treasurer~~ Municipal Pensions Oversight Board the average monthly number of members who worked at least 100 hours per month and the average monthly number of retired members of municipal policemen's or firemen's pension and relief fund or the Municipal Police Officers and Firefighters Retirement System during the preceding fiscal year. *Provided, That beginning in the year 2010 and continuing thereafter, the report shall be made to the oversight board created in §8-22-18a of this code. These reports received by the oversight board shall be provided* The reports

received by the Municipal Pensions Oversight Board shall be provided annually to the State Treasurer by September 1.

~~(2) Before September 1 of each calendar year, the State Treasurer, or the Municipal Pensions Oversight Board once in operation, shall allocate and authorize for distribution the revenues in the Municipal Pensions and Protection Fund which were collected during the preceding calendar year for the purposes set forth in this section. Before September 1 of each calendar year, and after the Municipal Pensions Oversight Board has notified the Treasurer and commissioner pursuant to §8-22-18b of this code, the Municipal Pensions Oversight Board shall allocate and authorize for distribution the revenues in the Municipal Pensions Security Fund which were collected during the preceding calendar year for the purposes set forth in this section. In any year the actuarial report required by §8-22-20 of this code indicates no actuarial deficiency exists in the municipal policemen's or firemen's pension and relief fund and that no pension funding revenue bonds of the building commission of such municipality remain outstanding, no revenues may be allocated from the Municipal Pensions and Protection Fund or the Municipal Pensions Security Fund to that fund. The revenues from the Municipal Pensions and Protection Security Fund shall then be allocated to all other pension and relief funds which have an actuarial deficiency. Pension funding revenue bonds include bonds of a municipality's building commission the net proceeds of which were used to fund either or both of a municipality's policemen's or firemen's pension and relief fund or bonds issued to refinance such bonds.~~

~~(3) The Municipal Pensions Oversight Board shall annually review the investment performance of each municipal policemen's or firemen's pension and relief fund. If the municipal pension and relief fund's board fails for three consecutive years to comply with the investment provisions established by §8-22-22a of this code, the oversight board may require the municipal policemen's or firemen's pension and relief fund to invest with the Investment Management Board to continue to receive its allocation of funds from the premium tax. If the municipal pension and relief fund fails to move its investments to the Investment Management Fund~~

~~within the 18-month drawdown period, provided in §8-22-19(e) of this code, the revenues shall be reallocated to all other municipal policemen's or firemen's pension and relief funds that have drawn down one hundred percent of their allocations.~~

~~(4) The moneys, and the interest earned thereon, in the Municipal Pensions and Protection Fund allocated to volunteer and part-volunteer fire companies and departments shall be allocated and distributed quarterly to the volunteer fire companies and departments. Before each distribution date, the State Fire Marshal shall report to the State Treasurer the names and addresses of all volunteer and part-volunteer fire companies and departments within the state which meet the eligibility requirements established in §8-15-8a of this code.~~

~~(e) (1) Each municipal pension and relief fund shall have allocated and authorized for distribution a pro rata share of the revenues allocated to municipal policemen's and firemen's pension and relief funds based on the corresponding municipality's average monthly number of police officers and firefighters who worked at least one hundred hours per month during the preceding fiscal year. On and after July 1, 1997, from~~

(3) The Municipal Pensions Oversight Board shall allocate and distribute the growth in any moneys collected pursuant to a pro rata share of the tax imposed by this section and earnings and interest thereon there shall be allocated and authorized for distribution to each municipal policemen's or municipal firemen's pension and relief fund, a pro rata share of the revenues allocated to municipal policemen's and firemen's pension and relief funds based on the corresponding municipality's average number of police officers and firefighters who worked at least 100 hours per month during the preceding fiscal year and average monthly number of retired police officers and firefighters during the preceding fiscal year. For the purposes of this subsection, the growth in moneys collected and earnings from the tax collected pursuant to this section is determined by subtracting the amount of the tax collected during the fiscal year ending June 30, 1996, from the tax collected during the fiscal year for which the allocation is being made and interest thereon. All moneys received by municipal pension and relief

funds under this section may be expended only for those purposes described in §8-22-16 through §8-22-28a of this code. Notwithstanding the foregoing provision of this subdivision, if a municipality has outstanding pension funding revenue bonds and continues to pay the normal cost of its policemen's and firemen's pension and relief funds, then the allocable share of revenues to be allocated which would otherwise have been allocated to a municipal policemen's or firemen's pension and relief fund shall instead be allocated to the trustee of any outstanding pension funding revenue bonds.

~~(2) Each volunteer fire company or department shall receive an equal share of the revenues allocated for volunteer and part-volunteer fire companies and departments.~~

~~(3) In addition to the share allocated and distributed in accordance with subdivision (1) of this subsection, each municipal fire department composed of full time paid members and volunteers and part-volunteer fire companies and departments shall receive a share equal to the share distributed to volunteer fire companies under subdivision (2) of this subsection reduced by an amount equal to the share multiplied by the ratio of the number of full-time paid fire department members who are also members of a municipal firemen's pension and relief fund or the Municipal Police Officers and Firefighters Retirement System to the total number of members of the fire department. If a municipality has outstanding pension funding revenue bonds and continues to pay the normal cost of its policemen's and firemen's pension and relief funds, then the share that would otherwise be payable to the municipality's firemen's pension and relief fund pursuant to this subsection shall be paid to the trustee of such outstanding pension funding revenue bonds.~~

~~(d) (4) The allocation and distribution of revenues provided in this section are subject to the provisions of §8-22-20, §8-15-8a, and §8-15-8b of said chapter this code.~~

~~(e) Based upon the findings of an audit by the Treasurer, the Legislature hereby finds and declares that during the period of 1982 through April 27, 2012, allocations from the Municipal Pensions~~

~~and Protection Fund were miscalculated and errors were made in amounts transferred, resulting in overpayments and underpayments to the relief and pension funds and to the Teachers Retirement System, and that the relief and pension funds and the Teachers Retirement System were not at fault for any of the overpayments and underpayments. The Legislature hereby further finds and declares that any attempt by the Municipal Pension Oversight Board or other entity to recover any of the overpayments would be unjust and create economic hardship for the entities that received overpayments. No entity, including, without limitation, the Municipal Pension Oversight Board, may seek to recover from a relief or pension fund, the Teachers Retirement System or the state any overpayments received from the Municipal Pensions and Protection Fund and the overpayments are not subject to recovery, offset or litigation. Pursuant to the audit by the Treasurer, the amount of \$3,631,846.55 is determined owed to specific relief and pension funds through the period of April 27, 2012. The Treasurer is hereby authorized to transfer the amount of \$3,631,846.55 from the Unclaimed Property Trust Fund to the Municipal Pensions and Protection Fund, which is hereby reopened for the sole purpose of the transfer and remittances pursuant to this subsection, and to use the amount transferred to remit the amounts due to the pension and relief funds. The payment of \$3,631,846.55 to the pension and relief funds is complete satisfaction of any amounts due and no entity, including, without limitation, the Municipal Pension Oversight Board and any pension or relief fund, may seek to recover any further amounts.~~

(c) The Municipal Pensions Oversight Board shall annually review the investment performance of each municipal policemen's or firemen's pension and relief fund. If a municipal pension and relief fund's board fails for three consecutive years to comply with the investment provisions established by §8-22-22a of this code, the oversight board may require the municipal policemen's or firemen's pension and relief fund to invest with the Investment Management Board to continue to receive its allocation of funds from the premium tax. If the municipal pension and relief fund fails to move its investments to the Investment Management Fund within the 18-month drawdown period provided in §8-22-19(e) of

this code, the revenues shall be reallocated to all other municipal policemen's or firemen's pension and relief funds that have drawn down 100 percent of their allocations.

§33-3-33. Surcharge on fire and casualty insurance policies to benefit volunteer and part-volunteer fire departments and emergency medical services providers; Public Employees Insurance Agency and municipal pension plans; special fund created; Fire Protection Fund; allocation of proceeds. effective date.

~~(a)(1) For the purpose of providing additional revenue for volunteer fire departments, part-volunteer fire departments and certain retired teachers and the teachers retirement reserve fund, there is hereby authorized and imposed on and after July 1, 1992, on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to one percent of the taxable premium for each such policy. After June 30, 2005, the surcharge shall be imposed as specified in subdivisions (2) and (3) of this subsection.~~

~~(2) After June 30, 2005, through December 31, 2005, for the purpose of providing additional revenue for volunteer fire departments, part-volunteer fire departments and to provide additional revenue to the Public Employees Insurance Agency and municipal pension plans, there is hereby authorized and imposed on and after July 1, 2005, on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to one percent of the taxable premium for each such policy.~~

(a) For the purposes of this section:

(1) "Full-time paid members" means the members of a fire department who are compensated to provide services to the department on a full-time basis and are also members of a municipal firemen's pension and relief fund or the Municipal Police Officers and Firefighters Retirement System.

(2) The "policy surcharge" refers to the surcharge on certain insurance policies imposed by subsection (b) of this section.

(3) "Volunteer fire departments" or "departments" includes volunteer and part-volunteer fire departments and companies, as described in §18-15-1 et seq. of this code.

~~(3) (b) After December 31, 2005,~~ For the purpose of providing additional revenue for volunteer fire departments and ~~part-volunteer fire departments~~ emergency medical services providers, there is hereby authorized and imposed on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to ~~0.055%~~ one percent of the taxable premium for each such policy. The policy surcharge is separate from and in addition to the tax imposed by §33-3-14d of this code.

~~(4) (c)~~ For purposes of this section, casualty insurance ~~may~~ does not include insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transaction or insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction while the debtor is disabled as defined in the policy. The policy surcharge ~~may~~ is not ~~be~~ subject to premium taxes, agent commissions, or any other assessment against premiums.

~~(b) (d)~~ The policy surcharge imposed by this section shall be collected and remitted to the commissioner by the insurer, or in the case of surplus lines coverage, by the surplus lines licensee, or if the policy is issued by a risk retention group, by the risk retention group. The amount required to be collected under this section shall be remitted to the commissioner on a quarterly basis on or before the 25th day of the month succeeding the end of the quarter in which they are collected, except for the fourth quarter for which the surcharge shall be remitted on or before March 1 of the succeeding year. All money from the policy surcharge shall be collected by the commissioner, who shall disburse 77.5 percent of the money received from the surcharge into the Fire Protection Fund for distribution as provided in subsection (f) of this section. The commissioner shall disburse 22.5 percent of the money

received from the surcharge into the Emergency Medical Services Equipment and Training Fund established in §16-4C-24 of this code for disbursement in accordance with the provisions of that section.

~~(e)~~ (e) Any person failing or refusing to collect and remit to the commissioner any policy surcharge and whose surcharge payments are not postmarked by the due dates for quarterly filing is liable for a civil penalty of up to \$100 for each day of delinquency, to be assessed by the commissioner. The commissioner may suspend the insurer, broker, or risk retention group until all surcharge payments and penalties are remitted in full to the commissioner.

~~(d)~~ (f) *Fire Protection Fund allocation and distribution.* —

(1) All money from the policy surcharge shall be collected by the Commissioner who shall disburse the money received from the surcharge into a special account in the state Treasury, designated the Fire Protection Fund. The State Treasurer's Office shall distribute the net proceeds of this portion of the tax the portion of the policy surcharge deposited into the Fire Protection Fund pursuant to §33-3-33 of this code, the amount deposited into the Fire Protection Fund pursuant to §29-3E-7 of this code, the amount deposited into the Fire Protection Fund pursuant to §33-3-14d of this code, and the amount deposited into the Fire Protection Fund pursuant to §33-12C-7 of this code, and the interest thereon on a quarterly basis, after appropriation by the Legislature. shall be distributed quarterly. The distributions shall occur on the first day of the months of January, April, July, and October to each eligible volunteer fire company or department, on an equal share basis by the state Treasurer. After June 30, 2005, the money received from the surcharge shall be distributed as specified in subdivisions (2) and (3) of as provided in this subsection.

(2)(A) After June 30, 2005, through December 31, 2005, all money from the policy surcharge shall be collected by the Commissioner who shall disburse one half of the money received from the surcharge into the Fire Protection Fund for distribution as provided in subdivision (1) of this subsection.

~~(B) The remaining portion of moneys collected shall be transferred into the fund in the state Treasury of the Public Employees Insurance Agency into which are deposited the proportionate shares made by agencies of this state of the Public Employees Insurance Agency costs of those agencies, until November 1, 2005. After the October 31, 2005, through December 31, 2005, the remain portion shall be transferred to the special account in the state Treasury, known as the Municipal Pensions and Protection Fund.~~

~~(3) After December 31, 2005, all money from the policy surcharge shall be collected by the Commissioner who shall disburse all of the money received from the surcharge into the Fire Protection Fund for distribution as provided in subdivision (1) of this subsection.~~

~~(4) (2) Before each distribution date to volunteer fire companies or departments, the State Fire Marshal shall report to the State Treasurer:~~

~~(A) The names and addresses of all volunteer and part-volunteer fire companies and departments within the state which meet met the eligibility requirements established in §8-15-8a of this code during the preceding quarter;~~

~~(B) The number of volunteer firefighters and the number of full-time paid members providing services to each volunteer and part-volunteer department during the preceding quarter; and~~

~~(C) A full accounting of each fire department eligible to receive a distribution under this section's revenues and expenditures for the last two calendar years.~~

~~(3) Each eligible volunteer fire department shall receive an equal share of the amount of proceeds to be distributed each quarter. *Provided*, That each part-volunteer department's share will be reduced by a percentage amount equal to the percentage of the members of the fire department who are full-time paid members of the department, according to the report described in subdivision (2) of this subsection. *Provided further, however*, That the pro rata~~

reduction to part-volunteer departments provided for in this subdivision shall not apply to county part-volunteer departments which employ full-time paid county employees.

(4) Notwithstanding any other provision of this section, a firefighter department must implement the State Auditor's West Virginia Checkbook fiscal reporting system on or before January 1, 2026, in order to remain eligible to receive any funds pursuant to this section.

(e) (g) The allocation, distribution, and use of revenues provided in the Fire Protection Fund are subject to the provisions of §8-15-8a and §8-15-8b of this code.

(h) The State Treasurer may propose legislative rules for legislative approval pursuant to §29A-3-1 et seq. of this code for the auditing of individual fire departments to ensure compliance with the requirements of this section.

ARTICLE 12C. SURPLUS LINE.

§33-12C-7. Surplus lines tax.

(a) In addition to the full amount of gross premiums charged by the insurer for the insurance, every person licensed pursuant to §33-12C-8 of this code shall collect and pay to the commissioner a sum equal to ~~4.55~~ five percent of the gross premiums and gross fees charged, less any return premiums, for surplus lines insurance provided by the licensee pursuant to the license. Where the insurance covers properties, risks, or exposures located or to be performed both in and out of this state and this state is the insured's home state, the sum payable shall be computed on that portion of the gross premiums allocated to this state, plus an amount equal to the portion of the gross premiums allocated to other states or territories on the basis of the tax rates and fees applicable to properties, risks or exposures located or to be performed outside of this state, and less the amount of gross premiums allocated to this state and returned to the insured due to cancellation of policy: *Provided*, That the surcharge imposed by ~~section thirty three, article three of this chapter~~ §33-3-33 of this code on surplus lines

policies shall no longer be effective with respect to premium attributable to coverage under such policies for periods after June 30, 2011: *Provided, however,* That ~~12 per cent~~ 16 percent of taxes collected under this subsection with respect to premium attributable to coverage under such policies after June 30, 2011, shall be disbursed into the Fire Protection Fund and distributed in accordance with ~~subsection (d), section thirty three, article three of this chapter~~ §33-3-33 of this code, four percent of taxes collected under this subsection shall be disbursed into the Emergency Medical Services Equipment and Training Fund established in §16-4C-24 of this code for disbursement in accordance with the provisions of that section, and 88 per cent the remaining 80 percent of the taxes collected under this subsection shall be disbursed in accordance with subdivision (2), subsection (f) of this section. The tax on any portion of the premium unearned at termination of insurance having been credited by the state to the licensee shall be returned to the policyholder directly by the surplus lines licensee or through the producing broker, if any.

(b) The individual insurance producer may not:

(1) Pay directly or indirectly the tax or any portion thereof, either as an inducement to the policyholder to purchase the insurance or for any other reason; or

(2) Rebate all or part of the tax or the surplus lines licensee's commission, either as an inducement to the policyholder to purchase the insurance or for any reason.

(c) The surplus lines licensee may charge the prospective policyholder a fee for the cost of underwriting, issuing, processing, inspecting, service, or auditing the policy for placement with the surplus lines insurer if:

(1) The service is required by the surplus lines insurer;

(2) The service is actually provided by the individual insurance producer or the cost of the service is actually incurred by the surplus lines licensee; and

(3) The provision or cost of the service is reasonable, documented, and verifiable.

(d) The surplus lines licensee shall make a clear and conspicuous written disclosure to the policyholder of:

- (1) The total amount of premium for the policy;
- (2) Any fee charged;
- (3) The total amount of any fee charged; and
- (4) The total amount of tax on the premium and fee.

(e) The clear and conspicuous written disclosure required by subdivision (4) of this subsection is subject to the record maintenance requirements of §33-12C-8 of this code.

(f)(1) This tax is imposed for the purpose of providing additional revenue for municipal policemen's and firemen's pension and relief funds and additional revenue for volunteer and part-volunteer fire companies and departments. This tax is required to be paid and remitted, on a calendar year basis and in quarterly estimated installments due and payable on or before the 25th day of the month succeeding the close of the quarter in which they accrued, except for the fourth quarter, in respect of which taxes shall be due and payable and final computation of actual total liability for the prior calendar year shall be made, less credit for the three quarterly estimated payments prior made, and filed with the annual return to be made on or before March 1 of the succeeding year. Provisions of this chapter relating to the levy, imposition, and collection of the regular premium tax are applicable to the levy, imposition, and collection of this tax to the extent that the provisions are not in conflict with this section.

(2) Except as provided in subsection (a) of this section, all taxes remitted to the commissioner pursuant to subdivision (1) of this subsection shall be paid by him or her into a special account in the State Treasury, designated Municipal Pensions and Protection Fund, or pursuant to §8-22-18b of this code, the Municipal Pensions Security Fund, and after appropriation by the Legislature,

shall be distributed in accordance with ~~the provisions of subsection (e), section fourteen d, article three of this chapter §33-3-14d of this code.~~ The surplus lines licensee shall return to the policyholder the tax on any unearned portion of the premium returned to the policyholder because of cancellation of policy.

(g) In determining the amount of gross premiums taxable in this state for a placement of surplus lines insurance covering properties, risks, or exposures only partially located or to be performed in this state, the tax due shall be computed on the portions of the premiums which are attributable to properties, risks, or exposures located or to be performed in this state and which relates to the kinds of insurance being placed as determined by reference to an appropriate allocation table.

(1) If a policy covers more than one classification:

(A) For any portion of the coverage identified by a classification on the allocation schedule, the tax shall be computed by using the allocation schedule for the corresponding portion of the premium;

(B) For any portion of the coverage not identified by a classification on the allocation schedule, the tax shall be computed by using an alternative equitable method of allocation for the property or risk;

(C) For any portion of the coverage where the premium is indivisible, the tax shall be computed by using the method of allocation which pertains to the classification describing the predominant coverage.

(2) If the information provided by the surplus lines licensee is insufficient to substantiate the method of allocation used by the surplus lines licensee, or if the commissioner determines that the licensee's method is incorrect, the commissioner shall determine the equitable and appropriate amount of tax due to this state as follows:

(A) By use of the allocation schedule where the risk is appropriately identified in the schedule;

(B) Where the allocation schedule does not identify a classification appropriate to the coverage, the commissioner may give significant weight to documented evidence of the underwriting bases and other criteria used by the insurer. The commissioner may also consider other available information to the extent sufficient and relevant, including the percentage of the insured's physical assets in this state, the percentage of the insured's sales in this state, the percentage of income or resources derived from this state, and the amount of premium tax paid to another jurisdiction for the policy.

(h) The commissioner is authorized to participate in a clearinghouse established through NIMA or in a similar allocation procedure for the purpose of collecting and disbursing to signatory states any funds collected pursuant to this section that are allocable to properties, risks, or exposures located or to be performed outside of this state: *Provided*, That ~~twelve per cent~~ 16 percent of any moneys received from a clearinghouse or through a similar allocation procedure ~~is are~~ subject to the provisions of ~~subsection (d), section thirty three, article three of this chapter §33-3-33(d) of this code, four percent of such moneys are subject to the provisions of §16-4C-24 of this code, and 88 per cent~~ 80 percent of such moneys ~~is are~~ subject to the provisions of subdivision (2), subsection (f) of this section: *Provided, however*, That to the extent other states where portions of the properties, risks, or exposures reside have failed to enter into NIMA or a similar allocation procedure with this state, the net premium tax collected shall be retained by this state and shall be disbursed and distributed in the same manner as moneys received through a clearinghouse or similar allocation procedure.

(i) Collection of tax.

If the tax owed by a surplus lines licensee under this section has been collected and is not paid within the time prescribed, the same shall be recoverable in a suit brought by the commissioner against the surplus lines licensee. The commissioner may charge interest for any unpaid tax, fee, financial assessment or penalty, or portion thereof: *Provided*, That interest may not be charged on interest. Interest shall be calculated using the annual rates which

are established by the Tax Commissioner pursuant to §11-10-17a of this code and shall accrue daily.

On motion of Senator Tarr, the following amendment to the Finance committee amendment to the bill (Eng. Com. Sub. for H. B. 3153) was reported by the Clerk and adopted:

On page 2, by striking out all of section 14d and inserting in lieu thereof a new section 14d, to read as follows:

§33-3-14d. Additional fire and casualty insurance premium tax; allocation of proceeds; effective date.

(a) (1) For the purpose of providing additional revenue for municipal policemen's and firemen's pension and relief funds and the Teachers Retirement System Reserve Fund and for volunteer and part-volunteer fire companies and departments, there is hereby levied and imposed an additional premium tax equal to one percent of taxable premiums for fire insurance and casualty insurance policies. For purposes of this section, casualty insurance does not include insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transaction or insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction while the debtor is disabled as defined in the policy.

(2) All moneys collected from this additional tax shall be received by the commissioner and paid by him or her into a special account in the State Treasury, designated the Municipal Pensions and Protection Fund, to be allocated as follows: *Provided, That on or after January 1, 2010, the commissioner shall pay*

(A) Ten percent of the amount collected ~~to~~ shall be deposited in the Teachers Retirement System Reserve Fund created in §18-7A-18 of this code; *Provided, That if the Teachers Retirement System demonstrates an unfunded liability of 20% or less for two consecutive years, the ten percent of the amount collected provided for in this paragraph shall be deposited instead in the Fire Protection Fund as provided in paragraph (B) of this subdivision.*

(B) Twenty-five percent of the amount collected to shall be deposited in the Fire Protection Fund created in section 33 of this article for allocation distribution by the State Treasurer to volunteer and part-volunteer fire companies and departments according to the requirements of §33-3-33 of this code; and

~~65% of the amount collected to the Municipal Pensions and Protection Fund: *Provided, however,* That upon notification by the Municipal Pensions Oversight Board pursuant to the provisions of §8-22-18b of this code, on or after January 1, 2010, or as soon thereafter as the Municipal Pensions Oversight Board is prepared to receive the funds,~~

(C) Sixty-five percent of the amount collected by the commissioner shall be deposited in the Municipal Pensions Security Fund created in §8-22-18b of this code the net proceeds of this tax after appropriation thereof by the Legislature is to be distributed in accordance with the provisions of this section, except for distribution from proceeds pursuant to §8-22-18a(d) of this code.

(b) *Municipal Pensions Security Fund allocation and distribution —*

(1) Before August 1 of each year, the treasurer of each municipality in which a municipal policemen's or firemen's pension and relief fund is established shall report to the ~~State Treasurer~~ Municipal Pensions Oversight Board the average monthly number of members who worked at least 100 hours per month and the average monthly number of retired members of municipal policemen's or firemen's pension and relief fund or the Municipal Police Officers and Firefighters Retirement System during the preceding fiscal year. *Provided, That beginning in the year 2010 and continuing thereafter, the report shall be made to the oversight board created in §8-22-18a of this code. These reports received by the oversight board shall be provided* The reports received by the Municipal Pensions Oversight Board shall be provided annually to the State Treasurer by September 1.

~~(2) Before September 1 of each calendar year, the State Treasurer, or the Municipal Pensions Oversight Board once in operation, shall allocate and authorize for distribution the revenues in the Municipal Pensions and Protection Fund which were collected during the preceding calendar year for the purposes set forth in this section. Before September 1 of each calendar year, and after the Municipal Pensions Oversight Board has notified the Treasurer and commissioner pursuant to §8-22-18b of this code, the Municipal Pensions Oversight Board shall allocate and authorize for distribution the revenues in the Municipal Pensions Security Fund which were collected during the preceding calendar year for the purposes set forth in this section. In any year the actuarial report required by §8-22-20 of this code indicates no actuarial deficiency exists in the municipal policemen's or firemen's pension and relief fund and that no pension funding revenue bonds of the building commission of such municipality remain outstanding, no revenues may be allocated from the Municipal Pensions and Protection Fund or the Municipal Pensions Security Fund to that fund. The revenues from the Municipal Pensions and Protection Security Fund shall then be allocated to all other pension and relief funds which have an actuarial deficiency. Pension funding revenue bonds include bonds of a municipality's building commission the net proceeds of which were used to fund either or both of a municipality's policemen's or firemen's pension and relief fund or bonds issued to refinance such bonds.~~

~~(3) The Municipal Pensions Oversight Board shall annually review the investment performance of each municipal policemen's or firemen's pension and relief fund. If the municipal pension and relief fund's board fails for three consecutive years to comply with the investment provisions established by §8-22-22a of this code, the oversight board may require the municipal policemen's or firemen's pension and relief fund to invest with the Investment Management Board to continue to receive its allocation of funds from the premium tax. If the municipal pension and relief fund fails to move its investments to the Investment Management Fund within the 18-month drawdown period, provided in §8-22-19(e) of this code, the revenues shall be reallocated to all other municipal~~

~~policemen's or firemen's pension and relief funds that have drawn down one hundred percent of their allocations.~~

~~(4) The moneys, and the interest earned thereon, in the Municipal Pensions and Protection Fund allocated to volunteer and part volunteer fire companies and departments shall be allocated and distributed quarterly to the volunteer fire companies and departments. Before each distribution date, the State Fire Marshal shall report to the State Treasurer the names and addresses of all volunteer and part volunteer fire companies and departments within the state which meet the eligibility requirements established in §8-15-8a of this code.~~

(e) ~~(1)~~ (3) Each municipal pension and relief fund shall have allocated and authorized for distribution a pro rata share of the revenues, the amount of which was the tax collected during the fiscal year ending June 30, 1996, allocated to municipal policemen's and firemen's pension and relief funds based on the corresponding municipality's average monthly number of police officers and firefighters who worked at least one hundred hours per month during the preceding fiscal year. On and after July 1, 1997, from ~~(3) The Municipal Pensions Oversight Board shall allocate and distribute~~ the growth in any moneys collected pursuant to a pro rata share of the tax imposed by this section and earnings and interest thereon, there shall be allocated and authorized for distribution to each municipal policemen's or municipal firemen's pension and relief fund, a pro rata share of the revenues ~~allocated to municipal policemen's and firemen's pension and relief funds~~ based on the corresponding municipality's average number of police officers and firefighters who worked at least 100 hours per month during the preceding fiscal year and the average monthly number of retired police officers and firefighters during the preceding fiscal year. For the purposes of this subsection, the growth in moneys collected and earnings from the tax collected pursuant to this section is determined by subtracting the amount of the tax collected during the fiscal year ending June 30, 1996, which was \$8,709,689.42, from the tax collected during the fiscal year for which the allocation is being made and interest thereon. All moneys received by municipal pension and relief funds under this

section may be expended only for those purposes described in §8-22-16 through §8-22-28a of this code. Notwithstanding the foregoing provision of this subdivision, if a municipality has outstanding pension funding revenue bonds and continues to pay the normal cost of its policemen's and firemen's pension and relief funds, then the allocable share of revenues to be allocated which would otherwise have been allocated to a municipal policemen's or firemen's pension and relief fund shall instead be allocated to the trustee of any outstanding pension funding revenue bonds.

~~(2) Each volunteer fire company or department shall receive an equal share of the revenues allocated for volunteer and part-volunteer fire companies and departments.~~

~~(3) In addition to the share allocated and distributed in accordance with subdivision (1) of this subsection, each municipal fire department composed of full time paid members and volunteers and part volunteer fire companies and departments shall receive a share equal to the share distributed to volunteer fire companies under subdivision (2) of this subsection reduced by an amount equal to the share multiplied by the ratio of the number of full time paid fire department members who are also members of a municipal firemen's pension and relief fund or the Municipal Police Officers and Firefighters Retirement System to the total number of members of the fire department. If a municipality has outstanding pension funding revenue bonds and continues to pay the normal cost of its policemen's and firemen's pension and relief funds, then the share that would otherwise be payable to the municipality's firemen's pension and relief fund pursuant to this subsection shall be paid to the trustee of such outstanding pension funding revenue bonds.~~

~~(4) (e)~~ (4) The allocation and distribution of revenues provided in this section are subject to the provisions of §8-22-20, §8-15-8a, and §8-15-8b of said chapter this code.

~~(e) Based upon the findings of an audit by the Treasurer, the Legislature hereby finds and declares that during the period of 1982 through April 27, 2012, allocations from the Municipal Pensions and Protection Fund were miscalculated and errors were made in~~

~~amounts transferred, resulting in overpayments and underpayments to the relief and pension funds and to the Teachers Retirement System, and that the relief and pension funds and the Teachers Retirement System were not at fault for any of the overpayments and underpayments. The Legislature hereby further finds and declares that any attempt by the Municipal Pension Oversight Board or other entity to recover any of the overpayments would be unjust and create economic hardship for the entities that received overpayments. No entity, including, without limitation, the Municipal Pension Oversight Board, may seek to recover from a relief or pension fund, the Teachers Retirement System or the state any overpayments received from the Municipal Pensions and Protection Fund and the overpayments are not subject to recovery, offset or litigation. Pursuant to the audit by the Treasurer, the amount of \$3,631,846.55 is determined owed to specific relief and pension funds through the period of April 27, 2012. The Treasurer is hereby authorized to transfer the amount of \$3,631,846.55 from the Unclaimed Property Trust Fund to the Municipal Pensions and Protection Fund, which is hereby reopened for the sole purpose of the transfer and remittances pursuant to this subsection, and to use the amount transferred to remit the amounts due to the pension and relief funds. The payment of \$3,631,846.55 to the pension and relief funds is complete satisfaction of any amounts due and no entity, including, without limitation, the Municipal Pension Oversight Board and any pension or relief fund, may seek to recover any further amounts.~~

(c) The Municipal Pensions Oversight Board shall annually review the investment performance of each municipal policemen's or firemen's pension and relief fund. If a municipal pension and relief fund's board fails for three consecutive years to comply with the investment provisions established by §8-22-22a of this code, the oversight board may require the municipal policemen's or firemen's pension and relief fund to invest with the Investment Management Board to continue to receive its allocation of funds from the premium tax. If the municipal pension and relief fund fails to move its investments to the Investment Management Fund within the 18-month drawdown period provided in §8-22-19(e) of this code, the revenues shall be reallocated to all other municipal

policemen's or firemen's pension and relief funds that have drawn down 100 percent of their allocations.

The question now being on the adoption of the Finance committee amendment to the bill, as amended, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 3153, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3153) passed.

The following amendment to the title of the bill, from the Committee on Finance, was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 3153—A Bill to amend and reenact §29-3E-7 of the Code of West Virginia, 1931, as amended; to amend and reenact §33-3-14d and §33-3-33 of said code; and to amend and reenact §33-12C-7 of said code, all relating to distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers; defining terms; providing method of allocation and distribution for proceeds of fireworks safety fee deposited in the Fire Protection Fund; eliminating obsolete language; increasing surcharge on fire and casualty policies; providing method of allocation of policy surcharge; requiring the State Fire Marshal provide certain information to the State Treasurer; requiring fire departments eligible to receive policy surcharge funds implement

the State Auditor's West Virginia Checkbook fiscal reporting system; granting rulemaking authority to the State Treasurer; increasing tax on surplus lines policies; providing method of allocation of surplus lines policy tax; and clarifying requirements for distribution of funds in the Fire Protection Fund.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 3135, To modify the salaries of the Governor and Constitutional officers beginning January 1, 2025.

On third reading, coming up out of regular order, with the unreported Finance committee amendment pending, and with the right having been granted on yesterday, Thursday, March 9, 2023, for further amendments to be received on third reading, was read a third time.

The following amendment to the bill, from the Committee on Finance, was reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

§6-7-2. Salaries of certain state officers.

(a) Beginning in the calendar year 2005, and for each calendar year after that, salaries for each of the state Constitutional officers are as follows:

- (1) The salary of the Governor is \$95,000 per year;
- (2) The salary of the Attorney General is \$80,000 per year;
- (3) The salary of the Auditor is \$75,000 per year;
- (4) The salary of the Secretary of State is \$70,000 per year;
- (5) The salary of the Commissioner of Agriculture is \$75,000 per year; and

(6) The salary of the state Treasurer is \$75,000 per year.

(b) Notwithstanding the provisions of subsection (a) of this section, beginning in the calendar year 2009, and for each calendar year thereafter, salaries for each of the state Constitutional officers shall be as follows:

(1) The salary of the Governor shall be \$150,000 per year;

(2) The salary of the Attorney General shall be \$95,000 per year;

(3) The salary of the Auditor shall be \$95,000 per year;

(4) The salary of the Secretary of State shall be \$95,000 per year;

(5) The salary of the Commissioner of Agriculture shall be \$95,000 per year; and

(6) The salary of the state Treasurer shall be \$95,000 per year.

(c) Notwithstanding the provisions of subsection (a) or subsection (b) of this section, beginning calendar year 2025, and for each calendar year thereafter, the salary for the Governor shall be set by the Salary Table For Locality Pay Area of Rest of U.S. as published by the United States Office of Personnel Management. The salary of the Governor shall be equal to the amount set as Grade 15, Step 10 on the Salary Table For Locality Pay Area of Rest of U.S. The salary of the Governor shall be adjusted at the beginning of any calendar year when any modifications become effective to the Salary Table For Locality Pay Area of Rest of U.S. table by the United State Office of Personnel Management.

(d) (c) Notwithstanding the provisions of subsection (a) or subsection (b) of this section, beginning calendar year 2025, and for each calendar year thereafter, the salary for the Attorney General, Auditor, Secretary of State, Commissioner of Agriculture, and the Treasurer shall be set by the Salary Table General Schedule Increase as published by the United States Office of Personnel Management. The salary of the Attorney General, Auditor,

Secretary of State, Commissioner of Agriculture, and the Treasurer shall be equal to the amount set as Grade 15, Step 4 on the Salary Table General Schedule Increase. The salary of the General Schedule Increase shall each be adjusted at the beginning of any calendar year when any modifications become effective to the Salary Table General Schedule Increase table by the United State Office of Personnel Management.

Senators Nelson, Smith, Weld, Tarr, Woelfel, and Stuart, respectively, requested rulings from the Chair as to whether they should be excused from voting under Rule 43 of the Rules of the Senate.

The Chair replied that any impact on Senators Nelson, Smith, Weld, Tarr, Woelfel, and Stuart would be as members of a class of persons and that they would be required to vote.

The question being on the adoption of the Finance committee amendment to the bill, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 3135, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Hamilton, Hunt, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Stover, Swope, Takubo, Tarr, Taylor, Trump, Woodrum, and Blair (Mr. President)—25.

The nays were: Chapman, Grady, Martin, Smith, Stuart, Weld, and Woelfel—7.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3135) passed.

The following amendment to the title of the bill, from the Committee on Finance, was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 3135—A Bill to amend and reenact §6-7-2 of the Code of West Virginia, 1931, as amended, relating to compensation of designated constitutional officers, including for the Governor, Attorney General, Auditor, Secretary of State, Commissioner of Agriculture, and State Treasurer, beginning in the calendar year 2025, and for each calendar year after that; providing for a means to calculate salaries of constitutional officers based upon federal salary tables; and providing for a salary increase when modifications are made to salary tables.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. House Bill 3203, Relating generally to West Virginia Real Estate License Act.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 3203) passed.

The following amendment to the title of the bill, from the Committee on Government Organization, was reported by the Clerk and adopted:

Eng. House Bill 3203—A Bill to amend and reenact §30-40-3, §30-40-4, §30-40-5, §30-40-9, §30-40-11, §30-40-12, §30-40-

13, §30-40-14, §30-40-15, §30-40-16, §30-40-17, §30-40-18, §30-40-19, §30-40-20, §30-40-21, §30-40-22, §30-40-25, and §30-40-26 of the Code of West Virginia, 1931, as amended; and to repeal §30-40-27 of said code, all relating to the West Virginia Real Estate License Act; amending definitions; modifying the applicability of the article; requiring certain fees to be deposited into the Treasury of the state daily; eliminating requirements for certain information to be included on applications for licensure; modifying qualifications for obtaining broker's license; providing restrictions on the entities that may be issued a salesperson's license; clarifying and amending requirements for prelicense education; modifying requirements for licensing based on licensure in another jurisdiction; modifying continuing education requirements; eliminating certain requirements for persons holding a broker's license; modifying requirements for license certificates issued by the Real Estate Commission; requiring a licensed broker to reconcile trust accounts; eliminating a prohibition on financial institutions that maintain trust accounts from requiring a certain minimum balance; clarifying language related to when commission may refuse a license or revoke, suspend, or impose any other sanction against a licensee; modifying the procedure for commission to administer complaints; modifying procedure for judicial review of decisions or final orders of the commission; clarifying language regarding criminal penalties; clarifying language related to suits for collection of compensation; requiring licensees to disclose in writing whether the licensee represents the seller, the buyer, the seller and the buyer, the landlord, the tenant, or the landlord and the tenant; and repealing an outdated section of code governing the duration of existing licenses.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 3311, Relating to wine alcohol by volume as compared to beer.

On third reading, coming up out of regular order, with the right having been granted on yesterday, Thursday, March 9, 2023, for amendments to be received on third reading, was read a third time.

There being no amendments offered,

Engrossed Committee Substitute for House Bill 3311 was then put upon its passage.

On the passage of the bill, the yeas were: Barrett, Boley, Caputo, Clements, Hamilton, Hunt, Maroney, Nelson, Oliverio, Phillips, Plymale, Queen, Rucker, Stover, Stuart, Swope, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—23.

The nays were: Azinger, Chapman, Deeds, Grady, Martin, Maynard, Roberts, Smith, and Taylor—9.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3311) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Pending announcement of a meeting of the Committee on Rules,

On motion of Senator Takubo, at 3:34 p.m., the Senate recessed until 4 p.m. today.

The Senate reconvened at 4:29 p.m. and resumed business under the eighth order.

Eng. Com. Sub. for House Bill 3313, Restraining county commissions from imposing rules and regulations on farmers beyond what is already prescribed through state statute.

On third reading, coming up out of regular order, with the unreported Government Organization committee amendment pending, and with the right having been granted on yesterday, Thursday, March 9, 2023, for further amendments to be received on third reading, was read a third time.

At the request of Senator Woodrum, as chair of the Committee on Government Organization, and by unanimous consent, the unreported Government Organization committee amendment to the bill was withdrawn.

On motion of Senator Hamilton, the following amendment to the bill was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.

ARTICLE 1. COUNTY COMMISSIONS GENERALLY.

§7-1-3ff. Authority of county commission to regulate unsafe or unsanitary structures and refuse on private land; authority to establish an enforcement agency; county litter control officers; procedure for complaints; lien and sale of land to recover costs; entry on land to perform repairs and alterations or to satisfy lien; receipt of grants and subsidies.

(a) Plenary power and authority are hereby conferred upon every county commission to adopt ordinances regulating the repair, alteration, or improvement, or the vacating and closing or removal or demolition, or any combination thereof, of any dwellings or other buildings, except for buildings used for ~~farm~~ agricultural production operations purposes on land ~~actually being~~ used for farming agricultural production as defined in §19-19-2 of this code, unfit for human habitation due to dilapidation, defects increasing the hazard of fire, accidents, or other calamities, lack of ventilation, light or sanitary facilities, or any other conditions prevailing in any dwelling or building, whether used for human habitation or not, which would cause the dwellings or other buildings to be unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare, whether the result of natural or manmade force or effect.

(b) Plenary power and authority are hereby conferred upon every county commission to adopt ordinances regulating the removal and clean up of any accumulation of refuse or debris, overgrown vegetation or toxic spillage or toxic seepage located on

private lands which is determined to be unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare, whether the result of natural or manmade force or effect.

(c) The county commission, in formally adopting ordinances, shall designate an enforcement agency which shall consist of the county engineer (or other technically qualified county employee or consulting engineer), county health officer or his or her designee, a fire chief from a county fire company, the county litter control officer, if the commission chooses to hire one, and two members-at-large selected by the county commission to serve two-year terms. The county sheriff shall serve as an ex officio member of the enforcement agency and the county officer charged with enforcing the orders of the county commission under this section.

(d) In addition to the powers and duties imposed by this section, county litter control officers shall have authority to issue citations for open dumps, as prohibited by §22-15-10(a) of this code, unlawful disposal of litter, as prohibited by §22-15A-4 of this code, and failure to provide proof of proper disposal of solid waste, as prohibited by §22C-4-10(a) of this code, after completing a training course offered by the West Virginia Department of Environmental Protection: *Provided*, That any litter control officer who is trained and certified as a law-enforcement officer and whose certification is active has the same authority as any other law-enforcement officer to enforce all litter laws in this code. Nothing in this subsection supersedes the authority or duty of the Department of Environmental Protection or other law-enforcement officers to preserve law and order and enforce the litter control program.

(e) Any ordinance adopted pursuant to the provisions of this section shall provide fair and equitable rules of procedure and any other standards considered necessary to guide the enforcement agency, or its agents, in the investigation of dwelling or building conditions, accumulation of refuse or debris, overgrown vegetation, or toxic spillage or toxic seepage and shall provide for fair and equitable rules of procedure for instituting and conducting hearings in the matters before the county commission. Any entrance upon premises for the purpose of making examinations

shall be made in a manner that causes the least possible inconvenience to the persons in possession.

(f) (1) Complaints authorized by this section shall be brought before the county commission. Complaints shall be initiated by citation issued by the county litter control officer or petition of the county engineer (or other technically qualified county employee or consulting engineer) on behalf of and at the direction of the enforcement agency, but only after that agency has investigated and determined that any dwelling, building, accumulation of refuse or debris, overgrown vegetation, or toxic spillage or toxic seepage is unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare and should be repaired, altered, improved, vacated, removed, closed, cleaned, or demolished.

(2) The county commission shall cause the owner or owners of the private land in question to be served with a copy of the complaint. Service shall be accomplished in the manner provided in rule four of the West Virginia Rules of Civil Procedure.

(3) The complaint shall state the findings and recommendations of the enforcement agency and that unless the owner or owners of the property file with the clerk of the county commission a written request for a hearing within 10 days of receipt of the complaint, an order will be issued by the county commission implementing the recommendations of the enforcement agency.

(4) If the owner or owners of the property file a request for a hearing, the county commission shall issue an order setting this matter down for hearing within 20 days. Hearings shall be recorded by electronic device or by court reporter. The West Virginia Rules of Evidence do not apply to the proceedings, but each party has the right to present evidence and examine and cross-examine all witnesses.

(5) The enforcement agency has the burden of proving its allegation by a preponderance of the evidence and has the duty to go forward with the evidence.

(6) At the conclusion of the hearing, the county commission shall make findings of fact, determinations, and conclusions of law as to whether the dwelling or building: Is unfit for human habitation due to dilapidation; has defects that increase the hazard of fire, accidents, or other calamities; lacks ventilation, light, or sanitary facilities; or any other conditions prevailing in the dwelling or building, whether used for human habitation or not and whether the result of natural or manmade force or effect, which would cause the dwelling or other building to be unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare; or whether there is an accumulation of refuse or debris, overgrown vegetation, toxic spillage or toxic seepage on private lands which is determined to be unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare, whether the result of natural or manmade force or effect.

(7) The county commission has authority to order the owner or owners thereof to repair, alter, improve, vacate, remove, close, clean up, or demolish the dwelling or building in question or to remove or clean up any accumulation of refuse or debris, overgrown vegetation, or toxic spillage or toxic seepage within a reasonable time and to impose daily civil monetary penalties on the owner or owners who fail to obey an order.

(8) Appeals from the county commission to the circuit court shall be in accordance with the provisions of §58-3-1 *et seq.* of this code.

(g) Upon the failure of the owner or owners of the private land to perform the ordered duties and obligations as set forth in the order of the county commission, the county commission may advertise for and seek contractors to make the ordered repairs, alterations, or improvements or the ordered demolition, removal, or clean up. The county commission may enter into any contract with any contractor to accomplish the ordered repairs, alterations, or improvements or the ordered demolition, removal, or clean up.

(h) A civil proceeding may be brought in circuit court by the county commission against the owner or owners of the private land or other responsible party that the subject matter of the order of the

county commission to subject the private land in question: (1) To a lien for the amount of the contractor's costs in making these ordered repairs, alterations, or improvements or ordered demolition, removal, or clean up, together with any daily civil monetary penalty imposed; (2) to order and decree the sale of the private land in question to satisfy the lien; (3) to order and decree that the contractor may enter upon the private land in question at any and all times necessary to make ordered repairs, alterations, or improvements, or ordered demolition, removal, or clean up; and (4) to order the payment of all costs incurred by the county with respect to the property and for reasonable attorney fees and court costs incurred in the prosecution of the action.

(i) County commissions may receive and accept grants, subsidies, donations, and services in kind consistent with the objectives of this section.

§7-1-3kk. Authority to provide for the elimination of hazards to public health and safety; penalty.

In addition to all other powers and duties now conferred by law upon county commissions, commissions are hereby authorized to enact ordinances, issue orders and take other appropriate and necessary actions for the elimination of hazards to public health and safety and to abate or cause to be abated anything which the commission determines to be a public nuisance. The ordinances may provide for a misdemeanor penalty for its violation. The ordinances may further be applicable to the county in its entirety or to any portion of the county as considered appropriate by the county commission: Provided, That county commissions may not establish or approve ordinances, rules, regulations, or take other actions that cancel or alter the purchase, use, or application of any federal or state registered pesticides, herbicides, or insecticide products.

§7-1-3zz. Limit of authority for county commission to regulate agricultural production.

Notwithstanding §7-1-3 of this code, the county commission may not establish or approve ordinances, rules, regulations, license

requirements or any other authorization of agricultural production operations as defined in §19-19-2 of this code that duplicate or exceed contravene or are stricter than any state law or regulations for the purpose of the establishment, expansion, or continuation of agricultural businesses. Furthermore, all existing ordinances, rules, regulations, licensing, or any other county authority enacted by county commissions regarding agricultural production operations as defined in §19-19-2 of this code are hereby declared invalid and unenforceable to the extent that they contravene or are stricter than any state law or regulation for the purpose of the establishment, expansion, or continuation of agricultural businesses.

Nothing in this section applies to federal law.

§7-1-14. Custody and care of animals abandoned, neglected, or cruelly treated; animals causing public nuisance, health risk, or safety hazard; authority of county commission.

(a) Notwithstanding any provision of this code to the contrary, any county commission may adopt ordinances, rules and regulations providing for the custody and care of animals that have been abandoned, neglected or cruelly treated for the protection of any such animal and to prevent it from becoming a public nuisance or risk to public health or safety or the environment: Provided, That the county commission may not establish or approve ordinances, rules, or regulations that duplicate or exceed chapter 19 of this code.

(b) Any such ordinance, rule, or regulation may require each owner to provide for each of his or her animals:

(1) Adequate food which provides sufficient quantity and nutritive value to maintain each animal in good health;

(2) Adequate water which provides easy access to clean, fresh, potable water of a drinkable temperature in sufficient volume and suitable intervals to maintain normal hydration for each animal;

(3) Adequate shelter to protect the animal from the elements and other animals;

(4) Adequate space in the primary enclosure for the particular animal depending upon its age, size, species and weight which is regularly cleaned to prevent an unsanitary accumulation of urine and feces;

(5) Adequate exercise to assure that the animal maintains normal muscle tone and mass for the age, species, size, and condition of the animal; and

(6) Veterinary care when needed or to prevent suffering or disease transmission.

(c) Any such ordinance, rule, or regulation may limit the number of animals owned, kept, or maintained by an individual, group or organization, whether public or private, based on the person's ability to provide for the animals as set forth in subsection (b) of this section.

(d) Any such ordinance, rule, or regulation shall provide appropriate penalties for violations and shall authorize humane officers to take possession of any animal that is not properly cared for as required by such ordinance, rule, or regulation.

CHAPTER 19. AGRICULTURE.

ARTICLE 1. DEPARTMENT OF AGRICULTURE.

§19-19-2. Definitions.

For the purposes of this article:

(a) "Agriculture" shall mean the production of food, fiber, and woodland products, by means of cultivation, tillage of the soil, and by the conduct of animal, livestock, dairy, apiary, equine or poultry husbandry, and the practice of forestry, silviculture, horticulture, harvesting of silviculture products, packing, shipping, milling, and marketing, which for purposes of this definition would include storage, preparation, presentation, auctioning, and transport of agricultural products conducted by the proprietor of the agricultural operation of agricultural products, or any other legal plant or animal production and all farm practices.

(b) "Agricultural land" shall mean any amount of land and the improvements thereupon, used or usable in the production of food, fiber, or woodland products of an annual value of \$1,000 or more, by the conduct of the business of agriculture, as defined in subsection (a) of this section.

(c) "Agricultural operation" shall mean any facility or equipment as defined in §19-39-2 of this code utilized for agriculture.

ARTICLE 39. EQUIPMENT RIGHT TO REPAIR ACT.

§19-39-1. Short title.

This article shall be known and cited as the Equipment Right to Repair Act.

§19-39-2. Definitions.

As used in this article:

(a) "Authorized repair provider" means a person or entity that has an arrangement for a definite or indefinite period in which a manufacturer grants, to a separate person or entity, a license to use a tradename, service mark, or related characteristic for purposes of offering the services of diagnosis, maintenance, or repair of equipment under the name of the original equipment manufacturer. An original equipment manufacturer who offers the services of diagnosis, maintenance, or repair of its own equipment, and who does not have an arrangement described in this subsection with an unaffiliated individual or business, shall be considered an authorized repair provider with respect to such equipment.

(b) "Commissioner" means the Commissioner of the Department of Agriculture.

(c) "Documentation" means any manual, diagram, reporting output, service code description, schematic diagram, security codes, passwords, or other guidance or information used in effecting the services of diagnosis, maintenance, or repair of equipment.

(d) "Embedded software" means any programmable instructions provided on firmware, and all relevant patches and fixes made by the manufacturer, delivered with equipment and used for its operation. "Embedded software" includes a basic internal operating system, an internal operating system, a machine code, an assembly code, a root code, a microcode, and other similar components.

(e) "Equipment" means:

(1) For farm equipment: Equipment that is used or intended for use in a farm or ranch operation, including, but not limited to, a combine, farm tractor, trailer, sprayer, tillage implement, baler, engine, motor, other equipment used to plant, cultivate, irrigate, or harvest agricultural products or to ranch, and attachments and repair parts for farm equipment, but excluding a motor vehicle designed primarily for transporting persons or property on public roadways.

(2) For forestry equipment: Equipment that includes, but is not limited to, sawmill operations, heavy forestry vehicles used in logging operations for felling, delimiting, skidding, and processing logs, and includes attachments and repair parts for forestry equipment.

(3) For lawn and garden equipment: equipment that includes, but is not limited to, lawn mowers and tractors, yard power equipment, lawn and garden care equipment, and any tool or equipment used for landscaping or working in gardens or yards.

(f) "Fair and reasonable terms" means, with respect to a part, tool, software, or documentation offered by an original equipment manufacturer:

(1) For parts:

(A) Costs that are fair to both parties, considering the agreed-upon conditions, promised quality, and timeliness of delivery. "Fair and reasonable" costs are subject to statutory and regulatory limitations; and

(B) On terms that:

(i) Do not impose on an owner or an independent repair provider any substantial obligation to use or any restriction on the use of the part to diagnose, maintain, or repair equipment sold, leased, or otherwise supplied by the original equipment manufacturer, including a condition that the owner or independent repair provider become an authorized repair provider of the original equipment manufacturer, or a requirement that a part be registered, paired with, or approved by the original equipment manufacturer or an authorized repair provider before such part is operational; and

(ii) Prohibit an original equipment manufacturer from imposing any additional cost or burden that is not reasonably necessary or is designed to be an impediment on the owner or independent repair provider.

(2) For tools and documentation:

(A) Costs that are equivalent to the lowest actual cost for which the original equipment manufacturer offers the tool, software, or documentation to an authorized repair provider, including any discount, rebate, or other financial incentive offered to an authorized repair provider; and

(B) On terms that:

(i) Are equivalent to the most favorable terms under which an original equipment manufacturer offers the part, tool, software, or documentation to an authorized repair provider, including the methods and timeliness of delivery of the part, tool, software, or documentation;

(ii) Do not impose on an owner or an independent repair provider any substantial obligation to use or any restriction on the use of the tool, software, or documentation to diagnose, maintain, or repair equipment sold, leased, or otherwise supplied by the original equipment manufacturer, including a condition that the owner or independent repair provider become an authorized repair provider of the original equipment manufacturer, or a requirement

that a tool be registered, paired with, or approved by the original equipment manufacturer or an authorized repair provider before such part or tool is operational; and

(iii) Prohibit an original equipment manufacturer from imposing any additional cost or burden that is not reasonably necessary or is designed to be an impediment on the owner or independent repair provider.

(3) For documentation: "Fair and reasonable terms" also means that the documentation is made available by the original equipment manufacturer at no charge, except that, when the documentation is requested in physical printed form, a charge may be included for the reasonable actual costs of preparing and sending the copy.

(g) "Firmware" means a software program or set of instructions programmed on a hardware device to allow the device to communicate with other computer hardware.

(h) "Independent repair provider" means a person or business operating in the state that is not affiliated with an original equipment manufacturer, or its authorized repair provider, other than through an arrangement with the manufacturer, whether for a definite or indefinite period, which is engaged in the services of diagnosis, maintenance, or repair of equipment, and related attachments and repair parts.

(i) "Original equipment manufacturer" or "manufacturer" means a business engaged in the business of selling, leasing, or otherwise supplying new equipment manufactured by or on behalf of itself, to any individual or business.

(j) "Owner" means an individual or business who owns or leases equipment purchased or used in this state.

(k) "Part" means any replacement part, whether new or used, made available by an original equipment manufacturer to an authorized repair provider for purposes of effecting the services of maintenance or repair of equipment manufactured by or on behalf of, sold, or otherwise supplied by the original equipment manufacturer.

(l) "Tools" means any software program, hardware implement, or other apparatus used for diagnosis, maintenance, or repair of equipment, including software or other mechanisms that provision, program, or pair a new part, calibrate functionality, or perform any other function required to bring the product back to fully functional condition, including any updates.

(m) "Trade Secret" means the same as defined in 18 U.S.C. § 1839(3).

§19-39-3. Jurisdiction of the commissioner.

The commissioner is vested with jurisdiction over all aspects of this article and has exclusive authority to perform all acts necessary to implement this article.

§19-39-4. Requirements.

(a) A manufacturer of equipment sold or leased, offered for sale or lease, or used in this state, shall make available to any independent repair provider and owner of equipment, on fair and reasonable terms, any documentation, parts, and tools, required for the diagnosis, maintenance, or repair of the equipment, inclusive of any technical updates and corrections to embedded software or information. This requirement also applies to any attachments or parts for the equipment. The documentation, parts, and tools shall be made available to any independent repair provider and owner of equipment on the same conditions, and in the same timeframe, as the manufacturer makes diagnostic, service, or repair documentation available to an authorized repair provider.

(b) For equipment, attachments, or parts that contain an electronic security lock or other security-related function, the original equipment manufacturer shall make available to any owner and independent repair provider, on fair and reasonable terms, any special documentation, tools, and parts needed to access and reset the lock or function when disabled in the course of diagnosis, maintenance, or repair of such equipment, attachments, or parts. Such documentation, tools, and parts may be made available through appropriate secure release systems.

§19-39-5. Limitations.

(a) Nothing in this article shall require a manufacturer to divulge any trade secret to any owner or independent repair provider.

(b) Nothing in this article shall abrogate, interfere with, contradict, or alter the terms of any authorized repair agreement executed and in force between an authorized repair provider and manufacturer, including, but not limited to, the performance or provision of warranty or recall repair work by an authorized repair provider on behalf of a manufacturer pursuant to the agreement, except that any provision in the agreement purporting to waive, avoid, restrict, or limit the manufacturer's or authorized repair provider's compliance with this article shall be void.

(c) A manufacturer or authorized repair provider shall not be required to provide an owner or independent repair provider access to non-diagnostic and repair documentation provided by the manufacturer to an authorized repair provider pursuant to the terms of an authorizing agreement.

(d) No original equipment manufacturer or authorized repair provider shall be liable for any damage or injury caused to any equipment, attachments, or parts by an independent repair provider or owner which occurs during the course of repair, diagnosis, or maintenance.

§19-39-6. Prohibitions.

Independent repair providers and owners may not modify or disable any:

(1) Software for horsepower or emission control systems installed on any new equipment, attachments, or parts sold, leased, or used in this state; or

(b) Safety features installed on any new equipment, attachments, or parts sold, leased, or used in this state.

§19-39-7. Rulemaking.

The commissioner shall propose rules for legislative approval and promulgate emergency rules in accordance with the provisions of §29A-3-1 et seq. of this code to implement this article, including establishing a mechanism for the administrative resolution of violations of this article and the assessment and collection of civil penalties by consent order or agreement as an alternative to instituting a civil action. Furthermore, all existing ordinances, rules, regulations, licensing, or any other county authority enacted by county commissions regarding agricultural production operations as defined in §19-19-2 of this code are hereby declared invalid and unenforceable to the extent that they contravene or are stricter than any rule which implements this article.

§19-39-8. Violations; civil penalties; injunctive relief.

(a) Any manufacturer, authorized repair provider, independent repair provider, or owner that violates any provision of this article or rule promulgated hereunder, is liable for a civil penalty of not less than \$1,000 for each violation. Each day a violation continues after notice by the commissioner constitutes a separate violation. The penalty may be recovered by a civil action brought by the commissioner, in the name of the state, in the circuit court of Kanawha County or in the circuit court of the county in which the violation occurred or is occurring.

(b) Upon application by the commissioner, the circuit courts of the state or the judges thereof in vacation may by injunction, compel compliance with, and enjoin any violation of this article or rule promulgated hereunder or the terms and conditions of any consent order or agreement. The court or the judge thereof in vacation may issue a temporary or preliminary injunction in any case pending a decision on the merits of any injunction application filed. Notwithstanding any other provision of this code to the contrary, the state is not required to furnish bond as a prerequisite to obtaining injunctive relief under this article. An application for an injunction under the provisions of this section may be filed and injunctive relief granted notwithstanding that all the administrative remedies provided for in this article or rule have not been pursued

or invoked against the person or persons against whom such relief is sought.

(c) Legal counsel and services for the commissioner in all civil penalty and injunction proceedings in the circuit court and in the Supreme Court of Appeals of this state shall be provided by the Attorney General or his or her assistants and by the prosecuting attorneys of the several counties as well, all without additional compensation, or the commissioner, with the written approval of the Attorney General, may employ counsel to represent him or her in a particular proceeding.

§19-39-9. Applicability.

This bill applies to equipment, attachments, and parts sold, leased, or in use in this state on and after the effective date of this article.

§19-39-10. Effective date.

This article shall take effect on July 1, 2023.

Engrossed Committee Substitute for House Bill 3313, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Maynard, Nelson, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—28.

The nays were: Caputo, Chapman, Martin, and Oliverio—4.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3313) passed.

At the request of Senator Woodrum, as chair of the Committee on Government Organization, and by unanimous consent, the

unreported Government Organization committee amendment to the title of the bill was withdrawn.

On motion of Senator Hamilton, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 3313—A Bill to amend and reenact §7-1-3ff, §7-1-3kk, and §7-1-14 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §7-1-3zz; to amend and reenact §19-19-2 of said code; and to amend said code by adding thereto a new article, designated §19-39-1, §19-39-2, §19-39-3, §19-39-4, §19-39-5, §19-39-6, §19-39-7, §19-39-8, §19-39-9, and §19-39-10, all relating to clarifying the limit of authority of county commissions as it relates to regulation of agricultural production operations; clarifying that authority of county commissions over buildings does not include those used for agricultural production operations; providing that county commissions may not adopt ordinances or rules that prohibit sale or authorized use of federal or state registered pesticides, herbicides, or insecticides; prohibiting county commissions from adopting ordinances or rules that contravene or are stricter than state law or rules regarding agricultural operations; declaring invalid existing county ordinances or rules that contravene or are stricter than state law or rules regarding agricultural operations; barring county commissions from adopting ordinances or rules that duplicate or exceed provisions of chapter 19 of said code concerning custody and care of abandoned, neglected, or cruelly treated animals; clarifying definition of agriculture; creating the Right to Repair Act; creating a short title; defining terms; establishing jurisdiction of the Commissioner of Agriculture; establishing requirements; establishing limitations; establishing prohibitions; providing for rulemaking; establishing violations; imposing civil penalties; authorizing civil actions, penalties, and injunctive relief; and providing for applicability and effective date of article.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 3315, Relating generally to readiness enhancement and commission bonuses.

On third reading, coming up out of regular order, with the right having been granted on yesterday, Thursday, March 9, 2023, for amendments to be received on third reading, was read a third time.

On motion of Senator Weld, the following amendment to the bill was reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 1B. NATIONAL GUARD.

§15-1B-25. Readiness Enhancement and Commissioning Bonus.

(a) The Adjutant General may establish within the limitations of this section a program to provide enlistment bonuses to eligible prospects who become members of the West Virginia National Guard.

(1) Eligibility for the bonus is limited to a candidate who: (A) Joins the National Guard as an enlisted member; (B) Serves satisfactorily during the period of, and completes, the person's initial entry training, if applicable; and (C) Has expertise, qualifications, or potential for military service deemed by the Adjutant General as sufficiently important to the readiness of the National Guard or a unit of the National Guard. The Adjutant General may, within the limitations of this subsection and other applicable laws, determine additional eligibility criteria for the bonus.

(2) The enlistment bonus payments are to be in an amount to generally encourage the candidate's enlistment in the National Guard, subject to available appropriations, and on a schedule that is determined and published in department regulations by the Adjutant General.

(3) If a member fails to complete a term of enlistment for which a bonus was paid, the Adjutant General may seek to recoup a prorated amount of the bonus as determined by the Adjutant General.

(b) The Adjutant General may establish a program to provide a reenlistment or commissioning bonus to eligible members of the West Virginia National Guard who extend their term of service in the National Guard within the limitations of this subsection. Eligibility for the bonus is limited to a member of the National Guard who: (1) Is serving satisfactorily as determined by the Adjutant General; (2) Has 12 or fewer years of service creditable for retirement; and (3) Has military training and expertise deemed by the Adjutant General as sufficiently important to the readiness of the National Guard or a unit of the National Guard, or has accepted a commission as an officer in the National Guard. The Adjutant General may, within the limitations of this subsection and other applicable laws, determine additional eligibility criteria for the bonus.

(1) The enlistment bonus payments are to be in an amount to generally encourage the member's reenlistment or commissioning in the National Guard, subject to available appropriations, and on a schedule that is determined and published in department regulations by the Adjutant General.

(2) If a member fails to complete a term of reenlistment or an obligated term of commissioned service for which a bonus was paid, the Adjutant General may seek to recoup a prorated amount of the bonus as determined by the Adjutant General.

(c) Upon graduation from the officer candidate school conducted at the regional training institute, Camp Dawson, each member of the West Virginia Army National Guard who accepts a commission shall be entitled to a commissioning bonus of \$2,000.

CHAPTER 31. CORPORATIONS.

ARTICLE 18F. THE WEST VIRGINIA VETERANS' HOME LOAN MORTGAGE PROGRAM OF 2023.

§31-18F-1. Short title.

This article shall be known as the West Virginia Veterans' Home Loan Mortgage Program Act of 2023.

§31-18F-2. Definitions.

As used in this section, the following definitions apply:

(1) "Eligible veteran" means an individual who is a West Virginia resident and who:

(a) Is a member of the West Virginia National Guard;

(b) Is a member of the federal reserve forces of the armed forces of the United States, serving pursuant to Title 10 of the United States Code;

(c) Is serving on federal active duty pursuant to Title 10 of the United States Code;

(d) Is an unremarried spouse of an individual who was otherwise an eligible veteran and was killed in the line of duty;

(e) Is a child of an individual who was otherwise an eligible veteran and was killed in the line of duty;

(f) Is an eligible veteran as defined by rule promulgated by the West Virginia Housing Development Fund; or

(g) Was previously a member of the armed forces pursuant to subdivisions (a), (b), or (c) and was discharged under honorable conditions.

(h) An individual who meets the requirements of paragraph (a), (b), (c), (f), or (g) of this subdivision 2 of this article, and who is establishing their primary residence in West Virginia, and is purchasing a home in this state for the first time.

(2) "First-time home buyer" means an individual determined by the fund to be a first-time home buyer pursuant to rules adopted by the fund.

(3) "Fund" means the West Virginia Veterans' Home Loan Mortgage Fund.

(4) "Mortgage loan" means a loan for the purchase of real property with any improvements located within this state that is to be used for primary residential purposes by the eligible veteran and that is based upon a written instrument approved by a federal agency, and that is secured by a deed of trust.

(5) "Participating financial institution" means a corporate lender or other loan originator approved by the West Virginia Housing Development Fund for originating loans pursuant to this article.

(6) "Resident" means an individual who maintains, or will maintain after receiving a mortgage loan, a primary residence within West Virginia, and who has not established a residence elsewhere even though the individual may be temporarily absent from the state.

(7) "Under honorable conditions" means a discharge or separation from military duty characterized by the armed forces as under honorable conditions. The term includes honorable discharge and general discharge. The term does not include a dishonorable discharge, or another administrative discharge characterized by military regulation as other than honorable.

(8) "Veterans' home loan mortgage program" or "program" means the program created in §31-18F-1 *et seq.* of this code.

§31-18F-3. Veterans' Home Loan Mortgage Program created.

(a) There is hereby created by this article, the West Virginia Veterans' Home Loan Mortgage Program of 2023 under the direction and management of the West Virginia Housing Development Fund for eligible veterans who are first-time home buyers.

(b) The West Virginia Housing Development Fund is authorized to purchase mortgage loans from participating financial institutions pursuant to this article or through direct origination.

§31-18F-4. Terms of program.

(a) Interest on a home mortgage loan made pursuant to this section must be charged at 1 percent less than the federal national mortgage association's delivery rate or 1 percent lower than the West Virginia Housing Development Fund's Homeownership Program, whichever is less. If the federal national mortgage association's rate becomes unavailable, the West Virginia Housing Development Fund shall use another similar rate for the purposes of this section.

(b) The maximum amount of a loan made by the West Virginia Housing Development Fund pursuant to this article is 100 percent of the value of the statewide allowable purchase price determined by the West Virginia Housing Development Fund.

(c) The West Virginia Housing Development Fund shall require as a condition for a loan, that an eligible veteran participate in a first-time home buyer education program approved by the West Virginia Housing Development Fund.

(d) A loan made by the West Virginia Housing Development Fund must be secured by a government guaranty unless the West Virginia Housing Development Fund determines to allow the use of conventional mortgage insurance requirements and coverage.

(e) An eligible veteran shall participate in a loan by contributing a minimum amount of \$2,500 unless the West Virginia Housing Development Fund determines otherwise. An eligible veteran may use the minimum contribution toward paying closing costs and may borrow from the Veterans' Home Loan Mortgage Program the maximum loan amount allowed by the mortgage insurer for the loan.

(f) There is no limit on the maximum amount of income that may be earned by an eligible veteran for the purposes of a loan pursuant to this article.

(g) In order to allow small financial institutions to participate equitably in the program along with large financial institutions, the West Virginia Housing Development Fund may adopt rules to

specify the maximum amount of mortgage loans that may be made by any one participating financial institution.

(h) The Legislative Auditor shall have access to all documentation used for the purpose of the program.

(i) The West Virginia Housing Development Fund shall annually submit to the Joint Committee on Government and Finance a report describing, at a minimum, the operation and use of this program. This report shall be due no later than December 1 of each year and may be combined with other reports submitted by the West Virginia Housing Development Fund to the Legislature.

§31-18F-5. West Virginia Veterans' Home Loan Mortgage Fund.

(a) The board of directors of the West Virginia Housing Development Fund may create and establish the West Virginia Veterans' Home Loan Mortgage Fund to make moneys available to the West Virginia Housing Development Fund for loans that qualify pursuant to this article.

(b) The West Virginia Housing Development Fund shall administer the West Virginia Veterans' Home Loan Mortgage Fund and service the mortgage loans under the program.

(c) The West Virginia Housing Development Fund shall receive all moneys transferred to the Fund pursuant to §36-8-13(f) of this code, any other moneys to be deposited into the fund, and any repayments and interest paid to the fund.

(d) As a loan pursuant to this article is repaid, the principal payments on the loan must be redeposited in the fund until all of the principal of the loan is repaid. In the event of foreclosure, the proceeds from the sale of the foreclosed property must be deposited to the fund. The fund may be used to cover the initial purchase of the mortgage loans from participating lenders as well as amounts determined by the West Virginia Housing Development Fund, to pay for the origination and servicing release fees of a loan by a participating financial institution and to cover the holding costs of any foreclosed properties. Interest received on the loans may be

used by the West Virginia Housing Development Fund to pay the reasonable costs for the administration of the program and servicing of the loans. Remaining interest received on the loan must be deposited into the fund.

(e) Following the initial origination of loans, loan repayments and any interest earnings of the fund may be used by the West Virginia Housing Development Fund to originate additional program loans or to assist in the development of affordable housing units for the benefit of veterans.

(f) The West Virginia Housing Development Fund may invest and reinvest all moneys in the Veterans' Home Loan Mortgage Fund in any investments authorized under W. Va. Code § 31-18-6, pending the disbursement thereof in connection with the Veterans' Home Loan Mortgage Fund.

(g) The West Virginia Housing Development Fund will operate the Veterans' Home Loan Mortgage Fund in accordance with customary practices of mortgage lending and loan servicing, including originating loans through qualified lending institutions, industry standard underwriting, minimum down payments, house purchase prices, mortgage lien position, loan origination, and loan servicing fees similar to the West Virginia Housing Development Fund Homeownership Program or similar program.

CHAPTER 36. ESTATES AND PROPERTY.

ARTICLE 8. UNIFORM UNCLAIMED PROPERTY ACT.

§36-8-13. Deposit of funds.

(a) The administrator shall record the name and last known address of each person appearing from the holders reports to be entitled to the property, and the name and last known address of each insured person or annuitant and beneficiary and with respect to each policy or annuity listed in the report of an insurance company, its number, the name of the company, and the amount due.

(b) The Unclaimed Property Fund is continued. The administrator shall deposit all funds received pursuant to this article in the Unclaimed Property Fund, including the proceeds from the sale of abandoned property under §36-8-12 of this code. The administrator may invest the Unclaimed Property Fund with the West Virginia Board of Treasury Investments, or the Investment Management Board, and all earnings shall accrue to the fund and are available for expenditure in accordance with the article. In addition to paying claims of unclaimed property duly allowed, the administrator may deduct the following expenses from the Unclaimed Property Fund:

(1) Expenses of the sale of abandoned property;

(2) Expenses incurred in returning the property to owners, including without limitation the costs of mailing and publication to locate owners;

(3) Reasonable service charge; and

(4) Expenses incurred in examining records of holders of property and in collecting the property from those holders.

(c) The Unclaimed Property Trust Fund is continued within the State Treasury. The administrator may invest the Unclaimed Property Trust Fund with the West Virginia Board of Treasury Investments and all earnings shall accrue to the fund and are available for expenditure in accordance with this article. After deducting the expenses specified in subsection (b) of this section and maintaining a sum of money from which to pay claims duly allowed, the administrator shall transfer the remaining moneys in the Unclaimed Property Fund to the Unclaimed Property Trust Fund.

(d) On or before December 15 of each year, notwithstanding any provision of this code to the contrary, the administrator may transfer the sum of \$1 million from the Unclaimed Property Trust Fund to the Jumpstart Savings Trust Fund, until an actuary certifies there are sufficient funds to satisfy all obligations and administrative expenses of the Jumpstart Savings Program.

(e) Subject to a liquidity determination and cash availability, effective July 1, 2022, the unclaimed property administrator may transfer an amount in any fiscal year from the Unclaimed Property Trust Fund to the Military Authority Reimbursable Expenditure Fund: *Provided*, That the aggregate amount that may be transferred under this subsection may not exceed \$10 million.

(f) Subject to cash availability, on or before July 15, 2023, the unclaimed property administrator may transfer up to \$8 million from the Unclaimed Property Trust Fund to the West Virginia Veterans' Home Loan Mortgage Fund, as provided in §31-18F-5 of this code.

(g) After transferring any money required by subsections (d), ~~and (e)~~, and (f) of this section, the administrator shall transfer moneys remaining in the Unclaimed Property Trust Fund to the General Revenue Fund.

On motion of Senator Chapman, the following amendment to Senator Weld's amendment to the bill (Eng. Com. Sub. for H. B. 3315) was reported by the Clerk:

On page 2, section 25, line 34, by striking out "\$2,000" an inserting in lieu thereof "\$10,000".

Following discussion,

The question being on the adoption of Senator Chapman's amendment to Senator Weld's amendment to the bill, and on this question, Senator Chapman demanded the yeas and nays.

The roll being taken, the yeas were: Caputo, Chapman, Martin, Maynard, Rucker, and Smith—6.

The nays were: Azinger, Barrett, Boley, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—26.

Absent: Jeffries and Karnes—2.

So, a majority of those present and voting not having voted in the affirmative, the President declared Senator Chapman's amendment to Senator Weld's amendment to the bill rejected.

The question now being on the adoption of Senator Weld's amendment to the bill, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 3315, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3315) passed.

At the request of Senator Tarr, as chair of the Committee on Finance, and by unanimous consent, the unreported Finance committee amendment to the title of the bill was withdrawn.

On motion of Senator Weld, the following amendment to the title of the bill, was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 3315—A Bill to amend and reenact §15-1B-25 of the Code of West Virginia, 1931, as amended; to amend and reenact by adding thereto a new article, designated §31-18F-1, §31-18F-2, §31-18F-3, §31-18F-4, §31-18F-5, §31-18F-6; and to amend and reenact §36-8-13 of said code, relating generally to readiness enhancement and commission bonuses; authorizing Adjutant General to establish certain bonus programs; requiring a schedule of bonus amounts; authorizing recoupment of bonus paid under certain circumstances; creating the

West Virginia Veterans' Home Loan Mortgage Program of 2023; establishing a fund known as the West Virginia Veterans' Home Loan Mortgage Fund ; declaring the purpose of the fund; providing that the Housing Development Fund shall administer the fund; setting forth terms of the program; authorizing the Housing Development Fund to make certain mortgage loans from the fund; and authorizing the unclaimed property administrator to transfer a certain amount from the Unclaimed Property Trust Fund to the fund.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. House Bill 3560, Relating to expanding the definitions of land and recreational purposes.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed House Bill 3560 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 3560) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. House Bill 2939, Relating to filing of lien by municipalities for collection of refuse fees.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 2939) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. House Bill 3360, Creating an office of the Inspector General within the Department of Homeland Security.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 3360) passed.

The following amendment to the title of the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

Eng. House Bill 3360—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-13-1, *et seq.*, relating generally to creating the Office of the Inspector General in the Department of Homeland Security; authorizing the appointment of the Inspector General; setting forth duties and powers of the Inspector General; setting forth provisions for appointment and removal of Inspector General; establishing qualifications for Inspector General; authorizing delegation of duties; authorizing employing persons to perform duties of the office and authorizing and directing rulemaking.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Senator Takubo announced that in the meeting previously held, the Committee on Rules, in accordance with Rule 17 of the Rules of the Senate, had placed consideration of **Engrossed Committee Substitute for House Bill 2008, Engrossed Committee Substitute for House Bill 2026, Engrossed House Bill 2967, Engrossed Committee Substitute for House Bill 3077, Engrossed Committee Substitute for House Bill 3084, Engrossed Revised Committee Substitute for House Bill 3110, Engrossed House Bill 3166, Engrossed Committee Substitute for House Bill 3191, Engrossed Committee Substitute for House Bill 3306, Engrossed Committee Substitute for House Bill 3354, Engrossed House Bill 3439, Engrossed House Bill 3443, Engrossed House Bill 3451, Engrossed House Bill 3473, and Engrossed Committee Substitute for House Bill 3482** preceding consideration of all other bills on today's third reading calendar.

Eng. Com. Sub. for House Bill 2008, Requiring local entities to enforce immigration laws.

On third reading, coming up out of regular order, with the unreported Judiciary committee amendment pending, and with the right having been granted on yesterday, Thursday, March 9, 2023, for further amendments to be received on third reading, was read a third time.

The following amendment to the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

CHAPTER 15. PUBLIC SAFETY.

ARTICLE 15. FEDERAL IMMIGRATION ENFORCEMENT.

§15-15-1. Definitions

(1) "Federal immigration agency" means the United States Department of Justice, the United States Department of Homeland Security, any division within either of those departments, specifically including but not limited to United States Immigration and Customs Enforcement, United States Customs and Border Protection, any successor agency or agencies to the aforesaid, and any other federal agency charged with the enforcement or administration of immigration or border control.

(2) "Immigration law" means the laws of this state or federal law relating to immigrants or immigration, including but not limited to the Federal Immigration and Nationality Act, 8 U.S.C. § 1101 *et seq.*

(3) "Immigration detainer" means a facially sufficient written or electronic request issued by a federal immigration agency using that agency's official form to request that another law enforcement agency detain a person based on probable cause to believe that the person to be detained is a removable alien under federal immigration law, including detainers issued pursuant to 8 U.S.C. §

1226 et seq. and 8 U.S.C. § 1357 et seq., along with a warrant described in paragraph (C) of this subsection. For purposes of this subsection, an immigration detainer is deemed facially sufficient if:

(A) The federal immigration agency's official form is complete and indicates on its face that the federal immigration official has probable cause to believe that the person to be detained is a removable alien under federal immigration law; or

(B) The federal immigration agency's official form is incomplete and fails to indicate on its face that the federal immigration official has probable cause to believe that the person to be detained is a removable alien under federal immigration law, but is supported by an affidavit, order, or other official documentation that indicates that the federal immigration agency has probable cause to believe that the person to be detained is a removable alien under federal immigration law; and

(C) The federal immigration agency supplies with its detention request a Form I-200 Warrant for Arrest of Alien, or a Form I-205 Warrant of Removal/Deportation, or a successor warrant, or other warrant authorized by federal law.

(4) "Inmate" means a person in the custody of a law enforcement agency.

(5) "Law enforcement agency" for purposes of this article means an agency in this state charged with enforcement of federal, state, county, or municipal laws or with managing custody of persons in this state and includes, but is not limited to, municipal police departments, sheriff's offices, county and state police departments, state college and university police departments, county correctional agencies, and the Division of Corrections and Rehabilitation.

(6) "Local entity" means:

(A) The governing body, and any agents or officers with executive, decision-making, or policymaking authority thereof, of

a municipality, county, or other political subdivision of this state, and any subsidiary governmental bodies of those entities;

(B) An officer or employee of or a division, department, or other body that is part of a municipality, county, political subdivision or other authority, including a sheriff, municipal police department, municipal attorney, or county attorney; or

(C) A prosecuting attorney or assistant prosecuting attorney.

(7) "State entity" means the State of West Virginia or any agency, office, board, bureau, commission, department, branch, division, or institution thereof, including institutions under the authority of the West Virginia Higher Education Policy Commission, the Community and Technical System, and all other public postsecondary educational institutions in the state. The term includes any officer, employee or agent of any of the aforesaid.

§15-15-2. Prohibited policies regarding immigration enforcement.

A state entity, local entity, or law enforcement agency shall not adopt or maintain a law, ordinance, resolution, rule, regulation, policy, directive, order, practice, or procedure, formal or informal, written or unwritten, which prohibits or materially restricts the state entity, local entity, or law enforcement agency from complying with or assisting in the enforcement of immigration laws, including, but not limited to, prohibiting or materially restricting the state entity, local entity, or law enforcement agency from prohibiting or otherwise materially restricting any state entity, local entity, or law enforcement agency from assisting in the enforcement of immigration law. This includes prohibitions or restrictions on:

(a) Inquiries into the immigration status of any person;

(b) Transmitting, requesting, or receiving information relating to immigration status, lawful or unlawful, of any person to or from any federal immigration enforcement agency;

(c) Maintaining, archiving, or otherwise storing for subsequent use information relating to an individual's immigration status;

(d) Exchanging information relating to immigration status with another local entity, state entity, or a federal immigration agency;

(e) Complying with an immigration detainer, including, but not limited to, refusing to cooperate or comply with a lawfully issued detainer in the absence of a warrant or other order directing compliance with or enforcement of such a detainer;

(f) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate;

(g) Providing a federal immigration agency with an inmate's incarceration status or release date;

(h) Assisting or cooperating with a federal immigration agency, including by providing enforcement assistance;

(i) Participating in any program or agreement authorized under Section 287 of the federal Immigration and Nationality Act, 8 U.S.C. § 1357 *et seq.*;

(j) Permitting a federal immigration officer to enter and conduct enforcement activities at a municipal jail, county jail, or Division of Corrections and Rehabilitation Facility involving or related to the enforcement of federal immigration laws;

§15-15-3. Mandatory duties of law enforcement agencies regarding immigration detainer

(a) A law enforcement agency that takes initial custody of a person subject to an immigration detainer shall:

(1) Provide notice to the court authorized to grant or deny the person's release on bail or bond that the person is subject to an immigration detainer;

(2) Record in the person's case file that the person is subject to an immigration detainer; and

(3) Upon determining that the immigration detainer is facially sufficient as defined by §15-15-1 of this code, comply with the requests made in the immigration detainer to the extent required by law.

(b) A law enforcement agency is not required to perform a duty imposed by subsection (a) of this section with respect to a person who has been transferred to the custody of the agency by another law enforcement agency subject to the requirements of this section.

(c) A court of competent jurisdiction which receives notice that a person is subject to an immigration detainer shall cause the fact to be recorded in the court record, regardless of whether the notice is received before or after a judgment in the case.

§15-15-3. Mandatory agreements for housing persons subject to immigration detainers.

(a) Each county jail or municipal jail, to the extent the same may exist, and the Division of Corrections and Rehabilitation shall enter into an agreement or agreements with a federal immigration agency for temporarily housing persons who are the subject of immigration detainers and for the payment of the costs of housing and detaining those persons.

(b) A compliant agreement under this section includes any contract with a federal immigration agency for housing or detaining persons subject to immigration detainers, such as basic ordering agreements, intergovernmental service agreements, agreements authorized by Section 287 of the federal Immigration and Nationality Act, 8 U.S.C. § 1357 *et seq.*, successor agreements, or other similar agreements authorized by federal law.

§15-15-4. Complaint procedure; notice; equitable relief.

(a) Any person, including a federal agency, may file a complaint with the Attorney General alleging that a state entity, local entity, or law enforcement agency has violated or is violating this article. The person shall include with the complaint any evidence the person has in support of the complaint.

(b) A state entity, local entity, or law enforcement agency for which the Attorney General has received a complaint pursuant to this section shall comply with any document requests, including a request for supporting documents, from the Attorney General relating to the complaint.

(c) If the Attorney General determines there is sufficient evidence that a local entity or law enforcement agency has violated or is violating the provisions of this article, the Attorney General may file a petition for declaratory or injunctive relief, mandamus, or other appropriate relief in Circuit Court for Kanawha County, or in the Circuit Court for a county in which the principal office of the entity or agency is located, against the entity or agency suspected of violating this article.

(d) If a court finds a state entity, local entity, or law enforcement agency has violated or is violating this article, the court shall enjoin the violation. The court shall have continuing jurisdiction over the parties and subject matter and may enforce its orders with contempt proceedings as provided by law.

(e) An order approving a consent decree or granting any relief under this section shall include written findings of fact that describe with specificity the existence and nature of the violation.

(f) In an appeal related to a suit brought under this section, the appellate court shall render its final order or judgment with the least possible delay.

§15-15-5. Removal from office for malfeasance, neglect of duty, and failure to faithfully discharge duties of office.

Any elected official who takes official action that results in a law, ordinance, resolution, rule, regulation, policy, directive, order, practice, or procedure to come into or continue in effect that violates the provisions of this article has failed to faithfully execute the duties of his or her office, has acted with neglect of duty, and has engaged in malfeasance in office, and thus may be removed from the same in accordance with Article IV, §6 of the constitution

of this state, §6-6-5 of this code, §6-6-7 of this code, or any other applicable provision of the law of this state.

§15-15-6. Attorney General to defend good-faith compliance upon request.

(a) The Attorney General may defend a local entity or law enforcement agency in any action in any court if:

(1) The executive head or governing body, as applicable, of the local entity or law enforcement agency requests the Attorney General's assistance in the defense; and

(2) The Attorney General determines that the local entity or law enforcement agency that is the subject of the suit has made a good-faith effort to comply with this article.

§15-15-7. Report of violations; whistle-blower protections.

(a) A state entity, local entity, or law enforcement agency shall not discharge, threaten, or otherwise discriminate or retaliate against any official, representative, agent, or employee for reporting a known or probable violation of the provisions of this article to the Attorney General.

(b) All provisions of §6C-1-1 *et seq.* of this code, the Whistle-Blower Law, shall apply to an official, representative, agent, or employee of a state entity, local entity, or law enforcement agency who is discharged, threatened, or otherwise discriminated or retaliated against because he or she reported a known or probable violation of the provisions of this article to the Attorney General.

§15-15-8. Implementation; discrimination prohibited.

(a) This article code shall be implemented in a manner consistent with federal laws and regulations governing immigration, protecting the civil rights of all persons, and respecting the privileges and immunities of United States citizens.

(b) A state entity, local entity, or law enforcement agency, or a person employed by or otherwise under the direction or control of

a state entity, local entity, or law enforcement agency, shall not base its actions under this article on the gender, race, color, religion, language, national origin, or physical disability of a person except to the extent authorized by the United States Constitution, the constitution and laws of this state, or other applicable federal law.

Engrossed Committee Substitute for House Bill 2008, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Caputo—1.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2008) passed.

The following amendment to the title of the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 2008—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto one new article containing eight new sections, designated §15-15-1, §15-15-2, §15-15-3, §15-15-4, §15-15-5, §15-15-6, §15-15-7, and §15-15-8, all relating to prohibiting subdivisions and local entities from adopting policies that prohibit or materially restrict cooperation with federal entities enforcing immigration law; requiring state entities, local entities and law enforcement agencies to cooperate with the enforcement of immigration laws; providing for definitions; requiring that entities and agencies not prohibit the enforcement of immigration laws or cooperation with other governmental agencies to enforce immigration laws; providing for

complaint procedures; providing for mandatory duties regarding immigration detainees; providing for actions to ensure compliance; providing that the failure to satisfy the duties imposed by this enactment constitutes neglect of duty and malfeasance in office and exposes elected officials to removal from office as provided by law; providing for mandatory agreements regarding the housing of persons subject to immigration detainees; providing for the Attorney General to defend good-faith compliance under certain circumstances; providing Whistle-Blower protections to individuals who report violations; and prohibiting discrimination on the basis of protected classes.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 2026, Authorizing municipalities with police or firefighter employees in PERS to elect to become participating employer in Municipal Police Officer and Firefighter Retirement System for a limited time.

On third reading, coming up out of regular order, with the right having been granted on March 7, 2023, for amendments to be received on third reading, was read a third time.

On motion of Senator Weld, the following amendment to the bill was reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 22A. WEST VIRGINIA MUNICIPAL POLICE OFFICERS AND FIREFIGHTERS RETIREMENT SYSTEM.

§8-22A-33a. Second special authorization for municipal police or firefighters hired after July 1, 2015.

(a) Notwithstanding any provision of this code to the contrary, any municipality or municipal subdivision that employs individuals as members of paid police departments or paid fire departments and whose current police officers or firefighters are

participating in the Public Employees Retirement System may elect, as provided in same manner as provided in §8-22A-28 of this code, to become a participating public employer in the plan and thereby include its police officers and firefighters in the membership of the plan subject to the restrictions provided in this section.

(b) The municipality or municipal subdivision may elect to include only police officers or firefighters who have been hired on or after July 1, 2015, to become members of the plan. Police officers or firefighters hired before July 1, 2015, will remain members of the Public Employees Retirement System.

(c) The municipality or municipal subdivision must make its election on or prior to July 1, 2025.

(d) Once a municipality or municipal subdivision makes its election to become a participating public employer pursuant to this section, all police officers or firefighters hired by the municipality or municipal subdivision after the date of election shall be members of the plan: *Provided*, That police officers or firefighters hired by the municipality or municipal subdivision on or after July 1, 2015, who are members of the Public Employees Retirement System, may choose to become a member of the plan by notifying the municipality or municipal subdivision on a form provided by the Consolidated Public Retirement Board: *Provided, however*, That he or she make this decision within ninety days of the municipality or municipal subdivision's decision to participate in the plan. A municipality or municipal subdivision making an election to become a participating public employer pursuant to this section that has hired any police officer or firefighter on or after July 1, 2015, shall notify each police officer or firefighter hired on or after July 1, 2015, of its election to become a participating public employer within thirty days of making the election. This notice shall include instructions as to how a police officer or firefighter may make notification to the municipality or municipal subdivision of his or her decision to become a member in the plan. The municipality or municipal subdivision shall notify the Consolidated Public Retirement Board in writing of any police officer or firefighter hired after July 1, 2015, who has decided to

become a member of the plan and terminate his or her membership in the Public Employees Retirement System within thirty days of notification by the police officer or firefighter on forms provided by the Consolidated Public Retirement System.

(e) Notwithstanding any other provision of the code to the contrary, any police officer or firefighter hired by a participating public employer on or after July 1, 2015, who chooses pursuant to this section to be a member of the plan, shall be a member of the plan upon acceptance by the Consolidated Public Retirement Board of the notification by the municipality required by this section.

(1) The Consolidated Public Retirement Board shall transfer assets and service credit earned on or after July 1, 2015, from the Public Employees Retirement System Trust Fund into the West Virginia Municipal Police Officers and Firefighters Retirement Fund for those police officers or firefighters who elect to be a member of the plan and were members in the Public Employees Retirement System no later than sixty days from receipt of notification by the municipality or municipal subdivision of the police officer or firefighter's election to become a member. The amount of service credit recognized by the plan for the transferring employees shall be the service credit transferred and recognized by the Public Employees Retirement System.

(2) The amount of assets to be transferred for each police officer or firefighter shall be computed as of the actuarial valuation date preceding the notification to the Consolidated Public Retirement Board by the municipality or municipal subdivision of the police officer or firefighter's election to become a member and updated with seven and one-half percent annual interest to the date of the actual asset transfer. For purposes of this section, the actuarial valuation date is the most recent actuarial valuation of the Public Employees Retirement System approved by the Consolidated Public Retirement Board. The market value of the assets of the transferring employees in the Public Employees Retirement System shall be determined as of the end of the month preceding the actual transfer. To determine the computation of the

asset share to be transferred, the Consolidated Public Retirement Board shall:

(A) Compute the market value of the Public Employees Retirement System assets using the actuarial valuation date;

(B) Compute the actuarial accrued liabilities for all Public Employees Retirement System retirees, beneficiaries, disabled retirees and terminated inactive members using the actuarial valuation date;

(C) Compute the market value of active member assets in the Public Retirement System as of the actuarial valuation date by reducing the assets value under paragraph (A) of this subdivision by the inactive liabilities under paragraph (B) of this subdivision;

(D) Compute the actuarial accrued liability for all active Public Employees Retirement System members using the actuarial valuation date immediately preceding the computation date;

(E) Compute the funded percentage of the active members' actuarial accrued liabilities under the Public Employees Retirement System as of the actuarial valuation date by dividing the active members' market value of assets under paragraph (C) of this subdivision by the active members' actuarial accrued liabilities under paragraph (D) of this subsection;

(F) Compute the actuarial accrued liabilities under the Public Employees Retirement System as of the actuarial valuation date for active employees transferring to the plan;

(G) Determine the assets to be transferred from the Public Employees Retirement System to the plan by multiplying the active members' funded percentage determined under paragraph (E) of this subdivision by the transferring active members' actuarial accrued liabilities under the Public Employees Retirement System under paragraph (F) of this subdivision and adjusting the asset transfer amount by interest at seven and five-tenths percent for the period from the calculation date of July 1 through the first day of the month in which the asset transfer is to be completed.

(3) Any police officer or firefighter who elects to become a member of the plan must also pay to the plan a four percent contribution no later than June 30, 2027. The contribution shall be calculated as four percent of the member's total earnings for which assets are transferred, plus interest of seven and one-half percent accumulated from the date of the police officer's or firefighter's initial participation in the Public Employees Retirement System through the calculation date. Installment payments may be made over no more than a twenty-four month period plus seven and one-half percent interest shall accrue on the outstanding balance due from the calculation date until paid in full.

(4) Once an employee transfers from the Public Employees Retirement System to the plan, the Public Employees Retirement System shall bar any further liability and said transfer will constitute an agreement whereby the transferring employee forever indemnifies and holds harmless the Public Employees Retirement System from providing him or her any form of retirement benefit whatsoever until that employee obtains other employment which would make him or her eligible to reenter the Public Employees Retirement System with no credit whatsoever for the amounts transferred to the plan.

ARTICLE 4. DISABILITY AND DEATH BENEFITS.

§23-4-1. To whom compensation fund disbursed; occupational pneumoconiosis and other occupational diseases included in "injury" and "personal injury"; definition of occupational pneumoconiosis and other occupational diseases; rebuttable presumption for cardiovascular injury and disease or pulmonary disease for firefighters.

(a) Subject to the provisions and limitations elsewhere in this chapter, workers' compensation benefits shall be paid from the Workers' Compensation Fund, to the employees of employers subject to this chapter who have received personal injuries in the course of and resulting from their covered employment or to the dependents, if any, of the employees in case death has ensued, according to the provisions hereinafter made: *Provided*, That in the case of any employees of the state and its political subdivisions,

including: Counties; municipalities; cities; towns; any separate corporation or instrumentality established by one or more counties, cities or towns as permitted by law; any corporation or instrumentality supported in most part by counties, cities or towns; any public corporation charged by law with the performance of a governmental function and whose jurisdiction is coextensive with one or more counties, cities or towns; any agency or organization established by the Department of Mental Health, or its successor agencies, for the provision of community health or intellectual and developmental disability services and which is supported, in whole or in part, by state, county, or municipal funds; board, agency, commission, department, or spending unit, including any agency created by rule of the Supreme Court of Appeals, who have received personal injuries in the course of and resulting from their covered employment, the employees are ineligible to receive compensation while the employees are at the same time and for the same reason drawing sick leave benefits. The state employees may only use sick leave for nonjob-related absences consistent with sick leave use and may draw workers' compensation benefits only where there is a job-related injury. This proviso does not apply to permanent benefits: *Provided, however*, That the employees may collect sick leave benefits until receiving temporary total disability benefits. The Division of Personnel shall propose rules for legislative approval pursuant to §29A-3-1 *et seq.* of this code relating to use of sick leave benefits by employees receiving personal injuries in the course of and resulting from covered employment: *Provided further*, That if an employee is injured in the course of and resulting from covered employment and the injury results in lost time from work and the employee for whatever reason uses or obtains sick leave benefits and subsequently receives temporary total disability benefits for the same time period, the employee may be restored sick leave time taken by him or her as a result of the compensable injury by paying to his or her employer the temporary total disability benefits received or an amount equal to the temporary total disability benefits received. The employee shall be restored sick leave time on a day-for-day basis which corresponds to temporary total disability benefits paid to the employer: *And provided further*, That since the intent of this subsection is to prevent an employee of the state or any of its

political subdivisions from collecting both temporary total disability benefits and sick leave benefits for the same time period, nothing in this subsection prevents an employee of the state or any of its political subdivisions from electing to receive either sick leave benefits or temporary total disability benefits, but not both.

(b) For the purposes of this chapter, the terms "injury" and "personal injury" include occupational pneumoconiosis and any other occupational disease, as hereinafter defined, and workers' compensation benefits shall be paid to the employees of the employers in whose employment the employees have been exposed to the hazards of occupational pneumoconiosis or other occupational disease and have contracted occupational pneumoconiosis or other occupational disease, or have suffered a perceptible aggravation of an existing pneumoconiosis or other occupational disease, or to the dependents, if any, of the employees, in case death has ensued, according to the provisions hereinafter made: *Provided*, That compensation is not payable for the disease of occupational pneumoconiosis, or death resulting from the disease, unless the employee has been exposed to the hazards of occupational pneumoconiosis in the State of West Virginia over a continuous period of not less than two years during the 10 years immediately preceding the date of his or her last exposure to such hazards, or for any five of the 15 years immediately preceding the date of his or her last exposure. An application for benefits on account of occupational pneumoconiosis shall set forth the name of the employer or employers and the time worked for each. The commission may allocate to and divide any charges resulting from such claim among the employers by whom the claimant was employed for as much as 60 days during the period of three years immediately preceding the date of last exposure to the hazards of occupational pneumoconiosis. The allocation shall be based upon the time and degree of exposure with each employer.

(c) For the purposes of this chapter, disability or death resulting from occupational pneumoconiosis, as defined in subsection (d) of this section, shall be treated and compensated as an injury by accident.

(d) Occupational pneumoconiosis is a disease of the lungs caused by the inhalation of minute particles of dust over a period of time due to causes and conditions arising out of and in the course of the employment. The term "occupational pneumoconiosis" includes, but is not limited to, such diseases as silicosis, anthracosilicosis, coal worker's pneumoconiosis, commonly known as black lung or miner's asthma, silicotuberculosis (silicosis accompanied by active tuberculosis of the lungs), coal worker's pneumoconiosis accompanied by active tuberculosis of the lungs, asbestosis, siderosis, anthrax, and any and all other dust diseases of the lungs and conditions and diseases caused by occupational pneumoconiosis which are not specifically designated in this section meeting the definition of occupational pneumoconiosis set forth in this subsection.

(e) In determining the presence of occupational pneumoconiosis, x-ray evidence may be considered, but may not be accorded greater weight than any other type of evidence demonstrating occupational pneumoconiosis.

(f) For the purposes of this chapter, occupational disease means a disease incurred in the course of and resulting from employment. No ordinary disease of life to which the general public is exposed outside of the employment is compensable except when it follows as an incident of occupational disease as defined in this chapter. Except in the case of occupational pneumoconiosis, a disease is considered to have been incurred in the course of or to have resulted from the employment only if it is apparent to the rational mind, upon consideration of all the circumstances: (1) That there is a direct causal connection between the conditions under which work is performed and the occupational disease; (2) that it can be seen to have followed as a natural incident of the work as a result of the exposure occasioned by the nature of the employment; (3) that it can be fairly traced to the employment as the proximate cause; (4) that it does not come from a hazard to which workmen would have been equally exposed outside of the employment; (5) that it is incidental to the character of the business and not independent of the relation of employer and employee; and (6) that it appears to have had its origin in a risk connected with the

employment and to have flowed from that source as a natural consequence, though it need not have been foreseen or expected before its contraction: *Provided*, That compensation is not payable for an occupational disease or death resulting from the disease unless the employee has been exposed to the hazards of the disease in the State of West Virginia over a continuous period that is determined to be sufficient, by rule of the board of managers, for the disease to have occurred in the course of and resulting from the employee's employment. An application for benefits on account of an occupational disease shall set forth the name of the employer or employers and the time worked for each. The commission may allocate to and divide any charges resulting from the claim among the employers by whom the claimant was employed. The allocation shall be based upon the time and degree of exposure with each employer.

(g) No award may be made under the provisions of this chapter for any occupational disease contracted prior to July 1, 1949. An employee has contracted an occupational disease within the meaning of this subsection if the disease or condition has developed to such an extent that it can be diagnosed as an occupational disease.

(h) For purposes of this chapter, a rebuttable presumption that a professional firefighter who has developed a cardiovascular or pulmonary disease or sustained a cardiovascular injury or who has developed leukemia, lymphoma, ~~or~~ multiple myeloma, bladder cancer, mesothelioma, or testicular cancer arising out of and in the course of employment as a firefighter has received an injury or contracted a disease arising out of and in the course of his or her employment exists if: (A) The person has been actively employed by a fire department as a professional firefighter for a minimum of two years prior to the cardiovascular injury or onset of a cardiovascular or pulmonary disease or death; (B) the injury or onset of the disease or death occurred within six months of having participated in ~~fire fighting~~ firefighting or a training or drill exercise which actually involved ~~fire fighting~~ firefighting; and (C) in the case of the development of leukemia, lymphoma, ~~or~~ multiple myeloma, bladder cancer, mesothelioma, or testicular cancer, the

person has been actively employed by a fire department as a professional firefighter for a minimum of five years in the state prior to the development of leukemia, lymphoma, ~~or~~ multiple myeloma, bladder cancer, mesothelioma, or testicular cancer, ~~has not used tobacco products for at least 10 years~~ has not used tobacco products more than six times in a calendar for at least 10 years, and is not over the age of 65 years. When the above conditions are met, it shall be presumed that sufficient notice of the injury, disease, or death has been given and that the injury, disease, or death was not ~~self-inflicted~~ self-inflicted. The amendments made to this section during the regular session of the Legislature, 2023, to include bladder cancer, mesothelioma or testicular cancer arising out of and in the course of employment as a firefighter as a rebuttable presumption expire on July 1, 2027, unless extended by the Legislature.

(i) Claims for occupational disease as defined in §23-4-1(f) of this code, except occupational pneumoconiosis for all workers and pulmonary disease and cardiovascular injury and disease for professional firefighters, shall be processed in like manner as claims for all other personal injuries.

On motion of Senator Nelson, the following amendment to Senator Weld's amendment to the bill (Eng. Com. Sub. for H. B. 2026) was reported by the Clerk and adopted:

On page 1, section 33a, line 4, by striking out "§8-22A-8" and inserting in lieu thereof "§8-22A-8(a)".

The question now being on the adoption of Senator Weld's amendment to the bill, as amended.

Following discussion,

The question being on the adoption of Senator Weld's amendment to the bill, as amended, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 2026, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Jeffries, Karnes, and Stover—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2026) passed.

On motion of Senator Weld, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 2026—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8-22A-33a; and to amend and reenact §23-4-1 of said code, all relating to benefits for municipal police officers or firefighters; providing for transfer of assets pertaining to municipal police officers or firefighters; requiring certain computations to be made by the Consolidated Public Retirement Board; requiring certain payments; terminating liability of the Public Employees Retirement System; to compensable diseases of certain firefighters covered by workers' compensation; establishing rebuttable presumption of injury arising out of and in the course of employment for certain covered firefighters that develop bladder cancer, mesothelioma, and testicular cancer; providing for conditions of the presumption; and providing that the rebuttable presumption expires on July 1, 2027, unless extended by the Legislature.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. House Bill 2967, Expediting License Applications for active military members and veterans, and their spouses.

On third reading, coming up out of regular order, with the unreported Military committee amendment pending, and with the right having been granted on yesterday, Thursday, March 9, 2023, for further amendments to be received on third reading, was read a third time.

At the request of Senator Weld, as chair of the Committee on Military, and by unanimous consent, the unreported Military committee amendment to the bill was withdrawn.

On motion of Senator Weld, the following amendment to the bill was reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 1B. PROVISIONS APPLICABLE TO MILITARY MEMBERS AND THEIR SPOUSES.

§30-1B-1. Legislative findings and declarations.

The Legislature finds that:

(1) In recognition of the enormous sacrifices made by members of the Armed Forces of the United States of America and their families in voluntary service to this state and our nation, the citizens of West Virginia must endeavor to find new and innovative ways to improve the lives of military families and support their personal and professional growth;

(2) Many current and former members of the United States Armed Forces have acquired extensive academic, professional and occupational training and experience in various professions and occupations while serving in the Armed Forces, comparable to or exceeding that required in this state to register for examination or qualify for licensure, certification, or registration for similar or related occupations and professions;

~~(3) Military families are ten times more likely to move from one state to another than their civilian counterparts, and 35% of~~

~~military spouses work in professions that require state licenses, certifications or registrations~~

~~(4) (3) Veterans of the Armed armed forces and the spouses of current members who return or relocate to this state after being called to active duty service, and spouses accompanying armed forces members outside of this state or to this state for active duty are frequently delayed in beginning employment as professionals because of issues with obtaining licenses, certifications or registrations upon arrival or return to West Virginia;~~

~~(5) The boards in this chapter have the particular expertise necessary to evaluate and determine the adequacy of military education, training and experience for licensure, certification or registration and to adopt procedures that ease the burden of transition for military families through waivers, temporary licensing, or otherwise, while ensuring competency of professionals and protecting the citizens of the state from harm.~~

~~(4) Because of the training and experiences these individuals have and the challenges they may face when seeking licensure, certification, or registration, it is in the best interests of this state to ease these burdens and ensure the boards in this chapter use the relevant experiences of these men and women to ensure they are able to find employment as quickly as possible.~~

~~§30-1B-2. Consideration of military education, training and experience for licensure or registration, generally Licensure for individuals with military training and experience.~~

~~(a) Except as provided in section eight of this article, and notwithstanding any law to the contrary, all boards referred to in this chapter shall, upon presentation of satisfactory evidence by an applicant for licensure, certification or registration, consider the individual's education, training or experience as a member of the Armed Forces or Reserves of the United States, the National Guard of any state, or the military reserves of any state, as part of the evaluation process toward the qualifications to receive, or take~~

examination for, that respective professional license, certification or registration. subsection (c) of this section, and notwithstanding any other provision of this Code to the contrary, all boards referred to in this chapter shall issue a license, certification, or registration to a military-trained applicant to allow the applicant to lawfully practice the applicant's occupation in this state if, upon application to a board, the military-trained applicant satisfies the following conditions:

(1) Has been awarded a military occupational specialty and has done all of the following at a level that is substantially equivalent to or exceeds the requirements for licensure, certification, or registration of the board from which the applicant is seeking licensure, certification, or registration in this state:

(A) Completed a military program of training;

(B) Completed testing or equivalent training and experience;
and

(C) Performed in the occupational specialty;

(2) Has engaged in the active practice of the occupation for which the person is seeking a license, certification, or permit from the board in this state for at least two of the five years preceding the date of the application under this section; and

(3) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license to practice that occupation in this state at the time the act was committed and has no pending complaints.

(b) No later than 15 days following receipt of an application from a military-trained applicant, the board shall either issue a license, certification, registration, or notify an applicant when the applicant's military training or experience does not satisfy the requirements for licensure, certification, or registration and specify the criteria or requirements that the board determined that the applicant failed to meet and the basis for that determination. If a military-trained applicant has a pending complaint under §30-1B-3(a)(3), the board shall notify the applicant no later than 15 days

following the board receiving written notice of the disposition of the pending complaint.

(c) A board shall issue a license, certification, or registration to a military-trained applicant to allow the applicant to lawfully practice the applicant's occupation in this state if the military-trained applicant, upon application to the board, satisfies the following conditions:

(1) Presents official, notarized documentation, such as a U.S. Department of Defense Form 214 (DD-214), or similar substantiation, attesting to the applicant's military occupational specialty certification and experience in an occupational field within the board's purview; and

(2) Passes a proficiency examination offered by the board to military-trained applicants in lieu of satisfying the conditions set forth in subsection (a) of this section; However, if an applicant fails the proficiency examination, then the applicant may be required by the board to satisfy those conditions.

(d) In any case where a proficiency examination is not offered routinely by a board, the board shall design a fair proficiency examination for military-trained applicants to obtain licensure, certification, or registration under this section. If a proficiency examination is offered routinely by a board, that examination shall satisfy the requirements of this section.

(e) All relevant experience of a military service member in the discharge of official shall be credited in the calculation of years of practice in an occupation as required under subsection (a) of this section.

(f) A nonresident licensed, certified, or registered under this section shall be entitled to the same rights and subject to the same obligations as required of a resident licensed, certified, or registered by all boards referred to in this chapter.

(g) Nothing in this section may be construed to apply to the practice of law under §30-2-1 *et seq.* of this code, the practice of

medicine under article § 30-3-1 et. seq. of this code, or the practice of osteopathic medicine under article § 30-14-1 et seq. of this code.

(h) Nothing in this section may be construed to prohibit a military-trained applicant from proceeding under the existing licensure, certification, or registration requirements established by a board referred to in this chapter.

(i) A board may not charge a military-trained applicant an initial application fee for a license, certification, registration, or temporary practice permit issued pursuant to this section: *Provided*, That nothing in this subsection may be construed to prohibit a board from charging its ordinary fee for a renewal application or prohibit a third party from charging actual costs for a service such as a background check.

~~§30-1B-3. Licensure certification or registration of persons on military active duty outside this state; extension of licenses or registration; waiver of certain license, certification or registration requirements for military spouses.~~

~~(a) During periods when the licensee, certificate holder or registrant is on active duty as a member of the Armed Forces of the United States and deployed outside of this state, and for six months after discharge from active duty, his or her license, certification or registration shall continue in good standing and shall be renewed, upon receipt of a waiver request pursuant to subsection (b) of this section:~~

~~(1) Without meeting continuing education requirements for the license, certification or registration when:~~

~~(A) Circumstances associated with the military duty prevent the obtaining of continuing education, or~~

~~(B) The licensee, certificate holder or registrant performs the profession or occupation as part of his or her military duties, as may be evidenced by annotation on Defense Department Form 214 (DD214), National Guard Bureau Form 22 (NGB22) or other official record; and~~

~~(2) Without payment of fees for the renewal of the license, certification or registration~~

~~(b) (a) The licensee, certificate holder or registrant shall submit a waiver request to the appropriate board, informing the board of circumstances which include, but are not limited to, being deployed outside of this state~~ Notwithstanding any other provision of this code to the contrary, all boards referred to in this chapter shall issue a license, certification, or registration to a military spouse to allow the spouse of an active duty military member who is a resident of this state who is assigned to state, or federal active duty in this state to lawfully practice the spouse's occupation in this state if, upon application to a board, the spouse satisfies the following conditions:

(1) Holds a current license, certification, or registration from another jurisdiction, and that jurisdiction's requirements for licensure, certification, or registration are substantially equivalent to or exceed the requirements for licensure, certification, or registration of the board for which the applicant is seeking licensure, certification, or registration in this state;

(2) Can demonstrate competency in the occupation through methods as determined by the board, such as having completed continuing education units or having had recent experience for at least two of the five years preceding the date of the application under this section;

(3) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license to practice that occupation in this state at the time the act was committed; and

(4) Is in good standing; has not been disciplined by the agency that had jurisdiction to issue the license, certification, or permit; and has no pending complaints.

(b) No later than 15 days following receipt of an application from a spouse the board shall either issue a license, certification, registration, or notify an applicant when the applicant's training or

experience does not satisfy the requirements for licensure, certification, or registration and specify the criteria or requirements that the board determined that the applicant failed to meet and the basis for that determination. If an applicant who is a military spouse has a pending complaint under §30-1B-(a)(4), the board shall notify the applicant no later than 15 days following the board receiving written notice of the disposition of the pending complaint.

(c) All relevant experience of a military spouse, including full-time and part-time experience, regardless of whether in a paid or volunteer capacity, shall be credited in the calculation of years of practice in an occupation as required under subsection (a) of this section.

(d) A nonresident licensed, certified, or registered under this section is entitled to the same rights and subject to the same obligations as required of a resident licensed, certified, or registered by all boards referred to in this chapter.

(e) Nothing in this section may be construed to apply to the practice of law under article §30-2-1 *et seq.* of this code, the practice of medicine under article § 30-3-1 *et. seq.* of this code, or the practice of osteopathic medicine under article § 30-14-1 *et seq.* of this code.

(f) Nothing in this section may be construed to prohibit a spouse from proceeding under the existing licensure, certification, or registration requirements established by a board referred to in this chapter.

(g) A board may not charge a military spouse an initial application fee for a license, certification, registration, or temporary practice permit issued pursuant to this section: *Provided*, That nothing in this subsection may be construed to prohibit a board from charging its ordinary fee for a renewal application or prohibit a third party from charging actual costs for a service such as a background check.

~~§30-1B-4. Temporary licensure certification or registration of spouses of persons on military active duty outside this state; extension of licenses or registration; waiver of certain license, certification or registration requirements.~~

~~(a) During periods when the licensee, certificate holder or registrant is accompanying his or her spouse who is on active duty as a member of the Armed Forces of the United States and deployed outside of this state, and for six months after his or her spouse is discharged from active duty, his or her license, certification or registration shall continue in good standing and shall be renewed, upon receipt of a waiver request pursuant to subsection (b) of this section:~~

~~(1) Without meeting continuing education requirements for the license, certification or registration when:~~

~~(A) Circumstances associated with accompanying his or her spouse who is on active duty prevent the obtaining of continuing education, or~~

~~(B) The licensee, certificate holder or registrant presents evidence that he or she performs or performed the profession or occupation while accompanying his or her spouse on active duty; and~~

~~(2) Without payment of fees for the maintenance or renewal of the license, certification or registration:~~

~~(b) The licensee, certificate holder or registrant shall submit a waiver request to the appropriate board informing the board of circumstances which include, but are not limited to, accompanying a spouse who is deployed outside of this state~~

All boards referred to in this chapter shall issue a temporary practice permit to a military-trained applicant or military spouse licensed, certified, or registered in another jurisdiction while the military-trained applicant or military spouse is satisfying the requirements for licensure under sections three and four of this section no later than 15 days following receipt of an application; if that jurisdiction has licensure, certification, or registration

standards substantially equivalent to the standards for licensure, certification, or registration of a board in this state. The temporary practice permit shall be issued using the same information as provided by the applicant in the licensure application and remain valid for the later of one year or the required renewal date for the occupation the temporary practice permit was issued for or until a license, certification, or registration is granted by the board. A temporary practice permit may be denied or revoked for a pending complaint after notice is provided to the military-trained applicant or military spouse as set forth under §30-1B-3(a)(3) and §30-1B-(a)(4), or §30-1B-4(a) of this article.

§30-1B-5. Temporary licensure, certification or registration of spouses of persons on military active duty; waiver of certain license, certification or registration fees.

[Repealed.]

§30-1B-7. Data Collection.

[Repealed.]

On motion of Senator Chapman, the following amendment to Senator Weld's amendment to the bill (Eng. H. B. 2967) was reported by the Clerk:

On page 4, line 89, by inserting thereto a new subsection (i), to read as follows:

(i) There shall be no charge of fees or costs for professional or trade license applications for service members, veterans, and their spouses.

Following discussion,

The question being on the adoption of Senator Chapman's amendment to Senator Weld's amendment to the bill, the same was put and did not prevail.

The question now being on the adoption of Senator Weld's amendment to the bill, the same was put and prevailed.

Engrossed House Bill 2967, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 2967) passed.

At the request of Senator Weld, as chair of the Committee on Military, and by unanimous consent, the unreported Military committee amendment to the title of the bill was withdrawn.

On motion of Senator Weld, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. House Bill 2967—A Bill to amend and reenact §30-1-23 of the Code of West Virginia, 1931, as amended; and to repeal §30-1B-5 and §30-1B-7 of said code, all relating to professions and occupations; licensure provisions for individuals with military training and experience applicable to military members and their spouses; and providing for the expedited processing of professional or trade license applications for service members, veterans, and their spouses, when the applicant is licensed and in good standing in another jurisdiction.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 3077, Relating to making the use of the multi-state real time tracking system permanent.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3077) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3077) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. Com. Sub. for House Bill 3084, Relating to revising provisions related to public charter schools.

On third reading, coming up out of regular order, with the unreported Finance committee amendments pending, and with the right having been granted on March 8, 2023, for further amendments to be received on third reading, was read a third time.

The following amendments to the bill, from the Committee on Finance, were reported by the Clerk, considered simultaneously, and adopted:

On page 13, section 3, line 92, after the word "assessment" by inserting a comma and the words "if available,";

And

On page 23, section 12, lines 5 through 7 by striking out the words "and may not initiate or execute the sale or otherwise transfer of the facility to another entity after the request for usage has been made by a public charter school: *Provided*, That the title is clear and there is no restrictive covenant".

On motion of Senator Rucker, the following amendment to the bill (Eng. Com. Sub. for H. B. 3084) was next reported by the Clerk:

On page 6, section 1, line 29, by striking out all of subsection (f) and relettering the remaining subsections.

Following discussion,

The question being on the adoption of Senator Rucker's amendment to the bill, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 3084, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Caputo—1.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3084) passed with its title.

Senator Takubo moved that the bill take effect July 1, 2023.

On this question, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Caputo—1.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3084) takes effect July 1, 2023.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Rev. Com. Sub. for House Bill 3110, Relating to funding the Office of Oil and Gas in the Department of Environmental Protection.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Rev. Com. Sub. for H. B. 3110) passed.

On motion of Senator Tarr, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Rev. Com. Sub. for House Bill 3110—A Bill to amend and reenact §11-13A-5a of the Code of West Virginia, 1931, as amended, and to amend and reenact §22-6-2, §22-6-29, and §22-6A-7 of said code; all relating to funding the Office of Oil and Gas in the Department of Environmental Protection; providing for the apportionment of three fourths of one percent of oil and gas severance taxes not to exceed \$1,200,000 to Office of Oil and Gas; establishing two tiers of annual oversight fees for wells producing more than 60,000 cubic feet of gas per day; increasing the expedited permit modification fee by \$2500 over the current level; eliminating the one million dollar cap on deposits to the Oil and Gas Operating Permit and Processing Fund from collections of fees for expedited permits and expedited permit modifications; providing that those fees, if not used for other purposes, may be moved to the Oil and Gas Reclamation Fund; and making technical corrections.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. House Bill 3166, To permit a hospital to hold a patient experiencing a psychiatric emergency for up to 72 hours.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope,

Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 3166) passed.

The following amendment to the title of the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

Eng. House Bill 3166—A Bill to amend and reenact §27-5-2a of the Code of West Virginia, 1931, as amended, relating to clarifying that an authorized hospital staff physician may order the involuntary hospitalization of an emergency room patient or in-hospital patient for up to 72 hours if judicial officers are unavailable.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 3191, Relating to certain facilities operated by the state government to obtain a license.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3191) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3191) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 3306, Relating to the organizational structure of the Office of Drug Control Policy.

On third reading, coming up out of regular order, was read a third time.

At the request of Senator Woelfel, unanimous consent was granted to offer an amendment to the bill on third reading.

Thereupon, on motion of Senator Woelfel, the following amendment to the bill was reported by the Clerk:

On page 5, section 2, line 76, subparagraph (i), after the word "issues," by inserting the words "The taskforce will also examine the situation of a resident who was transported from any location within or without the state of West Virginia and is discharged, evicted, or otherwise removed from a recovery residence, and whether or not a recovery residence should provide transportation

to the location from which the resident was initially transported, at the expense of the recovery residence. The taskforce will additionally examine, the situation of a resident who may be discharged, evicted, or otherwise removed prior to the expiration of the time period for which he or she has previously paid rent or any other fee for residency or service, in the context of requiring the recovery residence to promptly report relevant information regarding the circumstances for each early discharge, eviction, or removal of a resident to the Department of Health and Human Resources' Bureau for Behavioral Health. The taskforce will further examine whether or not residents of a recovery residence should be granted any minimal tenancy rights or otherwise be considered a worthy recipient for relief from a magistrate court arising from their discharge, eviction, or removal from a recovery residence."

Following discussion,

The question being on the adoption of Senator Woelfel's amendment to the bill, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 3306, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3306) passed.

The following amendment to the title of the bill, from the Committee on Health and Human Resources, was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 3306—A Bill to amend and reenact §16-1-13 of the Code of West Virginia, as amended; to amend and reenact §16-5T-2 and §16-5T-4 of said code; and to amend said code by adding thereto a new section, designated §16-5T-7 of said code; all relating to the department; creating a special revenue account; providing for the appointing of the director of the Office of Drug Control Policy; requiring the creation of a task force; setting forth composition of the taskforce; setting forth areas to be examined by taskforce; requiring reporting; establishing deadlines for reports; continuing data dashboard; adding variables to items that must be collected; amending information technology platform; setting forth items that must be displayed on dashboard; providing for enforcement; providing for imposition of civil monetary penalties for violation of reporting requirements.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 3354, To authorize municipalities to combine operations with other municipalities and counties to provide governmental services.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3354) passed.

The following amendment to the title of the bill, from the Committee on Government Organization, was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 3354—A Bill to amend and reenact §8-12-5 of the Code of West Virginia, 1931, as amended, relating to allowing municipalities to combine operations with other municipalities and counties to provide governmental services.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. House Bill 3439, To limit the civil liability of child placing agencies that obtain an insurance policy in an amount not less than \$1 million per incident.

On third reading, coming up out of regular order, was read a third time.

(Senator Swope in the Chair.)

Pending discussion,

(Senator Blair, Mr. President, in the Chair.)

At the request of Senator Caputo, and by unanimous consent, further consideration of the bill was deferred until the conclusion of bills on today's calendar.

Eng. House Bill 3443, Relating to a development or improvement on land subject to review by the State Historic Preservation Office.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 3443) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. House Bill 3451, Updating the veteran preference ratings in state code for state employment.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 3451) passed.

The following amendment to the title of the bill, from the Committee on Government Organization, was reported by the Clerk and adopted:

Eng. House Bill 3451— A Bill to amend and reenact §6-13-1 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §6-13-2, all relating to updating the veteran preference ratings in state code for state employment.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. House Bill 3473, Creating a workgroup relating to Dig Once Policy.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 3473) passed.

The following amendment to the title of the bill, from the Committee on Transportation and Infrastructure, was reported by the Clerk and adopted:

Eng. House Bill 3473—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-2E-10, relating to creating a taskforce on infrastructure deployment; setting forth purpose; defining a term; specifying membership of the taskforce and topics of study; requiring reporting; and providing sunset date.

Senator Takubo moved that the bill take effect July 1, 2023.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3473) takes effect July 1, 2023.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 3482, To create the Coal Fired Grid Stabilization and Security Act of 2023.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Tarr—1.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3482) passed.

The following amendment to the title of the bill, from the Committee on Energy, Industry, and Mining, was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 3482—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-2O-1, §5B-2O-2, §5B-2O-3, and §5B-2O-4; to amend said code by adding thereto a new section, designated §22-5-11c; and to amend and reenact §22B-1-7 of said code, all relating generally to the Coal Fired Grid Stabilization and Security Act of 2023; providing for a short title; making legislative findings and declarations; requiring designation of suitable sites for coal electric generation and reporting to the Division of Air Quality of the West Virginia Department of Environmental Protection and the West Virginia Public Service Commission; requiring construction and operating permits for coal electric generation facilities, including expedited consideration; and requiring prompt consideration of appeals by the Air Quality Board concerning permit issued or denied.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Pending announcement of a meeting of the Committee on Rules,

On motion of Senator Takubo, at 5:58 p.m., the Senate recessed until 7 p.m. tonight.

The Senate reconvened at 7:42 p.m.

Senator Takubo announced that in the meeting previously held, the Committee on Rules, in accordance with Rule 17 of the Rules of the Senate, had placed consideration of **Engrossed Committee Substitute for House Bill 2900, Engrossed Committee Substitute for House Bill 3018, Engrossed House Bill 3439, Engrossed Committee Substitute for House Bill 2005, Engrossed Committee Substitute for House Bill 2007, Engrossed Committee Substitute for House Bill 2862**, and

Engrossed Committee Substitute for House Bill 3190 following consideration of bills on today's second reading calendar.

Senator Takubo also announced that in the meeting of the Committee on Rules previously held, the committee, in accordance with Rule 17 of the Rules of the Senate, had removed from the Senate third reading calendar, **Engrossed Committee Substitute for House Bill 3130**.

At the request of Senator Takubo, unanimous consent being granted, the Senate returned to the second order of business and the introduction of guests.

The Senate again proceeded to the eighth order of business.

Eng. Com. Sub. for House Bill 3130, Creating the Coalfields Energy Research and Economic Development Authority.

Having been removed from the Senate third reading calendar in earlier proceedings today, no further action thereon was taken.

The Senate proceeded to the ninth order of business.

Eng. House Bill 2907, Supplementing and amending appropriations to the Department of Administration, Division of General Services.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Chapman—1.

Absent: Jeffries and Karnes—2.

Engrossed House Bill 2907 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 2907) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 2907) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. House Bill 2913, Supplementing and amending appropriations to the DHHR, Consolidated Medical Services Fund.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Chapman—1.

Absent: Jeffries and Karnes—2.

Engrossed House Bill 2913 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 2913) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo,

Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 2913) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. Com. Sub. for House Bill 2928, Supplementing and amending appropriations to DHHR, Division of Health.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Chapman—1.

Absent: Jeffries and Karnes—2.

Engrossed Committee Substitute for House Bill 2928 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope,

Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2928) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2928) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. House Bill 3039, Making a supplementary appropriation to Adjutant General - State Militia.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Chapman—1.

Absent: Jeffries and Karnes—2.

Engrossed House Bill 3039 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3039) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3039) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. House Bill 3073, Supplementing and amending appropriations to Adjutant General - State Militia.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Chapman—1.

Absent: Jeffries and Karnes—2.

Engrossed House Bill 3073 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3073) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3073) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. House Bill 3564, Making a supplementary appropriation to the Division of Human Services - Energy Assistance.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Chapman—1.

Absent: Jeffries and Karnes—2.

Engrossed House Bill 3564 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Chapman—1.

Absent: Jeffries and Karnes—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3564) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Chapman—1.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3564) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. Com. Sub. for House Bill 2900, Relating to the Deputy Sheriff Retirement System.

On third reading, coming up out regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2900) passed.

The following amendment to the title of the bill, from the Committee on Pensions, was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 2900—A Bill to amend and reenact §7-14D-24a of the Code of West Virginia, 1931, as amended, relating to the Deputy Sheriff Retirement System; allowing certain retired members to be re-employed without the suspension of annuity benefits; setting forth conditions for the re-employment of retired members; and providing a sunset date.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2900) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 3018, Establishing that 18 is the age of consent and removing the ability of an underage person to obtaining a consent to marry through their parents, legal guardians, or by petition to the circuit court.

On third reading, coming up out of regular order, with the right having been granted on yesterday, Thursday, March 9, 2023, for amendments to be received on third reading, was read a third time.

On motions of Senators Trump, Azinger, Chapman, Hunt, Martin, Maynard, Rucker, Stover, Stuart, and Taylor, the following amendment to the bill was reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 2. MARRIAGES.

§48-2-103. Waiting period before issuance of marriage license; issuance of license in case of emergency or extraordinary circumstances.

[Repealed.]

§48-2-106. Proof of age.

~~(a)~~ At the time of the execution of the application, the clerk or the other person administering the oath to the applicants shall require evidence of the age of each of the applicants and shall not issue a license until it has been confirmed that each applicant satisfies the age requirements for marriage set forth by §48-2-301 of this code. Evidence of age may be as follows:

(1) A certified copy of a birth certificate or a duplicate certificate produced by any means that accurately reproduces the original;

(2) A voter's registration certificate;

(3) An operator's or chauffeur's license;

(4) The affidavit of both parents or the legal guardian of the applicant; or

(5) Other good and sufficient evidence.

~~(b) If an affidavit is relied upon as evidence of the age of an applicant, and if one parent is dead, the affidavit of the surviving parent or of the guardian of the applicant is sufficient. If both parents are dead, the affidavit of the guardian of the applicant is sufficient. If the parents of the applicant live separate and apart, the affidavit of the parent having custody of the applicant is sufficient.~~

PART 3. CAPACITY TO MARRY.

§48-2-301. Age of consent for marriage; exception.

~~(a) The age of consent for marriage for both the male and the female is eighteen years of age. A person under the age of eighteen lacks the capacity to contract a marriage without the consent required by this section.~~

~~(b) The clerk of the county commission may issue a marriage license to an applicant who is under the age of eighteen but sixteen years of age or older if the clerk obtains a valid written consent from the applicant's parents or legal guardian.~~

~~(c) Upon order of a circuit judge, the clerk of the county commission may issue a marriage license to an applicant who is under the age of sixteen, if the clerk obtains a valid written consent from the applicant's parents or legal guardian. A circuit judge of the county in which the application for a marriage license is filed may order the clerk of the county commission to issue a license to an applicant under the age of sixteen if, in the court's discretion, the~~

~~issuance of a license is in the best interest of the applicant and if consent is given by the parents or guardian.~~

~~(d) A consent to marry must be duly acknowledged before an officer authorized to acknowledge a deed. If the parents are living together at the time the application for a marriage license is made and the consent is given, the signatures of both parents or the applicant's legal guardian is required. If one parent is dead, the signature of the surviving parent or the applicant's legal guardian is required. If both parents are dead, the signature of the applicant's legal guardian is required. If the parents of the applicant are living separate and apart, the signature of the parent having custody of the applicant or the applicant's legal guardian is required.~~

~~(e) If a person under the age of consent is married in violation of this section, the marriage is not void for this reason, and such marriage is valid until it is actually annulled.~~

~~(f) A marriage by an underage person without a valid consent as required by this section, though voidable at the time it is entered into, may be ratified and become completely valid and binding when the underage party reaches the age of consent. Validation of a marriage by ratification is established by some unequivocal and voluntary act, statement, or course of conduct after reaching the age of consent. Ratification includes, but is not limited to, continued cohabitation as husband and wife after the age of consent is attained.~~

(a) The age of consent for marriage for all persons, both male and female, is 18 years of age. A person under the age of 18 lacks the capacity to marry without the consents required by this section.

(b) The clerk of the county commission may issue a marriage license to an applicant who is under the age of 18 but at least 16 years of age if the clerk obtains valid written consent from the applicant and from the applicant's parent or parents or the applicant's legal guardian or guardians as outlined in this section: *Provided*, That a marriage license may not be issued to an applicant who is under the age of 18 but who is at least 16 years of age if the

person whom the applicant seeks to marry is more than four years older than the applicant.

(c) An applicant who is under the age of 18 but who is at least 16 years of age must give his or her signed and acknowledged affirmation that he or she is freely and voluntarily choosing to enter into a marriage with the person named in the application as part of the written consent required by this section. The applicant must also provide, as part of the same written consent, a signed and acknowledged affirmation that his or her decision to enter into the marriage is not the product of duress or coercion by any person.

(d) A consent to marry must be duly acknowledged before an officer authorized to acknowledge a deed. If the parents of the applicant are living together at the time the application for a marriage license is made and the consent is given, the signatures of both parents or the signature of the applicant's legal guardian or guardians is required. If one parent is dead, the signature of the surviving parent or the applicant's legal guardian or guardians is required. If both parents are dead, the signature of the applicant's legal guardian or guardians is required. If the parents of the applicant are living separate and apart, the signature of the parent or parents having decision-making authority for the applicant, or the applicant's legal guardian or guardians is required: *Provided*, That, if the applicant's parents are separate and apart or divorced but have substantially equal parenting rights over the applicant, the signature of both parents is required.

(e) A person who is under the age of 18 but at least 16 years of age and who is married in accordance with the provisions of this section may petition, without the consent of his or her parents or legal guardian or guardians, for an annulment of that marriage until he or she reaches 18 years of age.

(f) Nothing in this section may serve to annul or void a marriage entered into prior to the re-enactment of this statute during the 2023 Regular Session of the Legislature, nor shall it serve to annul or void an otherwise legal marriage entered into in a jurisdiction outside of the State of West Virginia.

Following extended discussion,

The question being on the adoption of the amendment offered by Senators Trump, Azinger, Chapman, Hunt, Martin, Maynard, Rucker, Stover, Stuart, and Taylor to the bill, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 3018, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woodrum, and Blair (Mr. President)—31.

The nays were: Woelfel—1.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3018) passed.

On motion of Senator Trump, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 3018—A Bill to repeal §48-2-103 of the Code of West Virginia, 1931, as amended; and to amend and reenact §48-2-106 and §48-2-301 of the same, all related to the age of consent for marriage; setting the age of consent to marriage at 18; providing an exception allowing individuals younger than 18 but who have reached the age of 16 to marry with both their consent and the written, affirmative consent of their parents or legal guardian; establishing the manner by which a parent or guardian provides affirmative consent; further providing that an individual under the age of 18 cannot consent to a marriage with a person who is more than four years older than that individual; providing that a marriage involving an individual under the age of 18 can be annulled by petition of that individual until he or she reaches age

18; and clarifying that a marriage that was entered into legally prior to the re-enactment of this section, or in another jurisdiction outside of the State of West Virginia, although one or both of the parties was under the age of consent, is not nullified or voided.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. House Bill 3439, To limit the civil liability of child placing agencies that obtain an insurance policy in an amount not less than \$1 million per incident.

Having been read a third time in earlier proceedings today, and now coming up out of regular order, was again reported by the Clerk.

At the request of Senator Woelfel, unanimous consent was granted to offer an amendment to the bill on third reading.

Thereupon, on motion of Senator Woelfel, the following amendment to the bill was reported by the Clerk:

On page 1, after line 12 by adding a new subsection, designated subsection (e), to read as follows:

(e) An act of sexual assault or sexual abuse shall constitute an incident.

Following discussion,

The question being on the adoption of Senator Woelfel's amendment to the bill, the same was put and prevailed.

Engrossed House Bill 3439, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 3439) passed.

At the request of Senator Trump, as chair of the Committee on the Judiciary, and by unanimous consent, the unreported Judiciary committee amendment to the title of the bill was withdrawn.

On motion of Senator Trump, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. House Bill 3439—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §49-2-130, relating to child welfare agencies; requiring a policy of insurance; limiting civil liability for damages or injuries; providing exceptions; and requiring proof of insurance be filed annually.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 2005, Establishing the dual enrollment pilot program to be administered by the Higher Education Policy Commission and the Council for Community and Technical College Education in conjunction with the State Board of Education.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2005) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. Com. Sub. for House Bill 2007, Prohibiting certain medical practices.

On third reading, coming up out of regular order, with the unreported Health and Human Resources committee amendments pending, and with the right having been granted on yesterday, Thursday, March 9, 2023, for further amendments to be received on third reading, was reported by the Clerk.

At the request of Senator Rucker, and by unanimous consent, further consideration of the bill was deferred until the conclusion of bills on today's calendar.

Eng. Com. Sub. for House Bill 2862, Relating generally to requirements for shareholder voting by the West Virginia Investment Management Board and the Board of Treasury Investments.

On third reading, coming up out of regular order, with the right having been granted on yesterday, Thursday, March 9, 2023, for amendments to be received on third reading, was read a third time.

On motion of Senator Oliverio, the following amendment to the bill was reported by the Clerk:

On page 3, section 11a, line 36, after the word "to" by striking out the remainder of the subsection and inserting in lieu thereof the words "the Revenue Shortfall Reserve Fund—Part B".

Following discussion,

The question being on the adoption of Senator Oliverio's amendment to the bill, and on this question, Senator Chapman demanded the yeas and nays.

The roll being taken, the yeas were: Barrett, Caputo, Clements, Maroney, Nelson, Oliverio, Plymale, Queen, and Woelfel—9.

The nays were: Azinger, Boley, Chapman, Deeds, Grady, Hamilton, Hunt, Martin, Maynard, Phillips, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woodrum, and Blair (Mr. President)—23.

Absent: Jeffries and Karnes—2.

So, a majority of those present and voting not having voted in the affirmative, the President declared Senator Oliverio's amendment to the bill rejected.

On motion of Senator Nelson, the following amendment to the bill (Eng. Com. Sub. for H. B. 2862) was next reported by the Clerk:

On page 2, section 11a, line 14, by striking out all of subdivision (5) and inserting in lieu thereof a new subdivision (5), to read as follows:

(5) "Pecuniary factor" means a factor that the board or a fiduciary prudently determines has an effect on the financial risk or financial return to beneficiaries based on appropriate investment horizons consistent with an investment pool's objectives and funding policy. Environmental, social, corporate governance, or other similarly oriented considerations are pecuniary factors only if the board or a fiduciary prudently determines that such a consideration affects the financial risk or financial return to beneficiaries based on appropriate investment horizons consistent with an investment pool's objectives and funding policy. Any factor that does not meet the definition of "pecuniary factor" according to this subdivision is a "non pecuniary factor".

At the request of Senator Nelson, unanimous consent being granted, Senator Nelson's amendment to the bill was withdrawn.

Engrossed Committee Substitute for House Bill 2862 was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—30.

The nays were: Caputo and Nelson—2.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2862) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. Com. Sub. for House Bill 3190, Amending the definition of "minor".

On third reading, coming up out of regular order, with the unreported Judiciary committee amendment pending, and with the right having been granted on yesterday, Thursday, March 9, 2023, for further amendments to be received on third reading, was read a third time.

The following amendment to the bill, from the Committee on the Judiciary, was reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 3C. WEST VIRGINIA COMPUTER CRIME AND ABUSE ACT.

§61-3C-14b. Soliciting, etc. a minor via computer; soliciting a minor and traveling to engage the minor in prohibited sexual activity; definition of minor; penalties.

(a) Any person over the age of 18, who knowingly uses a computer to solicit, entice, seduce, or lure, or attempt to solicit, entice, seduce or lure, a minor known or believed to be at least four years younger than the person using the computer ~~or a person he or she believes to be such a minor,~~ in order to engage in any illegal act proscribed by the provisions of ~~article eight, eight b, eight c or eight d of this chapter~~ §61-8-1 et seq., §61-8B-1 et seq., §61-8C-1 et seq., or §61-8D-1 et seq. of this code, or any felony offense under ~~section four hundred one, article four, chapter sixty a~~ §60A-4-401 of this code, is guilty of a felony and, upon conviction thereof, shall be fined not more than \$5,000 or imprisoned in a state correctional facility not less than two nor more than ten years, or both fined and imprisoned.

(b) Any person ~~over the age of eighteen who,~~ uses a computer ~~in the manner proscribed by~~ violating the provisions of subsection (a) of this section ~~and who additionally engages in any overt act designed to bring himself or herself into the minor's, of the or a person believed to be a minor's physical presence with the intent to engage in any sexual activity or conduct with such a minor that is prohibited by law, is guilty of a felony and shall be fined not more than \$25,000 or imprisoned in a state correctional facility for a determinate sentence of not less than five nor more than thirty years, or both~~ fined and imprisoned : *Provided,* That subsection (a) of this section shall be deemed a lesser included offense to that created by this subsection.

(c) For purposes of this section, "minor" means a person younger than 18 years of age, or a person representing himself or herself to be a minor. Any prosecution, pursuant to this article, relating to a person representing himself or herself to be a minor shall be limited to investigations being conducted or overseen by law enforcement officers.

ARTICLE 8. CRIMES AGAINST CHASTITY, MORALITY AND DECENCY.

§61-8-32. Soliciting, etc. a minor by means other than via computer; soliciting a minor and traveling to engage the minor in prohibited sexual activity; definition of minor; penalties.

(a) Any person over the age of 18, who by means other than those prohibited by §61-3C-14b of this code, who knowingly solicits, entices, seduces, or lures, or attempts to solicit, entice, seduce or lure, a minor known or believed to be at least four years younger than the person, or a person he or she believes to be such a minor in order to engage in any illegal act proscribed by the provisions of §61-8-1 et seq., §61-8B-1 et seq., §61-8C-1 et seq., or §61-8D-1 et seq. of this code, or any felony offense under §60A-4-401 of this code is guilty of a felony and, upon conviction thereof, shall be fined not more than \$5,000 or imprisoned in a state correctional facility not less than two nor more than ten years, or both fined and imprisoned.

(b) Any person who violates the provisions of subsection (a) of this section while outside the physical presence of the minor or person he or she knows or has reason to believe is a minor, who engages in any overt act designed to bring himself or herself into the minor's physical presence with the intent to engage in any sexual activity or conduct with the minor that is prohibited by law, is guilty of a felony and shall be fined not more than \$25,000 or imprisoned in a state correctional facility for a determinate sentence of not less than five nor more than thirty years, or both fined and imprisoned: *Provided*, That subsection (a) of this section shall be deemed a lesser included offense to that created by this subsection.

(c) For purposes of this section, "minor" means a person younger than 18 years of age or a person representing himself or herself to be a minor. Any prosecution, pursuant to this section, relating to a victim that is a person representing himself or herself to be a minor shall be limited to investigations being conducted or overseen by law enforcement officers.

ARTICLE 14. HUMAN TRAFFICKING.

§61-14-1. Definitions.

When used in this article, the following words and terms shall have the meaning specified unless the context clearly indicates a different meaning:

(1) "Adult" means an individual 18 years of age or older.

(2) "Coercion" means:

(A) The use or threat of force against, abduction of, serious harm to, or physical restraint of an individual;

(B) The use of a plan, pattern, or statement with intent to cause an individual to believe that failure to perform an act will result in the use of force against, abduction of, serious harm to, physical restraint of, or deportation of an individual;

(C) The abuse or threatened abuse of law or legal process;

(D) The destruction or taking of, or the threatened destruction or taking of, an individual's identification document or other property; or

(E) The use of an individual's physical or mental impairment when the impairment has a substantial adverse effect on the individual's cognitive or volitional function.

As used in this article, "coercion" does not include statements or actions made by a duly authorized state or federal law-enforcement officer as part of a lawful law enforcement investigation or undercover action.

(3) "Commercial sexual activity" means sexual activity for which anything of value is given to, promised to, or received by a person.

(4) "Debt bondage" means inducing an individual to provide:

(A) Commercial sexual activity in payment toward or satisfaction of a real or purported debt; or

(B) Labor or services in payment toward or satisfaction of a real or purported debt if:

(i) The reasonable value of the labor or services is not applied toward the liquidation of the debt; or

(ii) The length of the labor or services is not limited, and the nature of the labor or services is not defined.

(5) "Forced labor" means labor or services that are performed or provided by another person and are obtained or maintained through the following:

(A) Threat, either implicit or explicit, deception or fraud, scheme, plan, or pattern or other action intended to cause a person to believe that, if the person did not perform or provide the labor or services, that person or another person would suffer serious bodily harm, physical restraint, or deportation;

(B) Physically restraining or threatening to physically restrain a person;

(C) Abuse or threatened abuse of the legal process; or

(D) Destroying, concealing, removing, confiscating, or possessing any actual or purported passport or other immigration document, or any other actual or purported government identification document of another person: *Provided*, That "forced labor" does not mean labor or services required to be performed by a person in compliance with a court order or as a required condition of probation, parole, or imprisonment.

As applied in this article, forced labor shall not include labor, work, or services provided by a minor to the minor's parent, legal custodian, or legal guardian, so long as the legal guardianship or custody of the minor was not obtained for the purpose of compelling the minor to participate in commercial sex acts or sexually explicit performance, or perform forced labor or services; nor shall it include physical restraint of a minor, or the threat of physical restraint to a minor, by his or her parents, legal custodian or legal guardian if conducted in an otherwise lawful manner and for the purpose of discipline, supervision, or teaching.

(6) "Human trafficking", "trafficking", or "traffics" means knowingly recruiting, transporting, transferring, harboring, receiving, providing, obtaining, isolating, maintaining, or enticing

an individual to engage in debt bondage, forced labor, or sexual servitude.

(7) "Identification document" means a passport, driver's license, immigration document, travel document or other government-issued identification document, including a document issued by a foreign government.

(8) "Labor or services" means activity having economic value.

(9) "Minor" means ~~an individual less a person younger than 18 years of age~~ a person younger than 18 years of age or a person representing himself or herself to be a minor. Any prosecution, pursuant to this article, relating to a person that is representing himself or herself to be a minor shall be limited to investigations being conducted or overseen by law enforcement officers.

(10) "Patronize" means giving, agreeing to give, or offering to give anything of value to another person in exchange for commercial sexual activity.

(11) "Person" means an individual, estate, business or nonprofit entity, or other legal entity. The term does not include a public corporation or government or governmental subdivision, agency, or instrumentality.

(12) "Serious harm" means harm, whether physical or nonphysical, including psychological, economic or reputational, to an individual which would compel a reasonable individual of the same background and in the same circumstances to perform or continue to perform labor or services or sexual activity to avoid incurring the harm.

(13) "Sexual activity" means sexual contact, sexual intercourse, or sexual intrusion, as defined in ~~section one, article eight b of this chapter, §61-8b-1 of this code~~, or sexually explicit conduct, as defined in ~~section one, article eight c of this chapter §61-8-1 of this code~~.

(14) "Sexual servitude" means:

(A) Maintaining or making available a minor for the purpose of engaging the minor in commercial sexual activity; or

(B) Using coercion to compel an adult to engage in commercial sexual activity.

(15) "Victim" means an individual who is subjected to human trafficking, regardless of whether a perpetrator is prosecuted or convicted.

On motion of Senator Trump, the following amendment to the Judiciary committee amendment to the bill (Eng. Com. Sub. for H. B. 3190) was reported by the Clerk:

On page 3, after line 20, by inserting two new sections designated §61-8A-1 and §61-8B-1, to read as follows:

ARTICLE 8A. PREPARATION, DISTRIBUTION OR EXHIBITION OF OBSCENE MATTER TO MINORS

§61-8A-1. Definitions.

When used in this article, the following words, and any variations thereof required by the context, shall have the meaning ascribed to them in this section:

(a) "Adult" means a person eighteen years of age or older.

(b) "Computer" means an electronic, magnetic, optical, electrochemical or other high-speed data processing device performing logical, arithmetic or storage functions and includes any data storage facility or communication facility directly related to or operating in conjunction with such device. As used in this article, computer includes file servers, mainframe systems, desktop personal computers, laptop personal computers, tablet personal computers, cellular telephones, game consoles and any electronic data storage device or equipment. The term "computer" includes any connected or directly related device, equipment or facility which enables the computer to store, retrieve or communicate computer programs, computer data or the results of computer operations to or from a person, another computer or another device,

but such term does not include an automated typewriter or typesetter, a portable hand-held calculator or other similar device.

(c) "Computer network" means the interconnection of hardware or wireless communication lines with a computer through remote terminals, or a complex consisting of two or more interconnected computers.

(d) "Display" means to show, exhibit or expose matter, in a manner visible to general or invited public, including minors. As used in this article, display shall include the placing or exhibiting of matter on or in a billboard, viewing screen, theater, marquee, newsstand, display rack, window, showcase, display case or similar public place.

(e) "Distribute" means to transfer possession, transport, transmit, sell or rent, whether with or without consideration.

(f) "Employee" means any individual who renders personal services in the course of a business, who receives compensation and who has no financial interest in the ownership or operation of the business other than his or her salary or wages.

(g) "Internet" means the international computer network of both federal and nonfederal interoperable packet switched data networks.

(h) "Knowledge of the character of the matter" means having awareness of or notice of the overall sexual content and character of matter as depicting, representing or describing obscene matter.

(I) "Matter" means any visual, audio, or physical item, article, production transmission, publication, exhibition, or live performance, or reproduction thereof, including any two- or three-dimensional visual or written material, film, picture, drawing, video, graphic, or computer generated or reproduced image; or any book, magazine, newspaper or other visual or written material; or any motion picture or other pictorial representation; or any statue or other figure; or any recording, transcription, or mechanical, chemical, or electrical reproduction; or any other articles, video laser disc, computer hardware and software, or computer generated

images or message recording, transcription, or object, or any public or commercial live exhibition performed for consideration or before an audience of one or more.

(j) "Minor" means an ~~unemancipated~~ person under eighteen years of age or a person representing himself or herself to be a minor. Any prosecution under this article relating to a victim who is representing himself or herself to be a minor shall be limited to investigations being conducted or overseen by law enforcement.

(k) "Obscene matter" means matter that:

(1) An average person, applying contemporary adult community standards, would find, taken as a whole, appeals to the prurient interest, is intended to appeal to the prurient interest, or is pandered to a prurient interest;

(2) An average person, applying community standards, would find depicts or describes, in a patently offensive way, sexually explicit conduct; and

(3) A reasonable person would find, taken as a whole, lacks serious literary, artistic, political or scientific value.

(l) "Parent" includes a biological or adoptive parent, legal guardian or legal custodian.

(m) "Person" means any adult, partnership, firm, association, corporation or other legal entity.

(n) "Sexually explicit conduct" means an ultimate sexual act, normal or perverted, actual or simulated, including sexual intercourse, sodomy, oral copulation, sexual bestiality, sexual sadism and masochism, masturbation, excretory functions and lewd exhibition of the genitals.

ARTICLE 8B. SEXUAL OFFENSES.

§61-8B-1. Definition of terms.

In this article, unless a different meaning plainly is required:

(1) "Forcible compulsion" means:

(a) Physical force that overcomes such earnest resistance as might reasonably be expected under the circumstances; or

(b) Threat or intimidation, expressed or implied, placing a person in fear of immediate death or bodily injury to himself or herself or another person or in fear that he or she or another person will be kidnapped; or

(c) Fear by a person under sixteen years of age caused by intimidation, expressed or implied, by another person who is at least four years older than the victim.

For the purposes of this definition "resistance" includes physical resistance or any clear communication of the victim's lack of consent.

(2) "Married", for the purposes of this article in addition to its legal meaning, includes persons living together as husband and wife regardless of the legal status of their relationship.

(3) "Mentally defective" means that a person suffers from a mental disease or defect which renders that person incapable of appraising the nature of his or her conduct.

(4) "Mentally incapacitated" means that a person is rendered temporarily incapable of appraising or controlling his or her conduct as a result of the influence of a controlled or intoxicating substance administered to that person without his or her consent or as a result of any other act committed upon that person without his or her consent.

(5) "Physically helpless" means that a person is unconscious or for any reason is physically unable to communicate unwillingness to an act.

(6) "Sexual contact" means any intentional touching, either directly or through clothing, of the breasts, buttocks, anus or any part of the sex organs of another person, or intentional touching of any part of another person's body by the actor's sex organs, ~~where~~

~~the victim is not married to the actor~~ and the touching is done for the purpose of gratifying the sexual desire of either party.

(7) "Sexual intercourse" means any act between persons involving penetration, however slight, of the female sex organ by the male sex organ or involving contact between the sex organs of one person and the mouth or anus of another person.

(8) "Sexual intrusion" means any act between persons involving penetration, however slight, of the female sex organ or of the anus of any person by an object for the purpose of degrading or humiliating the person so penetrated or for gratifying the sexual desire of either party.

(9) "Bodily injury" means substantial physical pain, illness or any impairment of physical condition.

(10) "Serious bodily injury" means bodily injury which creates a substantial risk of death, which causes serious or prolonged disfigurement, prolonged impairment of health or prolonged loss or impairment of the function of any bodily organ.

(11) "Deadly weapon" means any instrument, device or thing capable of inflicting death or serious bodily injury, and designed or specially adapted for use as a weapon, or possessed, carried or used as a weapon.

(12) "Forensic medical examination" means an examination provided to a possible victim of a violation of the provisions of this article by medical personnel qualified to gather evidence of the violation in a manner suitable for use in a court of law, to include: An examination for physical trauma; a determination of penetration or force; a patient interview; and the collection and evaluation of other evidence that is potentially relevant to the determination that a violation of the provisions of this article occurred and to the determination of the identity of the assailant.

Following discussion,

Senator Hunt arose to a point of order that Senator Trump's amendment to the Judiciary committee amendment was not germane to the bill.

Which point of order, the President ruled well taken.

The question now being on the adoption of the Judiciary committee amendment to the bill.

Following discussion,

Senator Hunt arose to a point of order stating that debate had digressed to the amendment that was ruled not germane to the bill rather than the merits of the amendment in question.

Which point of order the President ruled well taken.

The question now being on the adoption of the Judiciary committee amendment to the bill, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 3190, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3190) passed.

The following amendment to the title of the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 3190—A Bill to amend and reenact § 61-3C-14b of the Code of West Virginia, 1931, as amended, to further amend said code by adding thereto a new section, designated §61-8-32; and to amend and reenact §61-14-1 of said code, all relating to criminal law generally; updating certain criminal code definitions; extending criminal liability to certain adults that use computers to solicit, entice, seduce, lure, or attempt to solicit, entice, seduce, or lure a minor, or a person representing himself or herself to be a minor, as a means to engage in specific enumerated illegal acts contained in the West Virginia Code; defining the term "minor"; expanding criminal liability to include adults who contact minors by means other than by computer and additionally engage in an overt act which is designed to put the adult in the physical presence of the minor, or a person representing himself or herself to be a minor; and establishing criminal penalties.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

The end of today's calendar having been reached, the Senate returned to the consideration of

Eng. Com. Sub. for House Bill 2007, Prohibiting certain medical practices.

On third reading, coming up in deferred order, with the unreported Health and Human Resources committee amendments pending, and with the right having been granted on yesterday, Thursday, March 9, 2023, for further amendments to be received on third reading, was read a third time.

The following amendments to the bill, from the Committee on Health and Human Resources, were reported by the Clerk, considered simultaneously, and adopted:

On page 3, section 20, after line 43, by adding thereto a new subsection, designated subsection (d), to read as follows:

(d) The provisions of this section are effective on January 1, 2024;

And,

On page 4, section 17, after line 43, by adding thereto a new subsection, designated subsection (d), to read as follows:

(d) The provisions of this section are effective on January 1, 2024;.

On motion of Senator Takubo, the following amendments to the bill (Eng. Com. Sub. for H. B. 2007) were next reported by the Clerk and considered simultaneously:

On page 3, section 20, after line 43, by adding thereto a new subdivision, designated subdivision (5), to read as follows:

(5) Pubertal modulating and hormonal therapy for severe gender dysphoria if:

(A) The minor has been diagnosed as suffering from severe gender dysphoria by no fewer than two medical or mental health providers with at least one being a mental health provider or adolescent medicine specialist, and both having relevant training in the diagnosis and treatment of severe gender dysphoria in adolescents;

(B) The diagnosing medical professionals express in written opinions that treatment with pubertal modulating and hormonal therapy is medically necessary to treat the minor's psychiatric symptoms and limit self-harm, or the possibility of self-harm, by the minor;

(C) The minor, the minor's parents, legal guardians, or person or other persons charged with medical decision-making for the minor, and the minor's primary physician agree in writing with the treatment with pubertal modulating and hormonal therapy for the minor;

(D) Any use of gender altering medication is for purposes of pubertal modulating and hormonal therapy limited to the lowest titratable dosage necessary to treat the psychiatric condition and not for purposes of gender alteration; and

(E) Notwithstanding the provisions of paragraphs (A) through (D) of this subdivision where the minor is prepubescent, hormonal treatment may not be provided;

And,

On page 4, section 14, after line 43, by adding thereto a new subdivision, designated (5), to read as follows:

(5) Pubertal modulating and hormonal therapy for severe gender dysphoria if:

(A) The minor has been diagnosed as suffering from severe gender dysphoria by no fewer than two medical or mental health providers with at least one being a mental health provider or adolescent medicine specialist and both having relevant training in the diagnosis and treatment of severe gender dysphoria in adolescents;

(B) The diagnosing medical professionals express in written opinions that treatment with pubertal modulating and hormonal therapy is medically necessary to treat the minor's psychiatric symptoms and limit self-harm, or the possibility of self-harm, by the minor;

(C) The minor, the minor's parents, legal guardians, or person or persons charged with medical decision-making for the minor and the minor's primary physician agree in writing with the treatment with gender altering medication for the minor;

(D) Any use of gender altering medication is for purposes of pubertal modulating and hormonal therapy and is limited to the lowest titratable dosage necessary to treat the psychiatric condition and not for purposes of gender alteration; and

(E) Notwithstanding the provisions of paragraphs (A) through (D) of this subdivision where the minor is prepubescent, hormonal treatment may not be provided.

Following extended discussion,

The question being on the adoption of Senator Takubo's amendments to the bill, and on this question, Senator Azinger demanded the yeas and nays.

The roll being taken, the yeas were: Barrett, Boley, Caputo, Clements, Deeds, Hamilton, Hunt, Maroney, Nelson, Oliverio, Plymale, Queen, Stover, Swope, Takubo, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—20.

The nays were: Azinger, Chapman, Grady, Martin, Maynard, Phillips, Roberts, Rucker, Smith, Stuart, Tarr, and Taylor—12.

Absent: Jeffries and Karnes—2.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Takubo's amendments to the bill adopted.

On motion of Senator Rucker, the following amendments to the bill (Eng. Com. Sub. for H. B. 2007) were next reported by the Clerk and considered simultaneously:

On page 3, before the article heading, by inserting thereto a new section, designated section 20a, to read as follows:

§30-3-20a. Reporting requirements.

(1) Any prescribing of gender altering medication by a licensed medical practitioner in the State of West Virginia shall be reported to the Bureau of Vital Statistics. Such report shall contain a reason for the prescription and an explanation of the disorder that is being treated and shall not contain any personal identifying information.

(2) The Bureau of Vital Statistics shall annually provide a report of an aggregate number of disorders being treated with gender altering medications to the Legislative Oversight Commission on Health and Human Resources on an annual basis starting January 2025;

And,

On page 4, section 17, at the end of the bill, by adding thereto a new section, designated section 17a, to read as follows:

§30-14-17a. Reporting requirements.

(1) Any prescribing of gender altering medication by a licensed medical practitioner in the State of West Virginia shall be reported to the Bureau of Vital Statistics. Such report shall contain a reason for the prescription and an explanation of the disorder that is being treated and shall not contain any personal identifying information.

(2) The Bureau of Vital Statistics shall annually provide a report of an aggregate number of disorders being treated with gender altering medications to the Legislative Oversight Commission on Health and Human Resources on an annual basis starting January 2025.

Following discussion,

Senator Takubo arose to a point of order that Senator Rucker's amendments were not germane to the bill.

Which point of order, the President ruled well taken.

Engrossed Committee Substitute for House Bill 2007, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—30.

The nays were: Caputo and Plymale—2.

Absent: Jeffries and Karnes—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2007) passed.

The following amendment to the title of the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 2007—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-3-20; and to amend said code by adding thereto a new section, designated §30-14-17, all relating to prohibiting certain medical practices; providing definitions; providing that allopathic and osteopathic physicians may not provide irreversible gender reassignment surgery or gender altering medication as defined herein to a person who is under eighteen years of age; providing criteria for certain limited exceptions to this rule; exempting from the prohibition physicians treating persons who began sex reassignment prior to the effective date of the legislation; and establishing an internal effective date of January 1, 2024.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

The Senate proceeded to the thirteenth order of business.

The following communication was reported by the Clerk:

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITAL ROOM M-211
1900 KANAWHA BOULEVARD
CHARLESTON, WV 25305-0900
304-357-7800

March 10, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

Com. Sub. for S. B. 51, Requiring impact statement in certain instances of school closing or consolidation;

Com. Sub. for S. B. 205, Relating to registration plates;

Com. Sub. for S. B. 267, Updating law regarding prior authorizations;

Com. Sub. for S. B. 463, Increasing validity of CDL instruction permit;

And,

Com. Sub. for S. B. 476, Exempting managed care contracts from purchasing requirements.

These bills are presented to you on this day, March 10, 2023.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lee Cassis".

Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

LEE.CASSIS@WVSENATE.GOV

On motion of Senator Takubo, at 10:41 p.m., the Senate adjourned until tomorrow, Saturday, March 11, 2023, at 11 a.m.

SATURDAY, MARCH 11, 2023

The Senate met at 11:01 a.m.

(Senator Blair, Mr. President, in the Chair.)

Prayer was offered by Bishop Joe Thomas, Nondenominational Fellowship Pentecostal Ministries, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Donna J. Boley, a senator from the third district.

Pending the reading of the Journal of Friday, March 10, 2023,

At the request of Senator Stover, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

At the request of Senator Takubo, and by unanimous consent, the Senate proceeded to the seventh order of business and the consideration of

Senate Resolution 49, Memorializing life of John Edward Eckhart, Jr, husband, father, grandfather, Fiscal Officer for WV Senate and dedicated public servant.

On unfinished business, coming up out of regular order, was reported by the Clerk.

At the request of Senator Trump, unanimous consent being granted, reference of the resolution to a committee was dispensed with and it was taken up for immediate consideration.

(Senator Grady in the Chair.)

Following discussion,

(Senator Blair, Mr. President, in the Chair.)

The question being on the adoption of the resolution, and on this question, Senator Tarr demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woodrum, and Blair (Mr. President)—30.

The nays were: None.

Absent: Jeffries, Maroney, Plymale, and Woelfel—4.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 49) adopted.

Thereafter, at the request of Senator Trump, and by unanimous consent, the remarks by Senators Tarr, Blair (Mr. President), Roberts, and Smith regarding the adoption of Senate Resolution 49 were ordered printed in the Appendix to the Journal.

On motion of Senator Takubo, at 11:22 a.m., the Senate recessed to present Senate Resolution 49.

The Senate reconvened at 11:41 a.m. and resumed business under the seventh order.

Senate Concurrent Resolution 25, Requesting study on effects of Uniform Common Interest Ownership Act on investment opportunities and projects in WV.

On unfinished business, coming up out of regular order, was reported by the Clerk and referred to the Committee on Rules.

At the request of Senator Takubo, unanimous consent being granted, the Senate returned to the third order of business.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Com. Sub. for Senate Bill 47, Creating Charter Schools Stimulus Fund.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Com. Sub. for Senate Bill 187, Making it felony offense for school employee or volunteer to engage in sexual contact with students.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 8B. SEXUAL OFFENSES.

§61-8B-11b. Imposition of sexual acts on students at least 18 years of age but less than 20 years of age enrolled in secondary schools; penalties.

(a) Any person who is not married to the student and is a teacher, professor, assistant professor, adjunct faculty, teacher's assistant, principal, counselor, coach, other school employee, contracted service worker, or volunteer of any private or public secondary school or any college, university, vocational school, or community and technical college who has supervisory or disciplinary power of any nature or in any capacity over the student and engages in sexual intercourse, sexual intrusion, or sexual contact, as those terms are defined in §61-8B-1 of this code, with the student enrolled in the school who is at least 18 years of age but less than 20 years of age is guilty of a felony and upon conviction thereof, shall be imprisoned in a state correctional facility for not less than one nor more than five years or fined not more than

\$5,000 or both imprisoned and fined. The fact that the student may have consented to such an act or that the act did not occur on school property or during a school function is not a defense.

(b) This is a separate and distinct criminal offense from any other applicable offense under this code. The penalties set forth, in this section, are in addition to any other penalties for any other applicable offense.

(c) A final conviction under this section shall cause the permanent forfeiture of any teaching or other certificate issued pursuant to §18A-3-2a of this code.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Com. Sub. for Senate Bill 187—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-8B-11b, relating to making it a felony offense for any school employee or volunteer to engage in sexual intercourse, sexual intrusion, or sexual contact with any student 18 years of age but less than 20 years of age enrolled in the school where the person has supervisory or disciplinary power over the student; specifying the application of the section; creating a marital exception; declaring that neither consent nor location where an offense occurs is a defense to prosecution; specifying the criminal penalties for this offense; and declaring that a final conviction under this section causes the permanent revocation of any education related certificate the school employee may hold.

On motion of Senator Takubo, the Senate refused to concur in the foregoing House amendments to the bill (Eng. Com. Sub. for Com. Sub. for S. B. 187) and requested the House of Delegates to recede therefrom.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 247, Making administrative appeals and judicial review of board action subject to provisions of Administrative Procedures Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 258, Eliminating ceiling on fair market value of consumer goods and permitting dealer to require security deposit.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 271, Modifying approval process requirements for First Responders Honor Board.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 298, Relating to non-federally declared emergencies and non-states of emergency.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 302, Relating to Law Enforcement Safety Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 409, Authorizing Department of Commerce to promulgate legislative rules.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect July 1, 2023, of

Eng. Senate Bill 443, Directing payment of estate administration fee to State Auditor.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect July 1, 2023, of

Eng. Senate Bill 444, Transferring moneys in WV Future Fund to General Revenue Fund.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect July 1, 2023, of

Eng. Com. Sub. for Senate Bill 469, Providing funding for CPR instruction to high school students.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Senate Bill 508, Clarifying reporting and disclosure requirements for grassroots lobbying expenditures.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 516, Relating to requirements for disclosure of donor contributions.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 523, Clarifying purpose and use of Economic Development Project Fund.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 527, Allowing family members of military personnel access to discharge records.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 546, Adding and removing certain compounds from controlled substance list.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 568, Relating to Dangerousness Assessment Advisory Board.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 579, Providing payment to vendors who provided services to state.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 625, Requiring certain transcripts to be accepted as record of student's performance for placement in micro school programs.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 2, section 1a, line 27, after the word "program" by striking out the words "Hope Scholarship kindergarten program,";

On page 2, section 1a, line 38, after the words "homeschool program" by inserting the word "or";

On page 2, section 1a, line 39, after the word "program" by striking out the comma and the words "or HOPE scholarship program";

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 625—A Bill to amend and reenact §18-8-1a of the Code of West Virginia, 1931, as amended, all relating to compulsory school attendance; removing references to Hope Scholarship kindergarten program and Hope Scholarship program transcripts or credentials; and providing that transcripts or credentials of microschool programs to be accepted as record of student's previous performance for placement and credit assignment.

On motion of Senator Takubo, the Senate refused to concur in the foregoing House amendments to the bill (Eng. S. B. 625) and requested the House of Delegates to recede therefrom.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 631, Updating administration, funding, and requirements for federal elections held in WV.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 665, Amending licensure requirements for massage therapist.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 674, Providing statutory recognition and appointment of board members for WV First Foundation.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 678, Adding appropriations to DHHR, Division of Human Services.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Senate Bill 734, Requiring adoption of cloud computing services by state agencies.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 361, Authorizing miscellaneous boards and agencies to promulgate legislative rules.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 9. AUTHORIZATION FOR DEPARTMENT OF MISCELLANEOUS AGENCIES AND BOARDS TO PROMULGATE LEGISLATIVE RULES.

§64-9-1. Board of Accountancy.

The legislative rule filed in the State Register on July 27, 2022, authorized under the authority of §30-9-5 of this code, relating to the Board of Accountancy (board rules of professional conduct, 1 CSR 01), is authorized.

§64-9-2. Board of Acupuncture.

(a) The legislative rule filed in the State Register on July 29, 2022, authorized under the authority of §30-36-14(f) of this code, modified by the Board of Acupuncture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 28, 2022, relating to the Board of Acupuncture (advertising by licensed acupuncturists, 32 CSR 05), is authorized.

(b) The legislative rule filed in the State Register on July 30, 2022, authorized under the authority of §30-36-7 of this code, modified by the Board of Acupuncture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 28, 2022, relating to the Board of Acupuncture (standards of practice of acupuncture by licensed acupuncturists, 32 CSR 06), is authorized with the amendment set forth below:

On page 2, by striking out section 6.1 and inserting in lieu thereof a new section 6.1 to read as follows:

Injection therapy- A practitioner shall be limited to perform pointpuncture injections using sterile disposable needles and sterile solutions. Injection therapy shall be the injection of sterile herbs, vitamins, minerals, homeopathic substance, or other similar substances specifically manufactured for injection into acupuncture points by means of sterile needles used primarily for this purpose. Permissible substances include saline, glucose, lidocaine, procaine, oriental herbs, vitamin B-12, traumeel, sarapin, and homeopathic substances. Practitioners trained in injection therapy must comply with the ability to perform

resuscitative procedures, including access to epinephrine injections and nasal oxygen if their patient exhibits symptoms of anaphylaxis;

On page 3, by inserting a new section, designated section 6.3. to read as follows:

6.3. Hand washing – The acupuncturist shall vigorously scrub his or her hands with soap and warm water immediately before examining patients or handling acupuncture needles and other instruments and between patients.

(a) The legislative rule filed in the State Register on July 29, 2022, authorized under the authority of §30-36-7 of this code, modified by the Board of Acupuncture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 28, 2022, relating to the Board of Acupuncture (continuing education requirements, 32 CSR 09), is authorized.

§64-9-3. Department of Agriculture.

(a) The legislative rule filed in the State Register on July 18, 2022, authorized under the authority of §19-13-4 of this code, modified by the Department of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 3, 2022, relating to the Department of Agriculture (West Virginia apiary rule, 61 CSR 02), is authorized with the amendment set forth below:

On page 2, by striking out all of section 3.1. and inserting in lieu thereof a new section 3.1. to read as follows:

3.1. The Commissioner shall furnish an application for registration of bees to all person known to keep bees. The Commissioner shall mail the applications during the month of June to all persons who have registered their bees during the previous year. Upon receipt of a properly executed bee registration application, the Commissioner shall issue a certificate of registration which will be based upon the information provided on the application.

(b) The legislative rule filed in the State Register on May 12, 2022, authorized under the authority of §19-2-10 of this code, modified by the Department of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 22, 2022, relating to the Department of Agriculture (schedule of charges for inspection services: fruit, 61 CSR 08B), is authorized.

(c) The legislative rule filed in the State Register on June 14, 2022, authorized under the authority of §19-12D-4 of this code, modified by the Department of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 22, 2022, relating to the Department of Agriculture (noxious weeds rule, 61 CSR 14A), is authorized.

(d) The legislative rule filed in the State Register on July 21, 2022, authorized under the authority of §19-11E-8(1) of this code, modified by the Department of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 22, 2022, relating to the Department of Agriculture (Grade "A" pasteurized milk, 61 CSR 15), is authorized.

(e) The legislative rule filed in the State Register on November 15, 2021, authorized under the authority of §19-29-4 of this code, modified by the Agriculture Commissioner to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 26, 2022, relating to the Agriculture Commissioner (inspection of nontraditional, domesticated animals, 61 CSR 23D), is authorized.

(f) The legislative rule filed in the State Register on July 28, 2022, authorized under the authority of §19-12E-7 of this code, modified by the Department of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 22, 2022, relating to the Department of Agriculture (hemp products, 61 CSR 30), is authorized.

(g) The legislative rule filed in the State Register on June 2, 2022, authorized under the authority of §19-1C-4 of this code, modified by the Department of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 22, 2022, relating to the Department of Agriculture (livestock care standards, 61 CSR 31), is authorized.

(h) The legislative rule filed in the State Register on May 18, 2022, authorized under the authority of §11-13DD-5(b) of this code, modified by the Department of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 22, 2022, relating to the Department of Agriculture (farm to food bank tax credit, 61 CSR 36), is authorized with the amendments set forth below:

On page 3, after "5.2.c." by inserting the following: "No more than \$200,000 of tax credits may be allocated to the Department of Agriculture in any fiscal year."

And,

On page 4, by striking out section 5.3 and inserting in lieu thereof a new section 5.3. to read as follows:

5.3. After review of the receipt form and any supporting documentation, and after ensuring that the limit of \$200,000 of tax credits per fiscal year has not been exceeded, the Department of Agricultural shall determine the amount, if any, of the tax credit due to the farming taxpayer. The amount of the credit is equal to 30 percent of the value of the donated edible agricultural products, but not to exceed \$5,000 during a taxable year.

(i) The legislative rule filed in the State Register on June 24, 2022, authorized under the authority of §19-35-4 of this code, modified by the Department of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 22, 2022, relating to the Department of Agriculture (farmers markets, 61 CSR 38), is authorized with the amendment set forth below:

On page 6, by striking out subdivision 6.2.h. and inserting in lieu thereof a new subdivision 6.2.h. to read as follows:

6.2.h. Any potentially hazardous freeze-dried foods.

§64-9-4. Athletic Commission.

(a) The legislative rule filed in the State Register on July 26, 2022, authorized under the authority of §29-5A-24 of this code, modified by the Athletic Commission to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 20, 2022, relating to the Athletic Commission (administrative rules of the West Virginia State Athletic Commission, 177 CSR 01), is authorized.

(b) The legislative rule filed in the State Register on July 27, 2022, authorized under the authority of §29-5A-3a of this code, modified by the Athletic Commission to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 20, 2022, relating to the Athletic Commission (regulation of mixed martial arts, 177 CSR 02), is authorized.

§64-9-5. State Auditor.

The legislative rule filed in the State Register on July 29, 2022, authorized under the authority of §12-3-13b of this code, relating to the State Auditor (standards for voluntary payroll deductions, 155 CSR 03), is authorized.

§64-9-6. Conservation Agency.

(a) The legislative rule filed in the State Register on July 12, 2022, authorized under the authority of §19-21A-4a of this code, modified by the Conservation Agency to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 20, 2022, relating to the Conservation Agency (operation of West Virginia State Conservation Committee and conservation districts, 63 CSR 01), is authorized.

(b) The legislative rule filed in the State Register on July 12, 2022, authorized under the authority of §19-21A-4 of this code, modified by the Conservation Agency to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 20, 2022, relating to the Conservation Agency (conservation district accounting and auditing standards, 63 CSR 04), is authorized.

§64-9-7. Board of Dentistry.

The legislative rule filed in the State Register on July 22, 2022, authorized under the authority of §30-4-6 of this code, modified by the Board of Dentistry to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 4, 2022, relating to the Board of Dentistry (dental recovery networks, 5 CSR 15), is authorized.

§64-9-8. Board of Funeral Service Examiners.

(a) The legislative rule filed in the State Register on July 27, 2022, authorized under the authority of §30-6-6 of this code, modified by the Board of Funeral Service Examiners to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 4, 2022, relating to the Board of Funeral Service Examiners (funeral director, embalmer, apprentice, courtesy card holders and funeral establishment requirements, 6 CSR 01), is authorized.

(b) The legislative rule filed in the State Register on July 27, 2022, authorized under the authority of §30-6-6 of this code, modified by the Board of Funeral Service Examiners to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 4, 2022, relating to the Board of Funeral Service Examiners (crematory requirements, 6 CSR 02), is authorized.

(c) The legislative rule filed in the State Register on July 27, 2022, authorized under the authority of §30-6-6 of this code, modified by the Board of Funeral Service Examiners to meet the objections of the Legislative Rule-Making Review Committee and

refiled in the State Register on October 4, 2022, relating to the Board of Funeral Service Examiners (fee schedule, 6 CSR 07), is authorized.

§64-9-9. Board of Landscape Architects.

The legislative rule filed in the State Register on July 30, 2022, authorized under the authority of §30-22-7 of this code, modified by the Board of Landscape Architects to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 22, 2022, relating to the Board of Landscape Architects (registration of landscape architects, 9 CSR 01), is authorized.

§64-9-10. Board of Medicine.

(a) The legislative rule filed in the State Register on July 27, 2022, authorized under the authority of §30-3-7(a) of this code, relating to the Board of Medicine (licensing of physicians and podiatric physicians and disciplinary procedures for applicants, licensees, credential holders, 11 CSR 01A), is authorized.

(b) The legislative rule filed in the State Register on July 27, 2022, authorized under the authority of §30-3E-3 of this code, relating to the Board of Medicine (licensure, practice requirements, disciplinary and complaint procedures, continuing education, physician assistants, 11 CSR 01B), is authorized.

(c) The legislative rule filed in the State Register on July 29, 2022, authorized under the authority of §30-5-7(c) of this code, relating to the Board of Medicine (collaborative pharmacy practice, 11 CSR 08), is authorized.

(d) The legislative rule filed in the State Register on July 28, 2022, authorized under the authority of §30-3-14 of this code, relating to the Board of Medicine (prohibiting sexual misconduct by health care practitioners, 11 CSR 16), is authorized with the amendment set forth below:

On page 5, subdivision 9.1.2., after the period, by striking proviso in its entirety.

§64-9-11. Board of Optometry.

The legislative rule filed in the State Register on July 30, 2022, authorized under the authority of §30-1-26 of this code, modified by the Board of Optometry to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 28, 2022, relating to the Board of Optometry (optometric telehealth practice, 14 CSR 12), is authorized with amendment set forth below:

On page 4, by striking out all of section 5.1. and inserting in lieu thereof a new section 5.1. to read as follows:

5.1. Nothing in this section shall be construed to invalidate §30-8A-3 or to permit use of any automated refractor or other automated or remote testing device to generate refractive data.

§64-9-12. Board of Osteopathic Medicine.

The legislative rule filed in the State Register on July 29, 2022, authorized under the authority of §30-3E-3 of this code, relating to the Board of Osteopathic Medicine (osteopathic physician assistants, 24 CSR 02), is authorized.

§64-9-13. Board of Pharmacy.

(a) The legislative rule filed in the State Register on July 29, 2022, authorized under the authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 17, 2022, relating to the Board of Pharmacy (licensure and practice of pharmacy, 15 CSR 01), is authorized with the amendments set forth below:

On page 10, subsection 4.3, after the word "to" by inserting the words "six";

And,

On page 40, by striking out the entirety of subdivision 24.1.b. and inserting in lieu there of a new subdivision 24.1.b. to read as follows:

24.1.b. for drug regimen review of prescription orders for a patient in an institutional facility, for the pharmacist to authorize the dispensing and administration, provided the pharmacist is licensed to practice pharmacist care in West Virginia.

(b) The legislative rule filed in the State Register on July 29, 2022, authorized under the authority of §60A-3-301 of this code, modified by the Board of Pharmacy to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 17, 2022, relating to the Board of Pharmacy (Uniform Controlled Substance Act, 15 CSR 02), is authorized.

(c) The legislative rule filed in the State Register on July 29, 2022, authorized under the authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 17, 2022, relating to the Board of Pharmacy (registration of pharmacy technicians, 15 CSR 07), is authorized.

(d) The legislative rule filed in the State Register on July 29, 2022, authorized under the authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 17, 2022, relating to the Board of Pharmacy (pharmacy permits, 15 CSR 15), is authorized.

(e) The legislative rule filed in the State Register on April 4, 2022, authorized under the authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 17, 2022, relating to the Board of Pharmacy (inspections, 15 CSR 19), is authorized.

(f) The legislative rule filed in the State Register on July 29, 2022, authorized under the authority of §60B-1-8 of this code, modified by the Board of Pharmacy to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 17, 2022, relating to the Board of Pharmacy (Donated Drug Repository Program, 15 CSR 20), is authorized.

§64-9-14. Psychologists.

The legislative rule filed in the State Register on September 7, 2022, authorized under the authority of §30-21-6 of this code, relating to the Board of Examiners of Psychologists (code of conduct, 17 CSR 06), is authorized.

§64-9-15. Board of Registered Professional Nurses.

(a) The legislative rule filed in the State Register on July 27, 2022, authorized under the authority of §30-7-4 of this code, relating to the Board of Registered Professional Nurses (requirements for registration and licensure and conduct constituting professional misconduct, 19 CSR 03), is authorized.

(b) The legislative rule filed in the State Register on July 26, 2022, authorized under the authority of §30-7-4 of this code, modified by the Board of Registered Professional Nurses to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 10, 2022, relating to the Board of Registered Professional Nurses (advanced practice registered nurse licensure requirements, 19 CSR 07), is authorized with the amendment set forth below:

On page 7, by inserting a new subsection 10.2., to read as follows:

10.2. In case of national recertification, any licensure suspension shall immediately be removed, and no further discipline may occur, if information is provided indicating that recertification has not lapsed.

(c) The legislative rule filed in the State Register on July 26, 2022, authorized under the authority of §30-7-15a of this code, modified by the Board of Registered Professional Nurses to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 10, 2022, relating to the Board of Registered Professional Nurses (limited prescriptive authority for nurses in advanced practice, 19 CSR 08), is authorized.

(d) The legislative rule filed in the State Register on July 26, 2022, authorized under the authority of §30-7-4 of this code, modified by the Board of Registered Professional Nurses to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 10, 2022, relating to the Board of Registered Professional Nurses (continuing education and competence, 19 CSR 11), is authorized.

(e) The legislative rule filed in the State Register on July 26, 2022, authorized under the authority of §30-7-4 of this code, modified by the Board of Registered Professional Nurses to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 10, 2022, relating to the Board of Registered Professional Nurses (fees for services rendered by the board, 19 CSR 12), is authorized with the amendments set forth below:

On page 1, subsection 2.4., by striking out the number "30.00" and inserting in lieu thereof the number "20.00";

On page 2, subsection 2.8., by striking out the number "35.00" and inserting in lieu thereof the number "25.00";

And,

On page 2, by striking out subsection 2.20. and renumbering the remaining subsections.

(f) The legislative rule filed in the State Register on July 26, 2022, authorized under the authority of §60A-9-5a of this code, modified by the Board of Registered Professional Nurses to meet the objections of the Legislative Rule-Making Review Committee

and refiled in the State Register on November 10, 2022, relating to the Board of Registered Professional Nurses (practitioner requirements for accessing the West Virginia Controlled Substance Monitoring Program database, 19 CSR 14), is authorized.

(g) The legislative rule filed in the State Register on July 26, 2022, authorized under the authority of §30-1-26 of this code, relating to the Board of Registered Professional Nurses (telehealth practice; requirements; definitions, 19 CSR 16), is authorized.

§64-9-16. Secretary of State.

(a) The legislative rule filed in the State Register on August 1, 2022, authorized under the authority of §3-3-2a of this code, modified by the Secretary of State to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 10, 2022, relating to the Secretary of State (early voting in-person satellite precincts, 153 CSR 13), is authorized.

(b) The legislative rule filed in the State Register on July 29, 2022, authorized under the authority of §3-1A-6 of this code, modified by the Secretary of State to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 10, 2022, relating to the Secretary of State (Combined Voter Registration and Driver Licensing Fund, 153 CSR 25), is authorized.

(c) The legislative rule filed in the State Register on August 1, 2022, authorized under the authority of §3-1A-9 of this code, modified by the Secretary of State to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 10, 2022, relating to the Secretary of State (administrative procedures for the Nonpublic Funding for Election Administration Fund, 153 CSR 54), is authorized.

§64-9-17. State Treasurer.

(a) The legislative rule filed in the State Register on July 29, 2022, authorized under the authority of §36-8-28 of this code, modified by the State Treasurer to meet the objections of the

Legislative Rule-Making Review Committee and refiled in the State Register on September 15, 2022, relating to the State Treasurer (enforcement of the Uniform Unclaimed Property Act, 112 CSR 05), is authorized.

(b) The legislative rule filed in the State Register on April 21, 2022, authorized under the authority of §18-31-9 of this code, modified by the Treasurer's Office to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on January 25, 2023, relating to the Treasurer's Office (Hope Scholarship Program, 112 CSR 18), is authorized.

(c) The legislative rule filed in the State Register on July 22, 2022, authorized under the authority of §18-30A-16 of this code, modified by the State Treasurer to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 15, 2022, relating to the State Treasurer (Jumpstart Savings Program, 112 CSR 20), is authorized.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 361—A Bill to amend and reenact §64-9-1 et seq. of the Code of West Virginia, 1931, as amended, relating generally to authorizing and directing certain miscellaneous agencies and boards to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee, and as amended by the Legislature; relating to authorizing the Board of Accountancy to promulgate a legislative rule relating to board rules of professional conduct; relating to authorizing the Board of Acupuncture to promulgate a legislative rule relating to advertising by licensed acupuncturists; relating to authorizing the Board of Acupuncture to promulgate a legislative rule relating to standards of practice of acupuncture by licensed acupuncturists; relating to authorizing the Board of Acupuncture to promulgate a legislative rule relating to continuing education requirements; relating to authorizing the

Department of Agriculture to promulgate a legislative rule relating to the West Virginia apiary rule; relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to schedule of charges for inspection services: fruit; relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to noxious weeds; relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to Grade "A" pasteurized milk; relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to inspection of nontraditional, domesticated animals; relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to hemp products; relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to livestock care standards; relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to farm-to-food bank tax credit; relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to farmers markets; relating to authorizing the Athletic Commission to promulgate a legislative rule relating to administrative rules; relating to authorizing the Athletic Commission to promulgate a legislative rule relating to regulation of mixed martial arts; relating to authorizing the State Auditor to promulgate a legislative rule relating to standards for voluntary payroll deductions; relating to authorizing the Conservation Agency to promulgate a legislative rule relating to operation of West Virginia State Conservation Committee and conservation districts; relating to authorizing the Conservation Agency to promulgate a legislative rule relating to conservation district accounting and auditing standards; relating to authorizing the Board of Dentistry to promulgate a legislative rule relating to dental recovery networks; relating to authorizing the Board of Funeral Service Examiners to promulgate a legislative rule relating to funeral director, embalmer, apprentice, courtesy card holders, and funeral establishment requirements; relating to authorizing the Board of Funeral Service Examiners to promulgate a legislative rule relating to crematory requirements; relating to authorizing the Board of Funeral Service Examiners to promulgate a legislative rule relating to a fee schedule; relating to authorizing the Board of Landscape Architects to promulgate a legislative rule relating to

registration of landscape architects; relating to authorizing the Board of Medicine to promulgate a legislative rule relating to licensing of physicians and podiatric physicians and disciplinary procedures for applicants, licensees, and credential holders; relating to authorizing the Board of Medicine to promulgate a legislative rule relating to relating to licensure, practice requirements, disciplinary and complaint procedures, continuing education, physician assistants; authorizing the Board of Medicine to promulgate a legislative rule relating to collaborative pharmacy practice; relating to authorizing the Board of Medicine to promulgate a legislative rule relating to prohibiting sexual misconduct by health care practitioners; relating to authorizing the Board of Optometry to promulgate a legislative rule relating to optometric telehealth practice; relating to authorizing the Board of Osteopathic Medicine to promulgate a legislative rule relating to osteopathic physician assistants; relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to licensure and practice of pharmacy; relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to the Uniform Controlled Substance Act; relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to Board of Pharmacy rules for registration of pharmacy technicians; relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to regulations governing pharmacy permit; relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to inspections; relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to the Donated Drug Repository Program; relating to authorizing the Psychologists to promulgate a legislative rule relating to code of conduct; relating to authorizing the Board of Registered Professional Nurses to promulgate a legislative rule relating to requirements for registration and licensure and conduct constituting professional misconduct; relating to authorizing the Board of Registered Professional Nurses to promulgate a legislative rule relating to advanced practice registered nurse licensure requirements; relating to authorizing the Board of Registered Professional Nurses to promulgate a legislative rule relating to limited prescriptive authority for nurses in advanced practice; relating to authorizing the Board of Registered

Professional Nurses to promulgate a legislative rule relating to continuing education and competence; relating to authorizing the Board of Registered Professional Nurses to promulgate a legislative rule relating to fees for services rendered by the board; relating to authorizing the Board of Registered Professional Nurses to promulgate a legislative rule relating to practitioner requirements for accessing the West Virginia Controlled Substance Monitoring Program database; relating to authorizing the Board of Registered Professional Nurses to promulgate a legislative rule relating to telehealth practice; requirements; definitions; relating to authorizing the Secretary of State to promulgate a legislative rule relating to early voting in-person satellite precincts; relating to authorizing the Secretary of State to promulgate a legislative rule relating to the Combined Voter Registration and Driver Licensing Fund; relating to authorizing the Secretary of State to promulgate a legislative rule relating to administrative procedures for the Nonpublic Funding for Election Administration Fund; relating to authorizing the State Treasurer to promulgate a legislative rule relating to enforcement of the Uniform Unclaimed Property Act; relating to authorizing the State Treasurer to promulgate a legislative rule relating to the Hope Scholarship Program; and relating to authorizing the State Treasurer to promulgate a legislative rule relating to Jumpstart Savings Program.

On motion of Senator Takubo, the following amendment to the House of Delegates amendments to the bill (Eng. Com. Sub. for S. B. 361) was reported by the Clerk and adopted:

On page 7, section 10, subsection (d), line 14 through 16, after "is authorized" by inserting a period, and striking out the remainder of the subsection.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Senate Bill 361, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton,

Hunt, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 361) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 361) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Com. Sub. for Senate Bill 273, Relating to allocation of child protective workers in counties based upon population of county.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, by striking everything after the enacting clause and inserting in lieu thereof the following:

CHAPTER 49. CHILD WELFARE.

ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.

§49-2-101. Authorization and responsibility; Bureau for Social Services.

(a) ~~The Department of Health and Human Resources is authorized to provide care, support and protective services for children who are handicapped by dependency, neglect, single parent status, mental or physical disability, or who for other reasons are in need of public service. The department is also authorized to accept children for care from their parent or parents, guardian, custodian or relatives and to accept the custody of children committed to its care by courts. The Department of Health and Human Resources or any county office of the department is also authorized and to accept temporary custody of children for care from any law enforcement officer in an emergency situation. The Bureau for Social Services is continued within the department. The bureau is under the immediate supervision of a commissioner.~~

(b) ~~The Department of Health and Human Resources is responsible for the care of the infant child of an unmarried mother who has been committed to the custody of the department while the infant is placed in the same licensed child welfare agency as his or her mother. The department may provide care for those children in family homes meeting required standards, at board or otherwise, through a licensed child welfare agency, or in a state institution~~

~~providing care for dependent or neglected children. If practical, when placing any child in the care of a family or a child welfare agency the department shall select a family holding the same religious belief as the parents or relatives of the child or a child welfare agency conducted under religious auspices of the same belief as the parents or relatives. The Bureau for Social Services is authorized to provide care, support, and protective services for children who are handicapped by dependency, neglect, single parent status, mental or physical disability, or who for other reasons are in need of public service. The bureau is also authorized to accept children for care from their parent or parents, guardian, custodian, or relatives, and to accept the custody of children committed to its care by courts. The bureau or any county office of the department is also authorized to accept temporary custody of children for care from any law-enforcement officer in an emergency situation.~~

(c) The bureau is responsible for the care of the infant child of an unmarried mother who has been committed to the custody of the department while the infant is placed in the same licensed child welfare agency as his or her mother. The bureau provides care for those children in family homes meeting required standards, at board or otherwise, through a licensed child welfare agency, or in a state institution providing care for dependent or neglected children. If practical, when placing any child in the care of a family or a child welfare agency, the bureau shall select a family holding the same religious belief as the parents or relatives of the child, or a child welfare agency conducted under religious auspices of the same belief as the parents or relatives.

§49-2-102. Minimum staffing complement for child protective services Staffing Allocation for Child Protective Services Workers.

~~[Repealed.]~~ Notwithstanding any other provision of this code to the contrary, effective July 1, 2024, the commissioner shall allocate and station child protective services workers by county based on population, referrals, and average caseload. The allocation may not decrease below the bureau's allocation of January 1, 2023. The county population shall be based on the

United States Census. The bureau shall report the allocation to the Legislative Oversight Commission on Health and Human Resources Accountability by July 1 each year.

§49-2-809. Reporting procedures.

(a) Reports of child abuse and neglect pursuant to this article shall be made immediately to the department of child protective services by a method established by the ~~department~~ Bureau for Social Services: *Provided*, That if the method for reporting is web-based, the ~~Department of Health and Human Resources~~ Bureau for Social Services shall maintain a system for addressing emergency situations that require immediate attention and shall be followed by a written report within 48 hours if so requested by the receiving agency. The ~~state department~~ Bureau for Social Services shall establish and maintain a 24-hour, seven-day-a-week telephone number to receive calls reporting suspected or known child abuse or neglect.

(b) The department shall have a redundancy for its system in the event of an outage to receive reports. This redundancy system shall be transparent, meaning that it shall allow for reporting in the same means as if the outage had not occurred and no time delay shall occur from when the outage occurs to when the redundancy system begins to operate. This redundancy system shall be operational no later than July 1, 2023. If the department contends that it currently has a redundancy system, it shall describe the system, provide an operational date for the system, and explain why calls to centralized intake were unanswered to the Joint Committee on Government and Finance by July 1, 2023.

~~(b)~~ (c) A copy of any report of serious physical abuse, sexual abuse, or assault shall be forwarded by the department to the appropriate law-enforcement agency, the prosecuting attorney, or the coroner or medical examiner's office. All reports under this article are confidential. Reports of known or suspected institutional child abuse or neglect shall be made and received as all other reports made pursuant to this article.

(d) The department shall annually submit a report in an electronic format, via the legislative webpage, on July 1 to the Joint Committee on Government and Finance, which shall contain: How many calls were made to centralized intake on a per county basis, how many calls were referred to centralized intake on a per county basis, how many calls were screened out centralized intake on a per county basis, and the time from referral to investigation on a per county basis.

ARTICLE 10. EXEMPTION FROM WEST VIRGINIA DIVISION OF PERSONNEL.

§49-10-101. Legislative findings.

The Legislature finds the State of West Virginia is experiencing a child welfare crisis. From 2016 to 2020, the child protective service vacancy rate has increased from 9.7% to 33%. This significant lack of staffing has caused a delay in response times to begin investigations. During the same time period, the average hours to start a child protective service investigation after referral went from 119.1 hours in 2016 to now averaging 428.1 hours in 2020. This significant failure to begin the investigation can and has cost lives. The Legislature finds that the Bureau for Social Services is having extreme difficulty recruiting and retaining child protective service workers, youth service workers, adult protective service workers, and other related workers, including necessary casework support personnel and managers at the county level, who assist in the provision of services to vulnerable populations.

§49-10-101. Bureau for Social Service employees exempt from Division of Personnel.

(a) The Commissioner of the Bureau for Social Services shall develop a merit-based system policy for the bureau. The procedure shall include classification specifications, and may include compensation adjustments, retention incentives, and hiring approval by the commissioner. The commissioner shall have the full authority to evaluate applicants for employment or promotion or make classification determinations for positions within the

merit-based system. The pay rates and employment requirements shall be put into effect on or before January 1, 2024. This merit-based system shall apply to new employees in the above referenced job classifications and for existing employees who elect, in writing to enter the merit-based system. The merit-based system is exempt from the Division of Personnel and all requirements of §29-6-1 et seq. of this code and any related rules. There is no requirement for uniformity regarding the pay scale for the same classification between regions of the state to account for market rates and demand for specific positions. The provisions of §6C-2-1 et seq. are not applicable.

(b) Funding for the pay rates and employment requirements shall be provided from the appropriation to the bureau.

(c) The commissioner may conduct periodic wage and compensation analysis of identified market rates for the above positions as determined by the commissioner.

(d) The commissioner shall report to Legislative Oversight Commission of Health and Human Resources accountability by January 1, 2024.

§49-10-103. Bureau for Social Service employees no requirement uniformity in pay scale.

The Legislature finds that the Bureau for Social Services is having extreme difficulty retaining child protective service workers, youth service workers, adult protective service workers, and other related workers, including necessary casework support personnel and managers at the county level, who assist in the provision of services to vulnerable populations. To retain qualified employees in these crucial positions, there is no requirement for uniformity regarding the pay scale for the same classification between regions of the state to account for market rates and demand for specific positions. The provisions of §6C-2-1 et seq. of this code shall be applicable to the employees of the merit-based system as set forth in §49-10-102 of this code, however, there is no right to a grievance for any such regional pay disparity for the same job classification.

ARTICLE 11. SYSTEM REPORTING.**§49-11-101. Systemic reporting transparency; rulemaking.**

The commissioner shall change the existing child welfare data dashboard by July 1, 2023, to report on system-wide issues, including, but not limited to, system-level performance indicators, intake hotline performance indicators, field investigation performance indicators, open case performance indicators, out-of-home placement performance indicators, and federally mandated performance indicators.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Com. Sub. for Senate Bill 273—A Bill to amend and reenact §49-2-101, §49-2-102, and §49-2-809 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new article, designated §49-10-101, §49-10-102, and §49-10-103; to amend said code by adding thereto a new article, designated §49-11-101, all relating to child welfare; continuing the Bureau for Social Services; providing authority to the bureau; providing how the commissioner shall allocate child protective service workers; requiring reporting; requiring the department to have a redundancy centralized intake system; setting forth requirements for data submission in the event a system exists; providing that the Bureau for Social Services shall develop a merit-based system; providing legislative findings; providing the merit-based system shall be subject to the grievance process, except that there is no grievance available for the same classification description impacted by regional pay disparities; providing that for existing employees there is no grievance procedure for a regional pay disparity for the same job classification and establishing timeframes for implementation.

On motion of Senator Takubo, the following amendment to the House of Delegates amendments to the bill (Eng. Com. Sub. for Com. Sub. for S. B. 273) was reported by the Clerk and adopted:

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Com. Sub. for Senate Bill 273—A Bill to amend and reenact §49-2-101, §49-2-102, and §49-2-809 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new article, designated §49-10-101, §49-10-102, and §49-10-103; to amend said code by adding thereto a new article, designated §49-11-101, all relating to child welfare; continuing the Bureau for Social Services; providing authority to the bureau; providing how the commissioner shall allocate child protective service workers; requiring reporting; requiring the department to have a redundancy centralized intake system; setting forth requirements for data submission in the event a system exists; providing that the Bureau for Social Services shall develop a merit-based system; providing legislative findings; providing that the merit-based system is not subject to the grievance process; providing that for existing employees there is no grievance procedure for a regional pay disparity for the same job classification and establishing timeframes for implementation; and updating the child welfare dashboard.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Committee Substitute for Senate Bill 273, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com.

Sub. for Com. Sub. for S. B. 273) passed with its Senate amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 273) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

At the request of Senator Takubo, unanimous consent being granted, the Senate reconsidered the vote by which on yesterday, Friday, March 10, 2023, it refused to concur in the House of Delegates amendments (*shown in the Senate Journal of that day, pages 2482 to 2484, inclusive*), as to

Eng. Senate Bill 559, Relating to spousal privilege.

The bill still being in the possession of the Senate,

The vote thereon having been reconsidered,

On motion of Senator Takubo, the following amendments to the House of Delegates amendments to the bill were reported by the Clerk, considered simultaneously, and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 3. COMPETENCY OF WITNESSES.**§57-3-3. Testimony of husband and wife in criminal cases.**

In criminal cases husband and wife shall be allowed, and, subject to the rules of evidence governing other witnesses, may be compelled to testify ~~in~~ on behalf of each other, but neither shall be compelled, nor, without the consent of the other, allowed to be called as a witness against the other except in the case of a prosecution for an offense committed by one against the other, or against the child, father, mother, sister or brother of either of them or any minor. The failure of either husband or wife to testify, however, shall create no presumption against the accused, nor be the subject of any comment before the court or jury by anyone.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 559—A Bill to amend and reenact §57-3-3 of the Code of West Virginia, 1931, as amended, relating to spousal privilege; and expanding the exceptions to spousal privilege to exclude therefrom cases in which the offense at issue was committed against any minor.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Senate Bill 559, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 559) passed with its Senate amended title.

Ordered, That The Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 577, Reducing copay cap on insulin and devices and permitting purchase of testing equipment without prescription.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, after the enacting clause by inserting the following:

**CHAPTER 5. GENERAL POWERS AND AUTHORITY OF
THE GOVERNOR, SECRETARY OF STATE AND
ATTORNEY GENERAL; BOARD OF PUBLIC WORKS;
MISCELLANEOUS AGENCIES, COMMISSIONS,
OFFICES, PROGRAMS, ETC.**

**ARTICLE 16. WEST VIRGINIA PUBLIC EMPLOYEES
INSURANCE ACT.**

§5-16-2. Definitions.

The following words and phrases as used in this article, unless a different meaning is clearly indicated by the context, have the following meanings:

(1) "Agency" means the Public Employees Insurance Agency created by this article.

(2) "Director" means the Director of the Public Employees Insurance Agency created by this article.

(3) "Employee" means any person, including an elected officer, who works regularly full-time in the service of the State of West Virginia and, for the purpose of this article only, the term "employee" also means any person, including an elected officer, who works regularly full-time in the service of a county board of education; a public charter school established pursuant to §18-5G-1 *et seq.* of this code if the charter school includes in its charter contract entered into pursuant to §18-5G-7 of this code a determination to participate in the Public Employees Insurance program; a county, city, or town in the State; any separate corporation or instrumentality established by one or more counties, cities, or towns, as permitted by law; any corporation or instrumentality supported in most part by counties, cities, or towns; any public corporation charged by law with the performance of a governmental function and whose jurisdiction is coextensive with one or more counties, cities, or towns; any comprehensive community mental health center or intellectually and developmentally disabled facility established, operated, or licensed by the Secretary of Health and Human Resources pursuant to §27-2A-1 of this code and which is supported in part by state, county, or municipal funds; any person who works regularly full-time in the service of the Higher Education Policy Commission, the West Virginia Council for Community and Technical College Education or a governing board, as defined in §18B-1-2 of this code; any person who works regularly full-time in the service of a combined city-county health department created pursuant to §16-2-1 *et seq.* of this code; any person designated as a 21st Century Learner Fellow pursuant to §18A-3-11 of this code; and any person who works as a long-term substitute as defined in §18A-1-1 of this code in the service of a county board of education: *Provided*, That a long-term substitute who is continuously employed for at least 133 instructional days during an instructional term, and, until the end of that instructional term, is eligible for the benefits provided in

this article until September 1 following that instructional term: *Provided, however,* That a long-term substitute employed fewer than 133 instructional days during an instructional term is eligible for the benefits provided in this article only during such time as he or she is actually employed as a long-term substitute. On and after January 1, 1994, and upon election by a county board of education to allow elected board members to participate in the Public Employees Insurance Program pursuant to this article, any person elected to a county board of education shall be considered to be an "employee" during the term of office of the elected member. Upon election by the state Board of Education to allow appointed board members to participate in the Public Employees Insurance Program pursuant to this article, any person appointed to the state Board of Education is considered an "employee" during the term of office of the appointed member: *Provided further,* That the elected member of a county board of education and the appointed member of the state Board of Education shall pay the entire cost of the premium if he or she elects to be covered under this article. Any matters of doubt as to who is an employee within the meaning of this article shall be decided by the director.

On or after July 1, 1997, a person shall be considered an "employee" if that person meets the following criteria:

(A) Participates in a job-sharing arrangement as defined in §18A-1-1 of this code;

(B) Has been designated, in writing, by all other participants in that job-sharing arrangement as the "employee" for purposes of this section; and

(C) Works at least one-third of the time required for a full-time employee.

(4) "Employer" means the State of West Virginia, its boards, agencies, commissions, departments, institutions, or spending units; a county board of education; a public charter school established pursuant to §18-5G-1 *et seq.* of this code if the charter school includes in its charter contract entered into pursuant to §18-5G-7 of this code a determination to participate in the Public

Employees Insurance Program; a county, city, or town in the state; any separate corporation or instrumentality established by one or more counties, cities, or towns, as permitted by law; any corporation or instrumentality supported in most part by counties, cities, or towns; any public corporation charged by law with the performance of a governmental function and whose jurisdiction is coextensive with one or more counties, cities or towns; any comprehensive community mental health center or intellectually and developmentally disabled facility established, operated or licensed by the Secretary of Health and Human Resources pursuant to §27-2A-1 of this code and which is supported in part by state, county or municipal funds; a combined city-county health department created pursuant to §16-2-1 *et seq.* of this code; and a corporation meeting the description set forth in §18B-12-3 of this code that is employing a 21st Century Learner Fellow pursuant to §18A-3-11 of this code but the corporation is not considered an employer with respect to any employee other than a 21st Century Learner Fellow. Any matters of doubt as to who is an "employer" within the meaning of this article shall be decided by the director. The term "employer" does not include within its meaning the National Guard.

(5) "Finance board" means the Public Employees Insurance Agency finance board created by this article.

(6) "Person" means any individual, company, association, organization, corporation or other legal entity, including, but not limited to, hospital, medical or dental service corporations; health maintenance organizations or similar organization providing prepaid health benefits; or individuals entitled to benefits under the provisions of this article.

(7) "Plan", unless the context indicates otherwise, means the medical indemnity plan, the managed care plan option, or the group life insurance plan offered by the agency.

(8) "Retired employee" means an employee of the state who retired after April 29, 1971, and an employee of the Higher Education Policy Commission, the Council for Community and Technical College Education, a state institution of higher education

or a county board of education who retires on or after April 21, 1972, and all additional eligible employees who retire on or after the effective date of this article, meet the minimum eligibility requirements for their respective state retirement system and whose last employer immediately prior to retirement under the state retirement system is a participating employer in the state retirement system and in the Public Employees Insurance Agency: *Provided*, That for the purposes of this article, the employees who are not covered by a state retirement system, but who are covered by a state-approved or state-contracted retirement program or a system approved by the director, shall, in the case of education employees, meet the minimum eligibility requirements of the State Teachers Retirement System and in all other cases, meet the minimum eligibility requirements of the Public Employees Retirement System and may participate in the Public Employees Insurance Agency as retired employees upon terms as the director sets by rule as authorized in this article. Employers with employees who are, or who are eligible to become, retired employees under this article shall be mandatory participants in the Retiree Health Benefit Trust Fund created pursuant to §5-16D-1 *et seq.* of this code. Nonstate employers may opt out of the West Virginia other post-employment benefits plan of the Retiree Health Benefit Trust Fund and elect to not provide benefits under the Public Employees Insurance Agency to retirees of the nonstate employer, but may do so only upon the written certification, under oath, of an authorized officer of the employer that the employer has no employees who are, or who are eligible to become, retired employees and that the employer will defend and hold harmless the Public Employees Insurance Agency from any claim by one of the employer's past, present, or future employees for eligibility to participate in the Public Employees Insurance Agency as a retired employee. As a matter of law, the Public Employees Insurance Agency shall not be liable in any respect to provide plan benefits to a retired employee of a nonstate employer which has opted out of the West Virginia other post-employment benefits plan of the Retiree Health Benefit Trust Fund pursuant to this section.

(9) "Device" means a blood glucose test strip, glucometer, continuous glucose monitor (CGM), lancet, lancing device, or

insulin syringe used to cure, diagnose, mitigate, prevent, or treat diabetes or low blood sugar, but does not include insulin pumps.

(10) "Prescription insulin drug" means a prescription drug that contains insulin and is used to treat diabetes, and includes at least one type of insulin in all of the following categories:

(1) Rapid-acting;

(2) Short-acting;

(3) Intermediate-acting;

(4) Long-acting;

(5) Pre-mixed insulin products;

(6) Pre-mixed insulin/GLP-1 RA products; and

(7) Concentrated human regular insulin.

§5-16-7g. Coverage for prescription insulin drugs.

(a) A policy, plan, or contract that is issued or renewed on or after ~~July 1, 2020~~, January 1, 2023 shall provide coverage for prescription insulin drugs and equipment pursuant to this section.

~~(b) For the purposes of this subdivision, "prescription insulin drug" means a prescription drug that contains insulin and is used to treat diabetes, and includes at least one type of insulin in all of the following categories:~~

~~(1) Rapid-acting;~~

~~(2) Short-acting;~~

~~(3) Intermediate-acting;~~

~~(4) Long-acting;~~

~~(5) Pre-mixed insulin products;~~

~~(6) Pre-mixed insulin/GLP-1 RA products; and~~

~~(7) Concentrated human regular insulin.~~

~~(e) Cost sharing for a 30-day supply of a covered prescription insulin drug shall may not exceed \$100 for a 30-day supply of a covered prescription insulin, regardless of the quantity or type of prescription insulin used to fill the covered person's prescription needs. \$35 in aggregate, including situations where the covered person is prescribed more than one insulin drug, per 30-day supply, regardless of the amount or type of insulin needed to fill such covered person's prescription. Cost sharing for a 30-day supply of covered device(s) may not exceed \$100 in aggregate, including situations where the covered person is prescribed more than one device, per 30-day supply. Each cost-share maximum is covered regardless of the person's deductible, copayment, coinsurance or any other cost-sharing requirement.~~

(d) Nothing in this section prevents the agency from reducing a covered person's cost sharing by an amount greater than the amount specified in this subsection.

(e) No contract between the agency or its pharmacy benefits manager and a pharmacy or its contracting agent shall may contain a provision (i) authorizing the agency's pharmacy benefits manager or the pharmacy to charge, (ii) requiring the pharmacy to collect, or (iii) requiring a covered person to make a cost-sharing payment for a covered prescription insulin drug in an amount that exceeds the amount of the cost-sharing payment for the covered prescription insulin drug established by the agency as provided in subsection (c) of this section.

(f) The agency shall provide coverage for the following equipment and supplies for the treatment or management of diabetes for both insulin-dependent and noninsulin-dependent persons with diabetes and those with gestational diabetes: Blood glucose monitors, monitor supplies, insulin, injection aids, syringes, insulin infusion devices, pharmacological agents for controlling blood sugar, and orthotics.

(g) The agency shall provide coverage for diabetes self-management education to ensure that persons with diabetes are

educated as to the proper self-management and treatment of their diabetes, including information on proper diets. Coverage for self-management education and education relating to diet shall be provided by a health care practitioner who has been appropriately trained as provided in §33-53-1(k) of this code.

(h) The education may be provided by a health care practitioner as part of an office visit for diabetes diagnosis or treatment, or by a licensed pharmacist for instructing and monitoring a patient regarding the proper use of covered equipment, supplies, and medications, or by a certified diabetes educator or registered dietitian.

(i) A pharmacy benefits manager, a health plan, or any other third party that reimburses a pharmacy for drugs or services shall not reimburse a pharmacy at a lower rate and shall not assess any fee, charge-back, or adjustment upon a pharmacy on the basis that a covered person's costs sharing is being impacted.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 577—A Bill to amend and reenact §5-16-2 and §5-16-7g of the Code of West Virginia, 1931, as amended, and to amend and reenact §33-59-1 of said code; all relating to diabetes; defining terms; reducing copayments; adding coverage for devices; and permitting testing equipment to be purchased without a prescription.

On motion of Senator Takubo, the following amendments to the House of Delegates amendments to the bill (Eng. Com. Sub. for S. B. 577) were reported by the Clerk, considered simultaneously, and adopted:

On pages 1-5, by striking out all of section 2 and inserting in lieu thereof a new section 2, to read as follows:

§5-16-2. Definitions.

The following words and phrases as used in this article, unless a different meaning is clearly indicated by the context, have the following meanings:

(1) "Agency" or "PEIA" means the Public Employees Insurance Agency created by this article.

"Applied behavior analysis" means the design, implementation, and evaluation of environmental modifications using behavioral stimuli and consequences in order to produce socially significant improvement in human behavior and includes the use of direct observation, measurement, and functional analysis of the relationship between environment and behavior.

"Autism spectrum disorder" means any pervasive developmental disorder, including autistic disorder, Asperger's syndrome, Rett syndrome, childhood disintegrative disorder, or Pervasive Development Disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

"Certified behavior analyst" means an individual who is certified by the Behavior Analyst Certification Board or certified by a similar nationally recognized organization.

"Dependent" includes an eligible employee's child under the age of 26 as defined in the Patient Protection and Affordable Care Act.

"Device" means a blood glucose test strip, glucometer, continuous glucose monitor (CGM), lancet, lancing device, or insulin syringe used to cure, diagnose, mitigate, prevent, or treat diabetes or low blood sugar, but does not include insulin pumps.

(2) "Director" means the Director of the Public Employees Insurance Agency created by this article.

"Distant site" means the telehealth site where the health care practitioner is seeing the patient at a distance or consulting with a patient's health care practitioner.

(3) "Employee" means any person, including an elected officer, who works regularly full-time in the service of the State of West Virginia; and, for the purpose of this article only, the term "employee" also means any person, including an elected officer, who works regularly full-time in the service of a county board of education; a public charter school established pursuant to §18-5G-1 *et seq.* of this code if the charter school includes in its charter contract entered into pursuant to §18-5G-7 of this code a determination to participate in the Public Employees Insurance program; a county, city, or town in the ~~State~~ state; any separate corporation or instrumentality established by one or more counties, cities, or towns, as permitted by law; any corporation or instrumentality supported in most part by counties, cities, or towns; any public corporation charged by law with the performance of a governmental function and whose jurisdiction is coextensive with one or more counties, cities, or towns; any comprehensive community mental health center or intellectually and developmentally disabled facility established, operated, or licensed by the Secretary of the Department of Health and Human Resources pursuant to §27-2A-1 of this code and which is supported in part by state, county, or municipal funds; any person who works regularly full-time in the service of the Higher Education Policy Commission, the West Virginia Council for Community and Technical College Education, or a governing board as defined in §18B-1-2 of this code; any person who works regularly full-time in the service of a combined city-county health department created pursuant to §16-2-1 *et seq.* of this code; any person designated as a 21st Century Learner Fellow pursuant to §18A-3-11 of this code; and any person who works as a long-term substitute as defined in §18A-1-1 of this code in the service of a county board of education: *Provided*, That a long-term substitute who is continuously employed for at least 133 instructional days during an instructional term, and, until the end of that instructional term, is eligible for the benefits provided in this article until September 1 following that instructional

term: *Provided, however,* That a long-term substitute employed fewer than 133 instructional days during an instructional term is eligible for the benefits provided in this article only during such time as he or she is actually employed as a long-term substitute. On and after January 1, 1994, and upon election by a county board of education to allow elected board members to participate in the Public Employees Insurance Program pursuant to this article, any person elected to a county board of education shall be considered to be an "employee" during the term of office of the elected member. Upon election by the ~~state~~ State Board of Education to allow appointed board members to participate in the Public Employees Insurance Program pursuant to this article, any person appointed to the ~~state~~ State Board of Education is considered an "employee" during the term of office of the appointed member: *Provided further,* That the elected member of a county board of education and the appointed member of the ~~state~~ State Board of Education shall pay the entire cost of the premium if he or she elects to be covered under this article. Any matters of doubt as to who is an employee within the meaning of this article shall be decided by the director.

On or after July 1, 1997, a person shall be considered an "employee" if that person meets the following criteria:

(A) Participates in a job-sharing arrangement as defined in §18A-1-1 *et seq.* of this code;

(B) Has been designated, in writing, by all other participants in that job-sharing arrangement as the "employee" for purposes of this section; and

(C) Works at least one-third of the time required for a full-time employee.

(4) "Employer" means the State of West Virginia, its boards, agencies, commissions, departments, institutions, or spending units; a county board of education; a public charter school established pursuant to §18-5G-1 *et seq.* of this code if the charter school includes in its charter contract entered into pursuant to §18-5G-7 of this code a determination to participate in the Public

Employees Insurance Program; a county, city, or town in the state; any separate corporation or instrumentality established by one or more counties, cities, or towns, as permitted by law; any corporation or instrumentality supported in most part by counties, cities, or towns; any public corporation charged by law with the performance of a governmental function and whose jurisdiction is coextensive with one or more counties, cities, or towns; any comprehensive community mental health center or intellectually and developmentally disabled facility established, operated, or licensed by the Secretary of the Department of Health and Human Resources pursuant to §27-2A-1 *et seq.* of this code and which is supported in part by state, county, or municipal funds; a combined city-county health department created pursuant to §16-2-1 *et seq.* of this code; and a corporation meeting the description set forth in §18B-12-3 of this code that is employing a 21st Century Learner Fellow pursuant to §18A-3-11 of this code but the corporation is not considered an employer with respect to any employee other than a 21st Century Learner Fellow. Any matters of doubt as to who is an "employer" within the meaning of this article shall be decided by the director. The term "employer" does not include within its meaning the National Guard.

"Established patient" means a patient who has received professional services, face-to-face, from the physician, qualified health care professional, or another physician or qualified health care professional of the exact same specialty and subspecialty who belongs to the same group practice, within the past three years.

(5) "Finance board" means the Public Employees Insurance Agency finance board created by this article.

"Health care practitioner" means a person licensed under §30-1-1 *et seq.* of this code who provides health care services.

"Originating site" means the location where the patient is located, whether or not accompanied by a health care practitioner, at the time services are provided by a health care practitioner through telehealth, including, but not limited to, a health care practitioner's office, hospital, critical access hospital, rural health clinic, federally qualified health center, a patient's home, and other

nonmedical environments such as school-based health centers, university-based health centers, or the work location of a patient.

"Objective evidence" means standardized patient assessment instruments, outcome measurements tools, or measurable assessments of functional outcome. Use of objective measures at the beginning of treatment, during, and after treatment is recommended to quantify progress and support justifications for continued treatment. The tools are not required but their use will enhance the justification for continued treatment.

~~(6) "Person" means any individual, company, association, organization, corporation, or other legal entity. including but not limited to, hospital, medical or dental service corporation; health maintenance organization or similar organization providing prepaid health benefits; or individuals entitled to benefits under the provisions of this article.~~

~~(7) "Plan" unless the context indicates otherwise, means the medical indemnity plan. The managed care plan option, or the group life insurance plan offered by the agency. a group hospital and surgical insurance plan or plans, a group prescription drug insurance plan or plans, a group major medical insurance plan or plans, and a group life and accidental death insurance plan or plans.~~

"Prescription insulin drug" means a prescription drug that contains insulin and is used to treat diabetes, and includes at least one type of insulin in all of the following categories:

(1) Rapid-acting;

(2) Short-acting;

(3) Intermediate-acting;

(4) Long-acting;

(5) Pre-mixed insulin products;

(6) Pre-mixed insulin/GLP-1 RA products; and

(7) Concentrated human regular insulin.

"Primary coverage" means individual or group hospital and surgical insurance coverage or individual or group major medical insurance coverage or group prescription drug coverage in which the spouse or dependent is the named insured or certificate holder.

"Remote patient monitoring services" means the delivery of home health services using telecommunications technology to enhance the delivery of home health care, including monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other condition-specific data; medication adherence monitoring; and interactive video conferencing with or without digital image upload.

(8) "Retired employee" means an employee of the state who retired after April 29, 1971, and an employee of the Higher Education Policy Commission, the Council for Community and Technical College Education, a state institution of higher education, or a county board of education who retires on or after April 21, 1972, and all additional eligible employees who retire on or after the effective date of this article, meet the minimum eligibility requirements for their respective state retirement system, and whose last employer immediately prior to retirement under the state retirement system is a participating employer in the state retirement system and in the Public Employees Insurance Agency: *Provided*, That for the purposes of this article, the employees who are not covered by a state retirement system, but who are covered by a state-approved or state-contracted retirement program or a system approved by the director, shall, in the case of education employees, meet the minimum eligibility requirements of the State Teachers Retirement System, and in all other cases, meet the minimum eligibility requirements of the Public Employees Retirement System and may participate in the Public Employees Insurance Agency as retired employees upon terms as the director sets by rule as authorized in this article. Employers with employees who are, or who are eligible to become, retired employees under this article shall be mandatory participants in the Retiree Health Benefit Trust Fund created pursuant to §5-16D-1 *et seq.* of this code. Nonstate employers may opt out of the West Virginia other post-employment benefits plan of the Retiree Health

Benefit Trust Fund and elect to not provide benefits under the Public Employees Insurance Agency to retirees of the nonstate employer, but may do so only upon the written certification, under oath, of an authorized officer of the employer that the employer has no employees who are, or who are eligible to become, retired employees and that the employer will defend and hold harmless the Public Employees Insurance Agency from any claim by one of the employer's past, present, or future employees for eligibility to participate in the Public Employees Insurance Agency as a retired employee. As a matter of law, the Public Employees Insurance Agency shall not be liable in any respect to provide plan benefits to a retired employee of a nonstate employer which has opted out of the West Virginia other post-employment benefits plan of the Retiree Health Benefit Trust Fund pursuant to this section.

"Telehealth services" means the use of synchronous or asynchronous telecommunications technology or audio-only telephone calls by a health care practitioner to provide health care services, including, but not limited to, assessment, diagnosis, consultation, treatment, and monitoring of a patient; transfer of medical data; patient and professional health-related education; public health services; and health administration. The term does not include e-mail messages or facsimile transmissions.

"Virtual telehealth" means a new patient or follow-up patient for acute care that does not require chronic management or scheduled medications.;

On pages 5-7, by striking out all of section 7g and inserting in lieu thereof a new section 7g, to read as follows:

§5-16-7g. Coverage for prescription insulin drugs.

(a) ~~A policy, plan, or contract that is issued or renewed on or after July 1, 2020, shall provide coverage for prescription insulin drugs pursuant to this section.~~ A policy, plan, or contract that is issued or renewed on or after January 1, 2024, shall provide coverage for prescription insulin drugs and equipment to this section.

~~(b)~~ For the purposes of this subdivision, "prescription insulin drug" means a prescription drug that contains insulin and is used to treat diabetes, and includes at least one type of insulin in all of the following categories:

- ~~(1)~~ Rapid-acting;
- ~~(2)~~ Short-acting;
- ~~(3)~~ Intermediate-acting;
- ~~(4)~~ Long-acting;
- ~~(5)~~ Pre-mixed insulin products;
- ~~(6)~~ Pre-mixed insulin/GLP-1 RA products; and
- ~~(7)~~ Concentrated human regular insulin

~~(e)~~ (b) Cost sharing for a 30-day supply of a covered prescription insulin drug shall not exceed \$100 for a 30-day supply of a covered prescription insulin, regardless of the quantity or type of prescription insulin used to fill the covered person's prescription needs. Cost sharing for a 30-day supply of a covered prescription insulin drug may not exceed \$35 in aggregate, including situations where the covered person is prescribed more than one insulin drug, per 30-day supply, regardless of the amount or type of insulin needed to fill such covered person's prescription. Cost sharing for a 30-day supply of covered device(s) may not exceed \$100 in aggregate, including situations where the covered person is prescribed more than one device, per 30-day supply. Each cost-share maximum is covered regardless of the person's deductible, copayment, coinsurance, or any other cost-sharing requirement.

~~(d)~~ (c) Nothing in this section prevents the agency from reducing a covered person's cost sharing by an amount greater than the amount specified in this subsection.

~~(e)~~ (d) No contract between the agency or its pharmacy benefits manager and a pharmacy or its contracting agent shall contain a provision: (i) Authorizing the agency's pharmacy benefits manager

or the pharmacy to charge; (ii) requiring the pharmacy to collect; or (iii) requiring a covered person to make a cost-sharing payment for a covered prescription insulin drug in an amount that exceeds the amount of the cost-sharing payment for the covered prescription insulin drug established by the agency as provided in subsection (b) of this section.

~~(f)~~ (e) The agency shall provide coverage for the following equipment and supplies for the treatment or management of diabetes for both insulin-dependent and noninsulin-dependent persons with diabetes and those with gestational diabetes: Blood glucose monitors, monitor supplies, insulin, injection aids, syringes, insulin infusion devices, pharmacological agents for controlling blood sugar, and orthotics.

~~(g)~~ (f) The agency shall provide coverage for diabetes self-management education to ensure that persons with diabetes are educated as to the proper self-management and treatment of their diabetes, including information on proper diets. Coverage for self-management education and education relating to diet shall be provided by a health care practitioner who has been appropriately trained as provided in §33-53-1(k) of this code.

~~(h)~~ (g) The education may be provided by a health care practitioner as part of an office visit for diabetes diagnosis or treatment, or by a licensed pharmacist for instructing and monitoring a patient regarding the proper use of covered equipment, supplies, and medications, or by a certified diabetes educator or registered dietitian.

~~(i)~~ (h) A pharmacy benefits manager, a health plan, or any other third party that reimburses a pharmacy for drugs or services shall not reimburse a pharmacy at a lower rate and shall not assess any fee, charge-back, or adjustment upon a pharmacy on the basis that a covered person's costs sharing is being impacted.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 577—A Bill to amend and reenact §5-16-2 and §5-16-7g of the Code of West Virginia, 1931, as amended, and to amend and reenact §33-59-1 of said code; all relating to diabetes; defining terms; reducing copayments; adding coverage for devices; permitting testing equipment to be purchased without a prescription; and providing for effective date.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Senate Bill 577, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Azinger and Karnes—2.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 577) passed with its Senate amended title.

Senator Takubo moved that the bill take effect January 1, 2024.

On this question, the yeas were: Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Azinger and Karnes—2.

Absent: Jeffries—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 577) takes effect January 1, 2024.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 2004, Prevent the use of payment card processing systems for surveillance of Second Amendment activity and discriminatory conduct.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 2016, Relating to confidential childcare records.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, to take effect from passage, of

Eng. Com. Sub. for House Bill 2024, Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 2621, Relating generally to bail bondsman.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, of

Eng. Com. Sub. for House Bill 2814, To create a Hydrogen power task force.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 2875, Clarifying that Circuit Court Judges have the ability/authority to waive the requirement that a party pass a home study performed by the DHHR.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 3189, The PFAS Protection Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 3214, To create the Road Optimization & Assessment Data (ROAD) Pilot Project.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, of

Eng. Com. Sub. for House Bill 3265, Remove statutory mandates that the sheriff of a county shall serve process or is responsible for cost of service or arrest by another law enforcement agency.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 3499, To permit joint tenancy with rights of survivorship when transfer on death deeds specify a joint tenancy with right of survivorship.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 3500, Allowing consumer lenders to permit employees to conduct certain business at locations other than the licensee's designated office.

On motion of Senator Takubo, at 12 Noon, the Senate recessed until 1:15 p.m. today.

The Senate reconvened at 1:45 p.m. and, at the request of Senator Takubo, unanimous consent being granted, returned to the second order of business and the introduction of guests.

A message from the Clerk of the House of Delegates announced the rejection by that body of

Eng. Senate Bill 147, Creating pilot program for recovery residences in Cabell County.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for Senate Bill 191, Relating to liability for payment of court costs as condition of pretrial diversion agreement.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 2218, Distracted Driving Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 2865, To clarify that the PSC may enter an order requiring corrective measures up to and including an acquisition of a distressed or failing utility.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 2890, Modifying student discipline.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Rev. Com. Sub. for House Bill 3110, Relating to funding the Office of Oil and Gas in the Department of Environmental Protection.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 3147, To create the Upper Ohio Valley Trail Network.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 3156, Raising the compensation rates of panel attorneys.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amended title, passage as amended, of

Eng. House Bill 3166, To permit a hospital to hold a patient experiencing a psychiatric emergency for up to 72 hours.

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for House Bill 3302, To recognize unborn child as distinct victim in a DUI causing death.

On motion of Senator Takubo, the Senate refused to recede from its amendments to the bill and requested the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses.

Whereupon, Senator Blair (Mr. President) appointed the following conferees on the part of the Senate:

Senators Deeds, Hamilton, and Woelfel.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 3370, Creating loan program for certain properties and developments on U. S. Army Corps of Engineers land, state parks and resorts.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 3398, Relating to the establishment of the West Virginia Memorial to Fallen Heroes of the Global War on Terrorism.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, to take effect from passage, of

Eng. House Bill 3432, Relating to statutory construction.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 3555, Relating to student purchase and refunds of course material.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 3559, Relating to defining a newborn safety device.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 617, Relating to Intellectual and Development Disabilities Waiver Program Workforce Study.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, by striking everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 5W. REGULATION OF BEHAVIORAL HEALTH.

§16-5W-1. Definitions.

The following terms are defined for this article:

"Abuse" means the willful infliction of injury, unreasonable confinement, intimidation, or punishment with resulting physical harm, pain, or mental anguish. Abuse also includes the deprivation by an individual, including a caretaker, of goods or services that are necessary to attain or maintain physical, mental, and psychosocial wellbeing. Instances of abuse of all residents, irrespective of any mental or physical condition, cause physical harm, pain, or mental anguish. It includes verbal abuse, sexual

abuse, physical abuse, and mental abuse, including abuse facilitated or enabled through the use of technology. Willful, as used in this definition of abuse, means the individual must have acted deliberately, not that the individual must have intended to inflict injury or harm.

"Addiction" means a disease characterized by the individual's pursuing reward, relief, or both, by substance use or other behaviors. Addiction is characterized by impairment in behavioral control, craving, inability to consistently abstain, and diminished recognition of significant problems with one's behaviors and interpersonal relationships; likely to involve cycles of relapse and remission.

"Advocate" means a person or entity who has the authority via contract with the department or authority via state or federal statutory authority or court ruling to monitor and redress the care and treatment of persons with developmental, behavioral, and/or intellectual disabilities at behavioral health centers.

"Behavioral Health Center" means a provider, entity, or facility that provides behavioral health services, supports, or both.

"Behavioral disability" means a disability of a person which: (1) Is attributable to severe or persistent mental illness, emotional disorder or chemical dependency; and (2) results in substantial functional limitations in self-direction, capacity for independent living or economic self-sufficiency.

"Behavioral Health Services" means a direct service provided as an inpatient, residential or outpatient service to an individual with mental health, addictive, behavioral, or adaptive challenges that is intended to improve or maintain functioning in the community. The service is designed to provide treatment, habilitation, or rehabilitation.

"Developmental disability" means a chronic disability of a person which: (1) Is attributable to a mental or physical impairment or combination of mental and physical impairments; (2) is likely to continue indefinitely; (3) results in substantial functional

limitations in self-direction, capacity for independent living or economic self-sufficiency; and (4) reflects the person's need for a combination and sequence of special, interdisciplinary or generic care, treatment or other services which are of lifelong or extended duration and are individually planned and coordinated.

"Group residential facility" means a facility which is owned, leased or operated by a behavioral health service provider and which: (1) Provides residential services and supervision for individuals who are developmentally disabled or behaviorally disabled; (2) is occupied as a residence by not more than eight individuals who are developmentally disabled and not more than three supervisors or is occupied as a residence by not more than twelve individuals who are behaviorally disabled and not more than three supervisors; (3) is licensed by the department; and (4) complies with the state Fire Commission for residential facilities.

"Group residential home" means a building owned or leased by developmentally disabled or behaviorally disabled persons for purposes of establishing a personal residence. A behavioral health service provider may not lease a building to such persons if the provider is providing services to the persons without a license as provided for in this article.

"Intermediate care facility" means a setting for individuals with intellectual disabilities or distinct part of that:

(1) Is primarily for the diagnosis, treatment, or rehabilitation of the intellectually disabled or persons with related conditions; and

(2) Provides, in a protected residential setting, ongoing evaluation, planning, 24-hour supervision, coordination, and integration of health or rehabilitative services to help each individual function at his greatest ability.

"Neglect" means the failure of the facility, its employees, or service providers to provide goods and services to a resident that are necessary to avoid physical harm, pain, mental anguish, or emotional distress.

"Office of Health Facility Licensure and Certification" or "OHFLAC" means the West Virginia Office of Health Facility Licensure & Certification.

"Protection and advocacy system" or "P&A" means the agency designated to serve as the protection and advocacy system for the State of West Virginia as provided in 29 U.S.C. § 794e, 42 U.S.C. § 15041 et seq., and 42 U.S.C. § 10801 et seq., that has the express federal statutory authority to receive information regarding and to investigate complaints involving suspected abuse and neglect.

"Specialized intermediate care facility" means a Centers for Medicare and Medicaid Services approved transitional setting that provides health-related services to individuals with conditions that require services above the level of room and board, but do not require the degree of services provided in a hospital or skilled-nursing facility. A facility may not be located within one mile of a residential area, a public or private licensed day care center, or a public or private K-12 school.

"Supportive Service" means a service provided exclusively to individuals with intellectual disabilities, developmental disabilities, ongoing mental health or addictive challenged, or traumatic brain injury. This service is designed to assist the individual to live in the community in a manner that is socially inclusive, optimally independent, and self-directed while preserving his or her health, safety, and quality of life. These services are not designed to change behavior or emotional functioning to support the individual in his or her community-based settings. Supportive services may include coaching or prompting of age appropriate living skills.

§16-5W-2. Regulation of Behavioral Health Centers – Residential Settings.

A behavioral health center, may not provide residential behavioral health services unless a license is first obtained from the Office of Health Facility Licensure and Certification. The Inspector General shall propose rules for legislative approval in accordance with the provisions of §29A-3-1 et seq., in regard to the

operation of behavioral health centers – residential settings. The Inspector General, or any person authorized by the Inspector General, has authority to investigate and inspect any licensed behavioral health center – residential setting. The Inspector General may impose a civil money penalty, or limit, deny, suspend, or revoke the license of any center for good cause after reasonable notice, including due process rights as provided in legislative rule. The Inspector General shall promulgate a rule to ensure adequate care, treatment, health, safety, welfare, and comfort of patients at these facilities including, but not limited to, the process to be followed by applicants seeking a license; provision of treatment; development of treatment plans and discharge plans; management, operation, staffing and equipping of these facilities; clinical, medical, patient, and business records kept by these facilities; procedures for inspections and for review of utilization and quality of patient care; standards and procedures for the general operation of these facilities including facility operations, physical operations, infection control requirements, health and safety requirements and quality assurance; and such other standards or requirements as the Inspector General determines are appropriate.

§16-5W-3. Regulation of Behavioral Health Centers – NonResidential Settings.

A behavioral health center, may not provide community based, nonresidential behavioral health services unless a license is first obtained from the Office of Health Facility Licensure and Certification. The director shall propose rules for legislative approval in accordance with the provisions of §29A-3-1 et seq., in regard to the operation of behavioral health centers – nonresidential settings. The Inspector General, or a person authorized by the Inspector General, has authority to investigate and inspect any licensed behavioral health center – nonresidential setting. The Inspector General may impose a civil money penalty, or limit, deny, suspend, or revoke the license of any center for good cause after reasonable notice, including due process rights as provided in legislative rule. The Inspector General shall a rule to ensure adequate care, treatment, health, safety, welfare, and comfort of patients at these facilities including, but not limited to, the process

to be followed by applicants seeking a license and licensure fees and types; provision of treatment; development of treatment plans and discharge plans; management, operation, staffing and equipping of these facilities; clinical, medical, patient, and business records kept by these facilities; procedures for inspections and for review of utilization and quality of patient care; standards and procedures for the general operation of these facilities including facility operations, physical operations, infection control requirements, health and safety requirements and quality assurance; and such other standards or requirements as the Inspector General determines are appropriate.

§16-5W-4. Inspection; inspection warrant; penalty.

(a) The Office of Health Facility Licensure and Certification shall inspect each behavioral health center – residential setting annually, and as necessary, including a review of patient records, to ensure that the facility complies with this article and the applicable rules.

(b) The Office of Health Facility Licensure and Certification shall inspect each behavioral health center – nonresidential setting every two years, and as necessary, including a review of the patient records, to ensure that the facility complies with this article and applicable rules.

(c) The Office of Health Facility Licensure and Certification shall perform unannounced complaint and verification inspections at behavioral health centers – residential settings and behavioral health centers – nonresidential settings.

(d) The Office of Health Facility Licensure and Certification may assess a fine on residential or nonresidential settings up to \$100,000 and/or reduce bed capacity, as that term is defined in §16-2D-2. The provisions of the subsection shall be included in legislative rule by the director, in accordance with §29A-3-1, including when such fines or bed capacity reduction would be issued.

(e) Notwithstanding the existence or pursuit of any other remedy, the Inspector General may, in the manner provided by law, maintain an action in the name of the state for an inspection warrant against any person, partnership, association, or corporation to allow any inspection or seizure of records in order to complete any inspection allowed by this article or the rules promulgated pursuant to this article.

§16-5W-5. Access to Consumers.

(a) An individual for whom the state is the guardian shall receive a visit by his or her assigned caseworker by the agency at least once a month. Case workers and advocates shall have unlimited access to consumers. The P&A shall have access to consumers, case workers, records, and complaints in accordance with federal law.

(b) The mental health, long-term care and foster care ombudsman may investigate and resolve complaints filed on behalf of individuals with IDD in any setting.

§16-5W-6. Reporting.

(a) The Office of the Inspector General shall send to county prosecutors any findings that may be subject to criminal prosecution in cases of abuse and neglect with IDD. The Office of the Inspector General shall send to the P&A the findings of any cases involving instances of substantiated abuse or neglect involving a person with a developmental disability.

(b) An annual report shall be submitted to the Legislative Oversight Commission on Health and Human Resources Accountability including:

(1) All instances where abuse and neglect cases involving IDD at any location has been substantiated by the Office of the Inspector General.

(2) The county or region where the substantiated abuse or neglect occurred;

(2) The descriptive category of the abuse and neglect;

(3) The type of setting where the abuse and neglect occurred;

(4) Whether the abuse and neglect information was turned over to the county prosecutor and law enforcement;

(5) The name of the provider, if the provider is involved, who is charged with the care of the individual; and

(6) The age range and gender of the individual.

(c) In instances where abuse and/or neglect leads to the death of an individual, the department shall send a letter, within 30 days after the findings where substantiated, to the Senate President, the Speaker of the House, and the chairs of LOCHHRA outlining the information above about the case.

§16-5W-7. Independent Mental Health Ombudsman.

(a) (1) The Office of the Inspector General shall continue an independent mental health ombudsman;

(2) The duties of the mental health ombudsman shall include, but are not limited to, the following:

(A) Advocating for the well-being, treatment, safety, and rights of consumers of mental health care facilities or psychiatric hospital;

(B) Participating in any procedure to investigate, and resolve complaints filed on behalf of a consumer of a mental health care facility or psychiatric hospital, relating to action, inaction, or decisions of providers of mental and behavioral health, of public agencies, or social service agencies, which may adversely affect the health, safety, welfare, and rights of a consumer of a mental health care facility or psychiatric hospital; and

(C) Monitoring the development and implementation of federal, state, and local legislation, regulations, and policies with respect to mental and behavioral health care and services;

(3) The mental health ombudsman shall participate in ongoing training programs related to his or her duties or responsibilities;

(4)(A) Information relating to any investigation of a complaint that contains the identity of the complainant or consumer shall remain confidential except:

(i) Where imminent risk of serious harm is communicated directly to the mental health ombudsman or his or her staff; or

(ii) Where disclosure is necessary to the Office of Health Facility Licensure and Certification in order for such office to determine the appropriateness of initiating an investigation to determine facility compliance with applicable rules of licensure, certification, or both;

(B) The mental health ombudsman shall maintain confidentiality with respect to all matters including the identities of complainants, witnesses, or others from whom information is acquired, except insofar as disclosures may be necessary to enable the mental health care ombudsman to carry out duties of the office or to support recommendations;

(C) All information, records, and reports received by or developed by the mental health ombudsman program which relate to a consumer of a mental health care facility or psychiatric hospital, including written material identifying a consumer are confidential, and are not subject to the provisions of §29-1-1, *et seq.* of this code, and may not be disclosed or released by the mental health ombudsman program, except under the circumstances enumerated in this section;

(D) Nothing in this section prohibits the preparation and submission by the mental health ombudsman of statistical data and reports, as required to implement the provisions of this section or any applicable federal law, exclusive of any material that identifies any consumer or complainant; and

(E) The Inspector General shall have access to the records and files of the mental health ombudsman program to verify its effectiveness and quality.

§16-5W-8. Intellectual and Developmental Disabilities Waiver Program workforce study.

(a) By July 1, 2023, the Legislative Oversight Commission on Health and Human Resources Accountability shall conduct a workforce study pertaining to the Intellectual and Developmental Disabilities Waiver Program (IDDW Program). The study shall use data and statistics generally relied upon by reasonably prudent individuals, and shall determine/address the following:

(1) The categories of personnel offering services as part of the IDDW Program;

(2) The mean hourly pay rate for each such category of personnel, broken down by West Virginia County where service is provided to patients;

(3) The mean hourly pay rate for each such category of personnel offering services as part of programs equivalent to the IDDW Program in surrounding states.

(4) A comparison of the hourly pay rates identified in subdivisions 2 and 3 of this section, broken down by category of personnel; and

(5) Any other factor the commission reasonably deems relevant to the issues.

(b) Within the report the commission shall make recommendations as to the appropriateness of the current mean hourly pay rate for each category of IDDW Program personnel, as well as any potential pay rate increases necessary to ensure that the IDDW Programs can successfully recruit and retain qualified personnel.

(c) The commission shall issue the report by January 1, 2024.

§16-5W-9. Annual capitation rate review.

(a) The Bureau of Medicaid Services shall conduct an annual study reviewing the adequacy and appropriateness of the

reimbursement rates to providers in the IDWW Program. The bureau shall also include a recommendation for any adjustment deemed appropriate, including, but not limited to, annual inflationary costs, costs arising from amendments to existing contracts, costs relating to recruiting and retaining personnel, and any other costs necessitating additional payments to IDWW providers. The bureau may require, and contracted providers shall provide financial data to the bureau to assist in the study. Without limiting the generality of the foregoing in conducting this study, the bureau shall review and compare equivalent programs both in and out of state in order to determine appropriate rates.

(b) Upon completion of the study, BMS shall provide the report to the Joint Committee of Finance beginning July 1, 2024, and annually thereafter, on its findings, conclusions, and recommendations, together with drafts of any legislation necessary to effectuate its recommendations.

CHAPTER 27. MENTALLY ILL PERSONS.

~~ARTICLE 8. MAINTENANCE OF MENTALLY ILL OR MENTALLY RETARDED PATIENTS.~~

§27-8-2b. Local mental health programs—Separate account for receiving and expending gifts, bequests, donations, fees and miscellaneous income.

[Repealed.]

§27-8-3. Care of patients in boarding homes.

[Repealed.]

ARTICLE 9. LICENSING OF HOSPITALS.

§27-9-1. License from Secretary of Health and Human Resources; regulations.

[Repealed.]

ARTICLE 13. ~~LAWS REPEALED; SEVERABILITY.~~**§27-13-1. Laws repealed.**

[Repealed.]

§27-13-2. Severability.

[Repealed.]

ARTICLE 16. ~~STERILIZATION OF MENTAL DEFECTIVES.~~**ARTICLE 17. GROUP RESIDENTIAL FACILITIES.****§27-17-1. Definitions.**

[Repealed.]

§27-17-2. Permitted use of group residential facilities; restrictions.

[Repealed.]

§27-17-3. License from Secretary of Health and Human Resources; regulations; and penalties.

[Repealed]

§27-17-4. Exclusion by private agreement void.

[Repealed];

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 617—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated, §16-5W-1, §16-5W-2, §16-5W-3, §16-5W-4, §16-5W-5, §16-5W-6, §16-5W-7, §16-5W-8 and §16-5W-10; to repeal §27-8-2b and §27-8-3 of said code; to repeal §27-9-1 of said

code; to repeal §27-13-1 and §27-13-2 of said code; and to repeal §27-17-1, §27-17-2, §27-17-3, and §27-17-4 of said code; all relating to regulation of behavioral health services; defining terms; requiring access to consumers; requiring access to records; regulating behavioral health centers; providing rulemaking authority; establishing a mental health ombudsman; providing authority to the ombudsman; providing an exemption of consumer information from the Freedom of Information Act; requiring reporting; permitting a civil penalty; requiring a workforce study; outlining program data required to be included in the study; requiring recommendations for hourly pay; and creating an annual capitation review.

On motion of Senator Takubo, the Senate refused to concur in the foregoing House amendments to the bill (Eng. Com. Sub. for S. B. 617) and requested the House of Delegates to recede therefrom.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 739, Relating to moratorium on carbon capture agreements.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, after the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

CHAPTER 11. TAXATION.

ARTICLE 12. BUSINESS REGISTRATION TAX.

§11-12-4b. Parties to carbon offset agreements required to register.*(a) Definitions.—*

(1) "Carbon offset agreement" means any agreement, whether designated as a carbon capture agreement, carbon sequestration agreement, or otherwise, entered into between an owner of an interest in real estate in West Virginia including any type of minerals or growing timber, and any other person, entity or company, with the intent of providing payment, compensation, or remuneration for nondevelopment of a real estate interest in West Virginia to prevent the release of carbon dioxide or other greenhouse gases into the atmosphere or to absorb, suppress, or contain carbon dioxide or other greenhouse gases. A carbon offset agreement may be in the form of a contract, lease, easement, covenant, option, or otherwise, with the form of the agreement not being determinative of its status as a carbon offset agreement. *Provided*, That such agreements or restrictions for the injection and containment of carbon dioxide or other greenhouse gases into underground pore or container spaces and methane capture and flaring operations are not carbon offset agreements.

(2) "Greenhouse gases" means any of various gaseous or vaporous compounds such as carbon dioxide or methane that absorb infrared radiation and may trap heat in Earth's atmosphere.

(b) *Registration.*— Any party or parties that enter into a carbon offset agreement, as that term is defined in this section, with a West Virginia landowner, and their assignees of rights, shall apply to the Tax Commissioner for an initial business registration certificate within 60 days of entering into such agreement or within 60 days of the effective date of this section, whichever is later, on forms created through rulemaking authority by the State Tax Department. This requirement applies to carbon offset agreements entered on or before the effective date of this section and currently in effect, and

new carbon offset agreements entered after the effective date of this section. The application for the business registration certificate for carbon offset agreements shall provide the following information:

(1) Legal names, addresses, and other contact information of all parties to the carbon offset agreement;

(2) Location and description of the real estate in West Virginia covered by the carbon offset agreement, including the postal address of the property, if available, and tax parcel or other tax map identifier of the property;

(3) Term of the agreement in years;

(4) Identification of the carbon offset program or programs, if any, with which the agreement is intended to comply;

(5) Identification and description of any and all restrictions placed on the West Virginia real estate or other property by the carbon offset agreement;

(6) Estimated yearly consideration to be paid; and

(7) Any other information required by the Tax Commissioner.

(c) The party or parties that enter into a carbon offset agreement with a West Virginia landowner and their assignees of rights shall inform the Tax Commissioner of any changes to the agreement or assignments of rights under the agreement within 60 days of the change or assignment taking effect.

(d) *Registration.*— Notwithstanding any other provision of this code, the party or parties that enter into a carbon offset agreement with a West Virginia landowner and their assignees of rights to a carbon offset agreement shall apply to the Tax Commissioner for a new registration certificate within five years of the effective date of the agreement, and at five-year intervals thereafter, unless the agreement is terminated before that time.

(e) *Reporting.*— Beginning on July 1, 2024, and on or before July 1 of every year thereafter, the Tax Commissioner shall submit

a report to the Governor and the Joint Committee on Government and Finance setting forth at a minimum the following information:

(1) The number and type of carbon offset agreements in effect burdening real estate in West Virginia during the preceding calendar year,

(2) The number of acres of real estate burdened by carbon offset agreements during the preceding calendar year and the counties in West Virginia in which they are found, and

(3) The amount of consideration paid to West Virginia landowners under carbon offset agreements during the preceding calendar year.

(f) The provisions of this article are subject to the West Virginia Tax Procedure and Administration Act, set forth in §11-10-1 *et seq.* of this code, and the West Virginia Tax Crimes and Penalties Act, set forth in §11-9-1 *et seq.* of this code, as if the provisions thereof were set forth *in extenso* in this article.

(g) Information disclosure.— Notwithstanding the provisions of §11-10-5d of this code and notwithstanding any other provision of this code, the Tax Commissioner is authorized to disclose such generalized registration information and other information as may be necessary to administer these provisions and compile the report required under this section.;

And,

By striking out the title and substituting therefor a new title to read as follows:

Eng. Senate Bill 739—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-12-4b; relating to carbon offset agreements affecting real property interests; requiring parties to current and new carbon offset agreements to register with the West Virginia Tax Department; providing for registration requirements and identifying certain information to be submitted to the Tax Department; providing for business registration certificates;

defining terms, including carbon offset agreements and greenhouse gases; providing exceptions for underground sequestration and methane flaring; requiring reports of specified information by the Tax Department to the Legislature and Executive; authorizing generalized disclosure of information by the Tax Commissioner for said reports; specifying application of West Virginia Tax Procedure and Administration Act and West Virginia Tax Crimes and Penalties Act; and authorizing promulgation of rules by the Tax Department.

On motion of Senator Takubo, the Senate refused to concur in the foregoing House amendments to the bill (Eng. S. B. 739) and requested the House of Delegates to recede therefrom.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 740, Relating to compensation and expense reimbursement for members of Legislature.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, section 2, line 3, immediately following the words "equal to" by inserting "75% of";

On page 2, section 2, line 20, immediately following the words "six thousand" by striking "five hundred";

On page 2, section 2, line 27, immediately following the words "six thousand" by striking "five hundred";

On page four, section four, line twenty-five, by striking out the words "presiding officer" and inserting in lieu thereof the words "chairperson or additional person";

On page five, section six, line one, following the words "Each member", by striking out the words "and member-elect";

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 740—A Bill to amend and reenact §4-2A-2, §4-2A-3, §4-2A-4, §4-2A-5, §4-2A-6, and §4-2A-7 of the Code of West Virginia, 1931, as amended, all relating to compensation and expense reimbursement for members of the Legislature as recommended by the Citizens Legislative Compensation Commission; modifying the basic compensation to an amount equal to 75% of the per capita income in West Virginia; modifying the per diem expense allowance for members of the Legislature when in regular, extended, or extraordinary session; modifying the compensation, per diem expense allowance, and travel reimbursement paid to designated members of the Legislature when not receiving compensation for being in attendance during a regular, extended, or extraordinary session; modifying interim compensation paid to members of the Legislature; and modifying the per diem expense allowance for members of the Legislature who both commute and do not commute.

On motion of Senator Takubo, the following amendments to the House of Delegates amendments to the bill (Eng. S. B. 740) were reported by the Clerk, considered simultaneously, and adopted:

On page one, section two, line three, immediately following the words "equal to" by striking out "75% of the per capita income" and inserting in lieu thereof "50% of the median household income";

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 740—A Bill to amend and reenact §4-2A-2, §4-2A-3, §4-2A-4, §4-2A-5, §4-2A-6, and §4-2A-7 of the Code of West Virginia, 1931, as amended, all relating to compensation and expense reimbursement for members of the Legislature as recommended by the Citizens Legislative Compensation Commission; establishing a new basic compensation amount for members of the Legislature; modifying the per diem expense allowance for members of the Legislature when in regular, extended, or extraordinary session; modifying the compensation, per diem expense allowance, and travel reimbursement paid to designated members of the Legislature when not receiving compensation for being in attendance during a regular, extended, or extraordinary session; modifying interim compensation paid to members of the Legislature; and modifying the per diem expense allowance for members of the Legislature who both commute and do not commute.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Senate Bill 740, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Stover, Swope, Takubo, Tarr, Taylor, Trump, Woodrum, and Blair (Mr. President)—25.

The nays were: Chapman, Martin, Maynard, Phillips, Smith, Stuart, Weld, and Woelfel—8.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 740) passed with its Senate amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 121, Creating Student Journalist Press Freedom Protection Act.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 2, section 4, line 11, by striking subdivision (3) of subsection (b) in its entirety and inserting in lieu thereof the following:

"(3) Is obscene, vulgar, pornographic, or of sensual or illicit sexual content;"

And,

On page 4, section 4, line 39, by inserting after the word "students" the words "in conformity with this section".

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 121, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 121) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 200, Allowing leashed dogs to track wounded elk, turkey, and wild boar when hunting.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-5j. Leashed dogs for tracking mortally wounded deer, elk, turkey, wild boar, or bear.

(a) Notwithstanding any provision of this chapter to the contrary, a person who is legally hunting and reasonably believes he or she has mortally wounded a deer, elk, turkey, wild boar, or bear may use leashed dogs to track and locate the mortally wounded deer, elk, turkey, wild boar, or bear. The hunter is also permitted to use a dog handler of leashed dogs to track and locate the mortally wounded deer, elk, turkey, wild boar, or bear. The

hunter or the dog handler shall always maintain physical control of the leashed dogs.

(b) The act of tracking a mortally wounded deer, elk, turkey, wild boar, or bear with a dog is hunting and the hunter and handler are subject to all applicable laws and rules. It is unlawful for a hunter or dog handler to track deer, elk, turkey, wild boar, or bear with leashed dogs under the provisions of this section unless he or she is in possession of a valid hunting license issued pursuant to this article or is a person excepted from licensing requirements pursuant to this article, and all other lawful authorizations as prescribed in this article. The hunter shall accompany the dog handler and only the hunter may kill a mortally wounded deer, elk, turkey, wild boar, or bear. However, any hunter who is physically unable to accompany the handler in the tracking and locating of the mortally wounded deer, elk, wild turkey, boar, or bear may designate the handler to kill the deer, elk, wild turkey, boar, or bear when located by the handler. The deer, elk, turkey, wild boar, or bear shall count toward the bag limit of the hunter who fired the initial shot.

(c) Any dog handler providing tracking services for profit must be licensed as an outfitter or guide pursuant to §20-2-23 of this code.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 200—A Bill to amend and reenact §20-2-5j of the Code of West Virginia, 1931, as amended, relating to adding mortally wounded elk, turkey, and wild boar to list of wounded animals that may be tracked and located using a leashed dog; allowing certain physically disabled hunters to allow dog handler to kill mortally wounded animal; and providing that mortally wounded animal shall count toward bag limit of hunter who fired initial shot.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 200, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 200) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 220, Industrial Hemp Development Act.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking everything after the enacting clause and inserting in lieu thereof the following:

CHAPTER 19. AGRICULTURE.**ARTICLE 12E. INDUSTRIAL HEMP DEVELOPMENT ACT.****§19-12E-12. Regulation of Select Plant-Based Derivatives: Industrial Hemp.**

(a) This section shall be known as the Select Plant-Based Derivatives Regulation Act: Industrial Hemp.

(b) The Legislature finds that certain plant-based derivatives can be regulated so as not to interfere with the strict regulation of controlled substances in this state. The purpose of the act is to allow limited, regulated access to certain plant-based derivatives which are naturally occurring and as authorized by the provisions of this article for adults 21 years of age and older: *Provided*, That, the provisions of this section shall not apply to naturally occurring plant-based derivative products not containing tetrahydrocannabinol content.

(c) As used in this section:

(1) "Alcohol Beverage Control Commissioner" means the Alcohol Beverage Control Commissioner or his or her designees.

(2) "Commissioner" means the Commissioner of Agriculture or his or her designees.

(3) "Contaminated" means made impure and unsafe by biological, chemical, or physical additives.

(4) "Department" means the West Virginia Department of Agriculture.

(5) "Final product" means a product approved by the Department in accordance with the provisions of this article, and any other applicable rules and requirements set forth by the Department, as specified for the product.

(6) "Hemp-derived cannabinoid" means a naturally occurring non-synthetic substance as follows:

(A) Delta-9 tetrahydrocannabinol with a concentration level consistent with 7 U.S.C. §5940;

(B) Delta-8 tetrahydrocannabinol;

(C) Delta-10 tetrahydrocannabinol;

(D) Hexahydrocannabinol;

(E) Tetrahydrocannabiphorol (THCp); and

(F) Tetrahydrocannabivarin (THCv).

(7) "Manufacturer" means a person or entity which grows industrial hemp.

(8) "Non-naturally occurring derivative" means a product that is contaminated as defined by this article, or a product that, upon result of Department laboratory testing, is found to be in violation of this article or rules promulgated therewith, or a product that is unlawful pursuant to 7 U.S.C. §5940 or otherwise violates applicable federal regulations.

(9) "Processor" means a person or entity that processes compounds or converts hemp-derived cannabinoids into a hemp-derived cannabinoid product and distributes, sells, or offers for sale, hemp-derived cannabinoid products in this state on a wholesale basis to a retailer.

(10) "Seller" means a person or entity that distributes, offers for sale, or sells hemp-derived products to persons for personal consumption.

(11) "Retail sales" means the sale of hemp-derived products in a commercial setting as determined and set forth in rules promulgated by the commissioner.

(d) Any person manufacturing, processing, distributing, offering for sale, or selling any hemp-derived cannabinoid products in this state shall have a permit issued by the commissioner and be otherwise authorized to do business in this state. The commissioner may issue manufacturer, processor and retailer permits.

(e) The Commissioner of Agriculture shall propose legislative rules for promulgation in accordance with §29A-3-1 et seq. of this code that include, but are not limited to:

(1) Issuance of permits to persons who wish to manufacture, handle, process, distribute, offer for sale, or sell hemp-derived cannabinoid products;

(2) Regular sampling and testing of hemp-derived cannabinoid products to determine purity levels;

(3) Supervision of the hemp-derived cannabinoid products during their cultivation, processing, and sale;

(4) Assessment of fees as commensurate with the need of the commissioner's activities in issuing permits, laboratory testing, and in overseeing the regulation of hemp-derived products;

(5) Approving the manufacture, production, sale, processing, distributing, and transport of hemp-derived cannabinoid products;

(6) Developing guidelines for the labeling of hemp-derived cannabinoid products, including but not limited to, a statement which says "KEEP OUT OF REACH OF CHILDREN. CONSULT YOUR PHYSICIAN BEFORE USE IF YOU ARE PREGNANT OR TAKING ANY MEDICATION" and "USE OF THIS PRODUCT MAY IMPACT DRUG TESTING RESULTS";

(7) Developing guidelines or standards related to the display or staging of hemp-derived cannabinoid products to increase the safety of underage patrons in retail environments;

(8) Developing guidelines or standards to restrict the advertising or marketing of unapproved or unlawful products;

(9) Developing prohibitions on child targeted packaging and shapes and forms of products;

(10) Developing administrative rules, procedures, and sanctions for violations of this section.

(11) Any other rules and procedures necessary to carry out the purposes of this article.

(f) The Commissioner of Agriculture and the Alcohol Beverage Control Commissioner may, pursuant to §29A-3-15 of this code, promulgate such separate or joint emergency rules as are necessary to effectuate the purposes of this article.

(g) Any website owned, managed, or operated by a person who manufactures, processes, distributes, offers for sale, or sells hemp-derived cannabinoid products to persons in this state shall employ a neutral age-screening mechanism to verify legal age. The mechanism may include an age-gate, age-screen, or any other age-verification mechanism approved by the commissioner.

(h) Any person or entity distributing, offering to distribute, or selling hemp-derived cannabinoid products to persons in this state by means other than a direct in-person transaction may employ an age verification mechanism approved by the commissioner.

(i) In addition to all other applicable taxes, there is hereby levied an additional tax equal to 11 percent of the retail sales price on each retail sale of hemp-derived cannabinoids for the privilege of engaging in the business of selling hemp-derived cannabinoid products.

(1) For the privilege of engaging or continuing within this state in the business of the retail sale of hemp-derived cannabinoid products, as defined in subdivision (6), subsection (a) of this section, there is hereby levied upon and collected from every person exercising the privilege a privilege tax.

(2) The rate of tax imposed by this subsection is 11 percent of the retail sales price of hemp-derived cannabinoid products sold during the reporting period, depending upon the person's method of accounting for federal income tax purposes. The tax imposed by this subsection shall not be added by the retailer as a separate charge or line item on any sales slip, invoice, receipt, other statement, or memorandum of the price paid by a customer.

(3) The tax shall be due and payable on a quarterly basis as follows: on the 20th day of January, April, July, and October for the preceding calendar quarter. When the payment of tax is due, the person shall file a tax return in a form prescribed by the Tax Commissioner. The Tax Commissioner may require such forms, schedules, and returns and impose such filing and remittance requirements that are necessary or convenient for the efficient administration of taxes imposed by this subsection.

(4) The taxes imposed by this subsection shall be paid to the Tax Commissioner by electronic funds transfer unless electronic payment is prohibited by state or federal law. Tax returns required by this subsection shall be filed electronically with the Tax Commissioner.

(5) If any retailer does not renew its permit, relinquishes its permit, has said permit to operate suspended or revoked, or otherwise ceases selling hemp-derived cannabinoid products then any tax, additions to tax, penalties, and interest imposed by this section and by §11-10-1 *et seq.* of this code, shall become due and the retailer shall make a final return or returns and pay any tax which is due within 90 days of not renewing its permit, relinquishing its permit, having its permit to operate suspended or revoked, or otherwise ceasing business. The unpaid amount of any tax is to be considered a lien.

(6) All money received from the tax imposed under this subsection, including any interest and additions to tax paid under §11-10-1 *et seq.* of this code, less the amount of any refunds, shall be deposited into the Agricultural Fees Fund created by §19-1-4c of this code.

(7) Persons or entities subject to the tax imposed by this subsection shall provide to the Tax Commissioner any information required by the Tax Commissioner to administer, collect, and enforce the tax imposed by this subsection.

(8) Notwithstanding any provision of §11-10-1 *et seq.* of this code or of this section to the contrary, the Tax Commissioner, and the commissioner shall enter into written agreements pursuant to

which the Tax Commissioner shall disclose to designated employees of the department, whether a particular retailer is in good standing with the Tax Commissioner, and the commissioner shall disclose to designated employees of the Tax Commissioner information a retailer provides to the commissioner pursuant to this code. Tax information disclosed pursuant to a written agreement shall remain confidential in the hands of the receiver and shall not be disclosable under §29B-1-1 *et seq.* of this code. To the extent feasible, this information should be shared or exchanged electronically to ensure safe destruction, or as necessary, proper file retention practices.

(9) The Tax Commissioner may promulgate, in accordance with the provisions of §29A-3-1 *et seq.* of this code, any necessary legislative rules, including emergency rules, as the Tax Commissioner considers necessary for the efficient administration of taxes imposed by this subsection.

(A) Funds from the tax imposed by the provisions of subdivision (1) of this subsection and deposited in the Agricultural Fees Fund, shall be divided and deposited as follows:

(i) Sixty-five percent shall remain in the Agriculture Fees Fund;

(ii) Five percent shall be transferred to the Fight Substance Abuse Fund created by §60A-9-8 of this code;

(iii) Thirty percent shall be deposited in the Alcohol Beverage Control Enforcement Fund established by the provisions of §60-7-13 of this code.

(B) Notwithstanding any provision in §11-9-1 *et seq.* of this code to the contrary, and as relevant to the tax imposed by §16A-9-1 of this code, the West Virginia Tax Crimes and Penalties Act set forth in §11-9-1 *et seq.* of this code shall apply with like effect as if the said West Virginia Tax Crimes and Penalties Act were applicable only to the tax imposed by §16A-9-1 *et seq.* of this code and were set forth in extenso in §16A-9-1 *et seq.* of this code.

(C) Notwithstanding any provision of §11-10-1 et seq. of this code, or any other provision of this code to the contrary, each and every provision of the West Virginia Tax Procedure and Administration Act as set forth in §11-10-1 et seq. of this code applies to the tax imposed by §16A-9-1 et seq. with like effect as if the said West Virginia Tax Procedure and Administration Act were applicable only to the tax imposed by §16A-9-1 et seq. of this code and were set forth in extenso in §16A-9-1 et seq. of this code.

(j) All fees collected pursuant to the provisions of this subsection shall be deposited with the State Treasurer to the credit of the Agricultural Fees Fund established by the provisions of §19-1-4c of this code for the use of the commissioner for administering and enforcing the provisions of this article.

(k)(1) The provisions of this section related to retail sales shall be enforced by the commissioner with the assistance of the Alcohol Beverage Control Commissioner.

(2) The commissioner and the Alcohol Beverage Control Commissioner shall enter into a memorandum or memoranda of understanding to facilitate the enforcement of this section.

(l)(1) Any hemp-derived product found in this state in violation of this article is hereby declared contraband and any property interest in the hemp-derived product is vested in the State of West Virginia and is subject to seizure, forfeiture, and destruction.

(2) Any certified law-enforcement officer in this state is authorized to enforce the criminal provisions of this section, and enforcement agents of the Alcohol Beverage Control Commissioner are authorized to enforce the administrative retailer provisions of this section as relating to retail sales.

(3) The commissioner shall provide the requisite training necessary to enforce the criminal and administrative provisions of this section.

(4) The provisions of this subsection are effective from passage.

(m) Any person who manufactures, processes, distributes, sells, or offers for sale any hemp-derived cannabinoid product in this state without a permit to do so is guilty of a crime.

(1) A first violation of this subsection is a misdemeanor, and upon conviction thereof, a person shall be fined not more than \$1,000, confined in jail for not more than one year, or both fined and confined.

(2) A second or subsequent violation of this subsection is a felony and, upon conviction thereof, a person shall be fined not more than \$5,000 or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(n) Any person who processes, distributes, manufactures, sells, or offers to sell any hemp-derived product knowing or having reason to know that the product has been contaminated with a toxic or illegal substance is guilty of a felony, and, upon conviction thereof, shall be fined not more than \$10,000 or imprisoned in a state correctional facility for not less than two nor more than 10 years, or both fined and imprisoned.

(o)(1) Any person who knowingly manufactures, processes, distributes, sells, or offers for sale any hemp-derived cannabinoid product which has not been approved by the commissioner is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$5,000 or confined in jail for not more than one year, or both fined and confined.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, a second or subsequent violation of subdivision (1) of this subsection constitutes a felony and any person convicted thereof shall be fined not more than \$5,000 or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(p) Any person who knowingly distributes, offers for sale, or sells a contaminated hemp-derived cannabinoid product is guilty of a felony and, upon conviction thereof, shall be fined not less than \$10,000 nor more than \$25,000 or imprisoned in a state

correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(q) Any person who knowingly distributes or sells hemp-derived cannabinoid product to a person under the age of 21 is guilty of a felony and, upon conviction thereof, shall be fined not more than \$5,000 or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(r)(1) Any person under the age of 21 who possesses hemp-derived cannabinoid product is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000 or confined in jail for not more than one year, or both fined and confined.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, second and subsequent violations of subdivision (1) of this subsection, constitute a felony and any person convicted thereof, shall be fined not more than \$5,000 and imprisoned in a state correctional facility for not less than one nor more than three years, or both fined and imprisoned.

ARTICLE 12F. SELECT PLANT-BASED PRODUCT REGULATION ACT: KRATOM.

§19-12F-1. Short title.

This article shall be known as the Select Plant-Based Product Regulation Act: Kratom.

§19-12F-2. Findings; purpose.

The legislature finds that select plant-based derivatives, including kratom, can be regulated so as not to interfere with the strict regulation of controlled substances in this state. The purpose of this article is to allow limited regulated access to kratom for adults 21 years of age and older.

§19-12F-3. Definitions.

(1) "Alcohol Beverage Control Commissioner" means the Alcohol Beverage Control Commissioner or his or her designee.

(2) "Commissioner" means the Commissioner of Agriculture or his or her designee.

(3) "Contaminated" means made impure and unsafe by biological, chemical, or physical additives.

(4) "Department" means the West Virginia Department of Agriculture.

(5) "Kratom" means a psychoactive preparation that is composed of the crushed or powdered dried leaves of the mitragyna speciosa, a yellow-flowered tropical tree which contains the alkaloids mitragynine and 7-hydroxymitragynine.

(6) "Kratom product" means a food product, food ingredient, dietary agreement, dietary supplement, or beverage intended or marketed for human consumption containing any part of the leaf of the plant mitragyna speciosa.

(7) "Manufacture" means a person or entity which grows kratom for commercial purposes.

(8) "Processor" means a person or entity that processes, distributes, sells, or offers for sale, kratom or kratom products in this state on a wholesale basis to a retailer.

(9) "Retailer" means a person or entity that distributes, offers for sale, or sells kratom or kratom products to persons for personal consumption.

§19-12F-4. Processor and retailer permits; regulation.

Any person manufacturing, processing, distributing, offering for sale, or selling kratom or kratom products in this state shall have a permit issued by the commissioner and be otherwise authorized to do business in this state. The commissioner may issue permits for manufacturers, processors, and retailers.

§19-12F-5. Rule-making authority.

(a) The commissioner shall propose legislative rules for promulgation in accordance with §29A-3-1 *et seq.* of this code that include, but are not limited to:

(1) Issuance of permits to persons who wish to manufacture, process, distribute, offer for sale, or sell kratom;

(2) Sampling and testing of kratom to determine purity levels;

(3) Supervision of the kratom during its manufacture, processing, and sale;

(4) Assessment of fees that are commensurate with the costs of the Commissioner of Agriculture's activities in permitting, testing, and supervising the regulation of kratom and the sale of kratom products;

(5) The production, processing, sale, possession, distribution, or transport of kratom products;

(6) Developing standards for the labeling of kratom products to include, at a minimum, a statement which says "KEEP OUT OF REACH OF CHILDREN. CONSULT YOUR PHYSICIAN BEFORE USE IF YOU ARE PREGNANT OR TAKING ANY MEDICATION";

(7) Developing guidelines or standards related to the display or staging of kratom products to increase the safety of underage patrons in retail environments;

(8) Developing prohibitive standards as to child targeted packaging and shapes and forms of products;

(9) Developing administrative rules, procedures, and sanctions for violations of this section;

(10) Any other rules and procedures necessary to carry out the provisions of this article.

(b) The Commissioner of Agriculture and the Alcohol Beverage Control Commissioner may, pursuant to §29A-3-15 of this code, promulgate such separate or joint emergency rules as are necessary to effectuate the purposes of this article.

§19-12F-6. Age verification requirements.

(a) Any website owned, managed, or operated by a person who manufactures, processes, distributes, offers for sale, or sells a product containing kratom or kratom products to persons in this state shall employ a neutral age-screening mechanism that verifies that the user is at least 21 years old, including by using an age-gate, age-screen, or other age-verification mechanism approved by the commissioner.

(b) Any person or entity distributing, offering to distribute or sell, or selling kratom or kratom products to persons in this state by means other than a direct in-person transaction shall employ an age-verification mechanism approved by the commissioner.

§19-12-F-7. Taxation; disposition of funds.

(a) For the privilege of engaging or continuing within this state in the business of the retail sale of kratom or kratom products, there is hereby levied upon and collected from every person exercising the privilege a privilege tax.

(b) The rate of tax imposed by this subsection is 11 percent of the retail sales price of kratom or kratom products sold during the reporting period.

(c) The tax shall be due and payable on a quarterly basis as follows: on the 20th day of January, April, July, and October for the preceding calendar quarter. When the payment of tax is due, the person shall file a tax return in a form prescribed by the Tax Commissioner. The Tax Commissioner may require such forms, schedules, and returns and impose such filing and remittance requirements that are necessary or convenient for the efficient administration of taxes imposed by this subsection.

(d) The taxes imposed by this subsection shall be paid to the Tax Commissioner by electronic funds transfer unless electronic payment is prohibited by state or federal law. Tax returns required by this subsection shall be filed electronically with the Tax Commissioner.

(e) If any retailer does not renew its permit, relinquishes its permit, has said permit suspended or revoked, or otherwise ceases selling kratom and kratom products then any tax, additions to tax, penalties, and interest imposed by this section and by §11-10-1 et seq. of this code, shall become due and the retailer shall make a final return or returns and pay any tax which is due within 90 days of not renewing its permit, relinquishing its permit, having its permit suspended or revoked, or otherwise ceasing business. The unpaid amount of any tax is to be considered a lien.

(f) All money received from the tax imposed under this subsection, including any interest and additions to tax paid under §11-10-1 et seq. of this code, less the amount of any refunds, shall be deposited into the Agricultural Fees Fund created by §19-1-4c of this code.

(g) Persons or entities subject to the tax imposed by this subsection shall provide to the Tax Commissioner any information required by the Tax Commissioner to administer, collect, and enforce the tax imposed by this subsection.

(h) Notwithstanding any provision of §11-10-1 et seq. of this code or of this section to the contrary, the Tax Commissioner, and the commissioner shall enter into written agreements pursuant to which the Tax Commissioner shall disclose to designated employees of the department, whether a particular retailer is in good standing with the Tax Commissioner, and the commissioner shall disclose to designated employees of the Tax Commissioner information a retailer provides to the commissioner pursuant to this code. Tax information disclosed pursuant to a written agreement shall remain confidential in the hands of the receiver and shall not be disclosable under §29B-1-1 et seq. of this code. To the extent feasible, this information should be shared or exchanged electronically to ensure safe destruction, or as necessary, proper file retention practices.

(i) The Tax Commissioner may promulgate, in accordance with the provisions of §29A-3-1 et seq. of this code, any necessary legislative rules as the Tax Commissioner necessary to the efficient administration of taxes imposed by this subsection.

(1) Funds from the tax imposed by the provisions of this subsection and deposited into the Agricultural Fees Fund shall be divided and deposited as follows:

(2) Sixty-five percent shall remain in the Agriculture Fees Fund;

(3) Five percent shall be transferred to the Fight Substance Abuse Fund created by §60A-9-8 of this code; and

(4) Thirty percent shall be deposited in the Alcohol Beverage Control Enforcement Fund established by the provisions of §60-7-13 of this code.

(j) Notwithstanding any provision in §11-9-1 *et seq.* of this code to the contrary, and as relevant to the tax imposed by §16A-9-1, the West Virginia Tax Crimes and Penalties Act set forth in §11-9-1 *et seq.* of this code shall apply with like effect as if the said the West Virginia Tax Crimes and Penalties Act were applicable only to the tax imposed by §16A-9-1 *et seq.* of this code and were set forth in extenso in §16A-9-1 *et seq.* of this code..

(k) Notwithstanding any provision of §11-10-1 *et seq.* of this code, or any other provision of this code to the contrary, the West Virginia Tax Procedure and Administration Act, as set forth in §11-10-1 *et seq.* of this code applies to the tax imposed by §16A-9-1 *et seq.* with like effect as if the said West Virginia Tax Procedure and Administration Act were applicable only to the tax imposed by §16A-9-1 *et seq.* of this code and were set forth in extenso in §16A-9-1 *et seq.* of this code.

(l) All fees collected pursuant to the provisions of subsection shall be deposited with the State Treasurer to the credit of the Agricultural Fees Fund established by the provisions of §19-1-4c of this code for the use of the commissioner in administering and enforcing the provisions of this article.

§19-12F-8 Application and registration fees.

(a) Applicants for kratom and kratom manufacturer, processor, or retailer permits shall pay a non-refundable application fee of

\$1,500 which shall be deposited with the State Treasurer to the credit of the Agricultural Fees Fund established by the provisions of §19-1-4c of this code for the use of the commissioner for administering and enforcing the provisions of this article.

(b) Processor and retailer permit holders shall pay an annual fee of \$300 which shall be deposited with the State Treasurer to the credit of the Agricultural Fees Fund established by the provisions of §19-1-4c of this code for the use of the commissioner in administering and enforcing the provisions of this article.

§19-12F-9. Cooperative enforcement agreements.

(a) The provisions of article related to retail sales shall be enforced by the commissioner with the assistance of the Alcohol Beverage Control Commissioner.

(b) The commissioner and the Alcohol Beverage Control Commissioner shall enter into a memorandum or memoranda of understanding to facilitate enforcement of this article.

§19-12F-10. Contraband; seizures; forfeitures; and destruction.

(a) Any kratom or kratom product found in this state in violation of this article is hereby declared contraband and any property interest in the kratom or kratom product is vested in the State of West Virginia and is subject to seizure and forfeiture and destruction.

(b) Any certified law enforcement officer in this state may enforce the criminal provisions of this article, and any enforcement agent of the Alcohol Beverage Control Commissioner is authorized to enforce the administrative provisions of this article as it relates to retailers.

§19-12F-11. Criminal violations; penalties.

(a) Any person who manufactures, processes, distributes, sells, or offers for sale any kratom or kratom product in this state without a permit is guilty of a crime.

(1) A first violation of this subsection is a misdemeanor, and, upon conviction thereof, a person shall be fined not more than \$1,000, confined in jail for not more than one year, or both fined and confined.

(2) A second or subsequent violation of this subsection is a felony and, upon conviction thereof, a person shall be fined not more than \$5,000 or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(b) Any person who manufactures, processes, distributes, sells or offers to sell any kratom or kratom product knowing or having reason to know that the product has been contaminated with a toxic or illegal substance is guilty of a felony, and, upon conviction thereof, shall be fined not more than \$10,000 or imprisoned in a state correctional facility for not less than two nor more than 10 years, or both fined and imprisoned.

(c)(1) Any person who knowingly manufactures, processes, distributes, sells, or offers for sale any kratom or kratom product which has not been approved by the commissioner is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$ 5,000 or confined in jail for not more than one year, or both fined and confined.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, a second or subsequent violation of subdivision (1) of this subsection constitutes a felony and any person convicted thereof, shall be fined not more than \$5,000 or imprisoned for not less than one nor more than five years, or both fined and imprisoned.

(d) Any person who knowingly manufactures, distributes, offers for sale, or sells contaminated kratom or kratom product is guilty of a felony and, upon conviction thereof, shall be fined not less than \$10,000 nor more than \$25,000 or imprisoned for not less than one nor more than five years, or both fined and imprisoned.

(e) Any person who knowingly distributes or sells a kratom or kratom product to a person under the age of 21 is guilty of a felony and, upon conviction thereof, shall be fined not more than \$5,000 or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(f) (1) Any person under the age of 21 who possesses kratom or a kratom product is guilty of a misdemeanor and upon conviction thereof, shall be fined not more than \$1,000 or confined in jail for not more than one year, or both fined and confined.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, second and subsequent violations of subdivision (1) of this subsection constitute a felony and any person convicted thereof, shall be fined not more than \$5,000 and imprisoned in a state correctional facility for not less than one nor more than three years, or both fined and imprisoned.

CHAPTER 60. STATE CONTROL OF ALCOHOLIC LIQUORS.

ARTICLE 10. ENFORCEMENT AUTHORITY RELATING TO RETAIL SALE OF SELECT PLANT-BASED DERIVATIVES.

§60-10-1. Enforcement authority; jurisdiction.

The commissioner is hereby authorized to enforce the provisions of §19-12E-1 et seq. of this code and §19-12F-1 et seq. of this code, as relating to retail sales.

§60-10-2. General provisions.

For the purposes of enforcing §19-12E-1 et seq. and §19-12F-1 et seq. of this code, the Alcohol Beverage Control Commission and the Commissioner of Agriculture may request information from any state agency, Constitutional officer, or local agency and, notwithstanding the provisions of §11-10-5d of this code or any other provision of this code, may share information with, and request information from, any federal agency and any agency or

Constitutional officer of this or of any other state or any local agency thereof;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 220—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §19-12E-12; to amend said code by adding thereto a new article, designated §19-12F-1, §19-12F-2, §19-12F-3, §19-12F-4, §19-12F-5, §19-12F-6, §19-12F-7, §19-12F-8, §19-12F-9, §19-12F-10, and §19-12F-11; to amend and reenact §60-7-12 and §60-7-13 of said code; and to amend said code by adding thereto a new article, designated §60-10-1 and §60-10-2, all relating to further regulation of hemp-derived cannabinoid products and regulation of kratom; creating the Select Plant-Based Derivatives Regulation Act: Industrial Hemp; creating the Select Plant-Derived Regulation Act: Kratom; making legislative findings and declaring the purpose of the acts; providing applicability; defining terms; requiring permits to manufacture, process, distribute, offer to sell, and sell regulated products; vesting regulatory authority in the Commissioner of Agriculture and the Alcohol Beverage Control Commission; granting legislative and emergency rule-making authority to the Commissioner of Agriculture and the Alcohol Beverage Control Commissioner; establishing an internal effective date from passage for purposes of declaring illegal products contraband and authorizing seizure, forfeiture, and destruction; limiting lawful sale of certain regulated products to persons 21 years of age or older; requiring age verification for internet sales and sales not made face-to-face; creating a eleven percent tax on retail sales to be collected by the Tax Commissioner quarterly for certain hemp products and kratom products; establishing distribution of tax revenue; authorizing the Alcohol Beverage Control Commissioner to enforce regulation of the product at the retail level; clarifying Alcohol Beverage Control Commissioners authority over alcohol licensees selling kratom and hemp-derived cannabinoid products; and creating criminal

offenses related to regulated products and establishing criminal penalties therefor.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 220, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 220) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 461, Relating to WV public employees grievance procedure.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 4, section 2, lines 52-53 by striking the entirety of lines 52 and 53 and renumbering thereafter;

On page 5, section 3, line 2 by striking “notarize”; and, on page 5, section 3, line 4 by striking “and notarized”; and, on page 5, section 3, line 7 by striking “and notarize”;

On page 15, section 6, line 7 by inserting,

Provided, That the provisions of this subsection shall only allow the discretionary recovery of court costs and reasonable attorney's fees from a grievant if he or she has not substantially prevailed at any level of the grievance process or in any appeal to the Intermediate Court of Appeals or the Supreme Court of Appeals of West Virginia.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 461—A Bill to amend and reenact §6C-2-1, §6C-2-2, §6C-2-3, §6C-2-4, and §6C-2-6 of the Code of West Virginia, 1931, as amended, all relating to the West Virginia Public Employees Grievance Procedure; defining terms; clarifying actions or any matter relating to protected classes are not subject to grievances; providing that Division of Personnel may not be a party in certain circumstances; providing for multiple grievant parties; providing a grievance must be filed within the time limits specified or it may be dismissed; extending certain time limits; providing for grievance dismissal for untimeliness, lack of jurisdiction, or failure to state a claim and appeals of such dismissal; updating default process to include employer; providing the grievance evaluator and the administrative law judge may not hold a motion to dismiss in abeyance while other proceedings take place; clarifying that grievances may be consolidated as long as the initial grievance has not been dismissed; providing that proceedings may be rescheduled for good cause shown; requiring grievant representatives provide the names and work location of employees being represented; requiring that employees provide the

name and contact information of his or her representative; directing Grievance Board to make available certain forms; providing that employee annual leave will be charged for work hours used in preparing for and attending the grievance hearing in excess of certain limits; providing for the chief administrator's resolution of certain disputes and further providing for discretionary recording of conference; limiting annual number of grievances an employee may serve as a representative; providing for conference recordings; requiring grievance to be held in abeyance under certain circumstances; clarifying employee representation is limited by work requirements; requiring grievant to provide copies of grievance in certain cases; updating appellate procedure from level three decision; and providing for award of costs and attorney fees.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 461, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woodrum, and Blair (Mr. President)—30.

The nays were: Caputo, Chapman, and Woelfel—3.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 461) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with

its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Com. Sub. for Senate Bill 522, Allocating percentage of county excise taxes for funding improvements to election administration.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, following the enacting clause, by striking the remainder of the bill and inserting in lieu thereof the following:

ARTICLE 22. EXCISE TAX ON PRIVILEGE OF TRANSFERRING REAL PROPERTY.

§11-22-2. Rate of tax; when and by whom payable; additional county tax; county clerk funding for election administration, infrastructure, and security, and other county clerk purposes.

(a) Every person who delivers, accepts, or presents for recording any document, or in whose behalf any document is delivered, accepted, or presented for recording, is subject to pay for, and in respect to the transaction or any part thereof, ~~a state~~ an excise tax upon the privilege of transferring title to real estate at the rate of \$1.10 for each \$500 value or fraction thereof as represented by the document as defined in §11-22-1 of this code: *Provided*, That beginning July 1, 2021, ten percent of each ~~state~~ excise tax collected pursuant to the provisions of this subsection shall be retained by the county wherein the tax was collected to be used for county purposes: *Provided, however*, That beginning July 1, ~~in every year thereafter, an additional 10 percent of each state excise tax collected pursuant to this subsection shall be retained by the county wherein the tax was collected to be used for county purposes~~ 2022, twenty percent of each excise tax collected pursuant to the provisions of this section shall be retained by the

county wherein the tax was collected to be used for county purposes: *Provided, further,* That beginning July 1, 2023, thirty percent of each excise tax collected pursuant to the provisions of this section shall be retained by the county wherein the tax was collected to be used as provided in subsection (c) of this section: *And provided further,* That beginning July 1, 2024, sixty-five percent of each excise tax collected pursuant to the provisions of this section shall be retained by the county wherein the tax was collected to be used as provided in subsection (c) of this section: *Provided* ~~*And provided, further,*~~ That beginning July 1, ~~2030~~ 2025, the excise tax collected pursuant to this subsection shall be a county excise tax retained by the county wherein the tax was collected and to be used by the county wherein it is collected as provided in subsection (c) of this section for county purposes. The state excise tax collected pursuant to this subsection is payable at the time of delivery, acceptance, or presenting for recording of the document. In addition to the ~~state~~ excise tax described in this subsection, there is assessed a fee of \$20 upon the privilege of transferring real estate for consideration. The clerk of the county commission shall collect the additional \$20 fee before recording a transfer of title to real estate and shall deposit the moneys from the additional fees into the Affordable Housing Fund as provided in §31-18-20d of this code. The moneys collected from this additional fee shall be segregated from other funds of the West Virginia Housing Development Fund and shall be accounted for separately. None of these moneys may be expended by the West Virginia Housing Development Fund to defray administrative and operating costs and expenses actually incurred by the West Virginia Housing Development Fund. The West Virginia Housing Development Fund shall publish monthly on ~~the~~ its Internet site an accounting of all revenue deposited into the fund during the month and a full disclosure of all expenditures from the fund including ~~the group~~ any person or entity receiving funds, ~~their~~ its location, and any contractor awarded ~~the~~ a construction contract.

(b) Effective January 1, 1968, and thereafter, there is imposed an additional county excise tax for the privilege of transferring title to real estate at the rate of 55 cents for each \$500 value or fraction thereof as represented by such document as defined in §11-22-1 of

this code, which county tax shall be payable at the time of delivery, acceptance, or presenting for recording of such document: *Provided*, That after July 1, 1989, the county may increase said excise tax to an amount equal to the state excise tax. The additional tax hereby imposed is declared to be a county tax and to be used for county purposes: *Provided, however*, That after July 1, 2017, the county may increase the excise tax to an amount not to exceed \$1.65 for each \$500 value, or fraction thereof, as represented by a document, as defined in §11-22-1 of this code: *Provided further*, That only one such state tax and one such county tax shall be paid on any one document and shall be collected in the county where the document is first admitted to record and the tax shall be paid by the grantor therein unless the grantee accepts the document without such tax having been paid, in which event such tax shall be paid by the grantee: *And provided further*, That on any transfer of real property from a trustee or a county clerk transferring real estate sold for taxes, such tax shall be paid by the grantee. The county excise tax imposed under this section may not be increased in any county unless the increase is approved by a majority vote of the members of the county commission of such county. Any county commission intending to increase the excise tax imposed in its county shall publish a notice of its intention to increase such tax not less than 30 days nor more than 60 days prior to the meeting at which such increase will be considered, such notice to be published as a Class I legal advertisement in compliance with the provisions of §59-3-1 *et seq.* of this code and the publication area shall be the county in which such county commission is located.

(c)(1) Beginning July 1, 2023, and ending June 30, 2024, the excise tax retained by the county wherein the tax was collected, pursuant to subsection (a) of this section, shall be used by the county and deposited as follows:

(A) Twenty percent of the moneys received shall be deposited into the county general fund to be used for county purposes;

(B) Five percent of the moneys received shall be deposited into a separate account and allocated for use by the clerk of the county commission in improving election administration, infrastructure,

and security, in accordance with the standards established by the Secretary of State as provided in subdivision (4) of this subsection; and

(C) Five percent of the moneys received shall be deposited into a separate account for use by the clerk of the county commission for other purposes including, but not limited to, establishing, maintaining, and securing infrastructure to comply with the Uniform Real Property Electronic Recording Act, §39A-4-1 et seq. of this code.

(2) Beginning July 1, 2024, and ending June 30, 2025, the excise tax retained by the county wherein the tax was collected, pursuant to subsection (a) of this section, shall be used by the county and deposited as follows:

(A) Thirty percent of the moneys received shall be deposited into the county general fund to be used for county purposes;

(B) Seventeen and one-half percent of the moneys received shall be deposited into a separate account and allocated for use by the clerk of the county commission in improving election administration, infrastructure, and security, in accordance with the standards established by the Secretary of State as provided in subdivision (4) of this subsection; and

(C) Seventeen and one-half percent of the moneys received shall be deposited into a separate account for use by the clerk of the county commission for other purposes including, but not limited to, establishing, maintaining, and securing infrastructure to comply with the Uniform Real Property Electronic Recording Act, §39A-4-1 et seq. of this code.

(3) Beginning July 1, 2025, the excise tax retained by the county wherein the tax was collected, pursuant to subsection (a) of this section, shall be used by the county and deposited as follows:

(A) Ninety percent of the moneys received shall be deposited into the county general fund to be used for county purposes;

(B) Five percent of the moneys received shall be deposited into a separate account and allocated for use by the clerk of the county commission in improving election administration, infrastructure, and security, in accordance with the standards established by the Secretary of State as provided in subdivision (4) of this subsection; and

(C) Five percent of the moneys received shall be deposited into a separate account for use by the clerk of the county commission for other purposes including, but not limited to, establishing, maintaining, and securing infrastructure to comply with the Uniform Real Property Electronic Recording Act, §39A-4-1 et seq. of this code.

(4) The Secretary of State propose rules for legislative approval in accordance with the provisions of §29A-3-1 et seq. of this code to establish minimum standards for election administration, infrastructure, and security, which rules shall include, but not be limited to, standards regarding cyber and physical security, and a minimum reserve funding requirement for each county from funds transferred to the separate fund required by this subsection for election administration, infrastructure, and security: *Provided*, That the minimum reserve funding requirement may not exceed the cost of upgrading voting equipment at the statewide average price to upgrade a voting system by precinct. Upon a determination by the Secretary of State that a county has satisfied the minimum reserve funding requirement and standards, the moneys in excess of the minimum reserve funding requirement may be transferred to the county's general fund at the county commission's direction.

(5) Any moneys that are deposited into two separate funds for use in improving election administration, infrastructure, and security, and other purposes relating to the office of the clerk of the county commission, shall be in addition to and separate from typical county budget allocations and shall not be supplanted by a budget reduction to the clerk of the county commission's office: *Provided*, That reasonable budget reductions are permitted if made in the ordinary course for reasons other than offsetting the additional funding as provided in this section.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Com. Sub. for Senate Bill 522—A Bill to amend and reenact §11-22-2 of the Code of West Virginia, 1931, as amended, relating to excise taxes on transfers of title to real estate; requiring a certain percentage of certain excise taxes be allocated to the county in which it was collected; providing for distribution of funds from certain excise taxes allocated to the county in which it was received; authorizing the Secretary of State to propose legislative rules establishing standards for election administration, infrastructure, and security; and providing for allocation of funds when certain minimum standards or reserve amounts are met.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Committee Substitute for Senate Bill 522, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 522) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 533, Relating to limitations on motor vehicle used by nonprofit cooperative recycling associations.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page 1, section 1, line 17, after the words "recycling cooperative association" by inserting the following: "and shall be limited to recyclable goods not collected by a certified waste 'motor carrier' as defined pursuant to §24A-1-2 of this code in the same area the recycling cooperative is located. If a motor carrier receives a certificate of need to serve the same area with the same services as the cooperative, then the cooperative shall cease providing those services."

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Committee Substitute for Senate Bill 533, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 533) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 534, Relating to nonintoxicating beer, nonintoxicating craft beer, cider, wine, and liquor license requirements.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

CHAPTER 8. MUNICIPAL CORPORATIONS.

ARTICLE 12. GENERAL AND SPECIFIC POWERS, DUTIES AND ALLIED RELATIONS OF MUNICIPALITIES, GOVERNING BODIES AND MUNICIPAL OFFICERS AND EMPLOYEES; SUITS AGAINST MUNICIPALITIES.

§8-12-26. Authorizing municipalities to create private outdoor designated areas.

(a) In addition to all other powers and duties conferred by law upon municipalities, municipalities are empowered and authorized pass an ordinance establishing private outdoor designated areas as described in §60-7-8g of this code.

(b) The municipality shall include in the ordinance, at a minimum, all of the following:

(1) Requirements for the purpose of ensuring compliance with all state and municipal laws, and public health and safety within a private outdoor designated area;

(2) The proposed outdoor designated area or proposed licensed premises shall be indicated on a submitted map or survey in sufficient detail to identify the boundaries of the area, subject to the limitations in subsection (b) of this section;

(3) A general statement of the nature and types of qualified permit holders that may operate within the proposed outdoor designated area;

(4) That certain public property that is legally demarcated by the ordinance is within the proposed private outdoor designated area and such area is in compliance with the comprehensive plan or zoning ordinances of the municipality, if the municipality has so adopted, for the consumption of liquor, wine, nonintoxicating beer and nonintoxicating craft beer;

(5) The specific boundaries of the private outdoor designated area, including street addresses;

(6) The number, spacing, and type of signage designating the private outdoor designated area;

(7) The days and hours of operation for the private outdoor designated area which may not be greater than, authorized by §11-16-1 *et seq.* and chapter 60 of this code, but may be less than;

(8) The estimated number of personnel needed to ensure public safety and efficient operations in the private outdoor designated area;

(9) A sanitation plan that will help maintain the appearance and public health of the private outdoor designated area, including the number of restrooms and trash receptacles.

(10) A requirement that liquor, wine, nonintoxicating beer, and nonintoxicating craft beer be served in non-glass containers, not

greater than 18 fluid ounces, approved by the municipality and the commissioner as set forth in §60-7-8g of this code; and

(11) Public health and safety measures, and requirements to meet compliance with current health permitting and zoning requirements.

(c) The municipality shall provide to the commissioner notice of the approval of the private outdoor designated area and identify the qualified permit holders that will be applying for permits set forth in §60-7-8g of this code.

(d) The municipality shall be responsible for ensuring compliance with its ordinances and compliance with all criminal laws associated with the operation of a private outdoor designated area. The municipality shall provide the commissioner copies of all non-compliance and violations. The commissioner shall ensure all qualified permit holders operate in accordance with requirements set forth in §11-16-1 *et seq.* and chapter 60 of this code.

(e) The municipality shall have the authority to dissolve a private outdoor designated area by ordinance and further may suspend a private outdoor designated area immediately when in the interest of public safety.

§8-12-27. Prohibiting municipalities from imposing additional alcohol licensure fees.

Notwithstanding any provision of this Code to the contrary, any person licensed under §11-16-1, *et. seq.* of this Code, shall not be charged any additional alcohol licensure fee by a municipality.

CHAPTER 11. TAXATION.

ARTICLE 16. NONINTOXICATING BEER.

§11-16-3. Definitions.

For the purpose of this article, except where the context clearly requires differently:

(1) "Brand" means a nonintoxicating beer product manufactured, brewed, mixed, concocted, blended, bottled, or

otherwise produced, imported, or transshipped by a brewer or manufacturer, the labels of which have been registered and approved by the commissioner, that is being offered for sale or sold in West Virginia by a distributor who has been appointed in a valid franchise agreement or a valid amendment thereto.

(2) "Brewer" or "manufacturer" means any person manufacturing, otherwise producing, importing, or transshipping nonintoxicating beer or nonintoxicating craft beer for sale at wholesale to any licensed distributor. Brewer or manufacturer may be used interchangeably throughout this article. A brewer may obtain only one brewer's license for its nonintoxicating beer or nonintoxicating craft beer.

(3) "Brewpub" means a place of manufacture of nonintoxicating beer or nonintoxicating craft beer owned by a resident brewer, subject to federal and state regulations and ~~guidelines~~, rules, a portion of which premises is designated for retail sales of nonintoxicating beer or nonintoxicating craft beer by the resident brewer owning the brewpub.

(4) "Class A retail license" means a retail license permitting the retail sale of liquor at a freestanding liquor retail outlet, licensed pursuant to §60-1-1 *et seq.* of this code.

(5) "Class B retail license" means a retail license permitting the retail sale of liquor at a mixed retail liquor outlet licensed pursuant to §60-1-1 *et seq.* of this code.

(6) "Commissioner" means the West Virginia Alcohol Beverage Control Administration Commissioner.

(7) "Distributor" means and includes any person jobbing or distributing nonintoxicating beer or nonintoxicating craft beer to retailers at wholesale and whose warehouse and chief place of business ~~shall be~~ is within this state. For purposes of a distributor only, the term "person" means and includes an individual, firm, trust, partnership, limited partnership, limited liability company, association, or corporation. Any trust licensed as a distributor or any trust that is an owner of a distributor licensee, and the trustee

or other persons in active control of the activities of the trust relating to the distributor license, is liable for acts of the trust or its beneficiaries relating to the distributor license that are unlawful acts or violations of §11-16-1 *et seq.* of this code notwithstanding the liability of trustees in §44D-10-1 *et seq.* of this code.

(8) "Franchise agreement" means the written agreement between a brewer and a distributor that is identical as to terms and conditions between the brewer and all its distributors, which ~~agreement~~ has been approved by the commissioner. The franchise agreement binds the parties so that a distributor, appointed by a brewer, may distribute all the brewer's nonintoxicating beer products, brands, or family of brands imported and offered for sale in West Virginia, including, but not limited to, existing brands, line extensions, and new brands all in the brewer's assigned territory for the distributor. All brands and line extensions being imported or offered for sale in West Virginia must be listed by the brewer in the franchise agreement or a written amendment to the franchise agreement. A franchise agreement may be amended by mutual written agreement of the parties as approved by the commissioner with identical terms and conditions for a brewer and all its distributors. Any approved amendment to the franchise agreement becomes a part of the franchise agreement. A brewer and a distributor may mutually agree in writing to cancel a franchise agreement. A distributor terminated by a brewer as provided in this article and the promulgated rules no longer has a valid franchise agreement. If a brewer has reached an agreement to cancel a distributor or has terminated a distributor, then a brewer may appoint a successor distributor who accedes to all the rights of the cancelled or terminated distributor.

(9) "Franchise distributor network" means the distributors who have entered into a binding written franchise agreement, identical as to terms and conditions, to distribute nonintoxicating beer products, brands, and line extensions in an assigned territory for a brewer. A brewer may only have one franchise distributor network: *Provided*, That a brewer that has acquired the manufacturing, bottling, or other production rights for the sale of nonintoxicating beer at wholesale from a selling brewer, as specified in §11-16-

21(a)(2) of this code, shall continue to maintain and be bound by the selling brewer's separate franchise distributor's network for any of its existing brands, line extensions, and new brands.

(10) "Freestanding liquor retail outlet" means a retail outlet that sells only liquor, wine, beer, nonintoxicating beer, and other alcohol-related products, as defined pursuant to §60-3A-4 of this code.

(11) "Growler" means a container or jug that is made of glass, ceramic, metal, or other material approved by the commissioner, that may be no larger than 128 fluid ounces in size and must be capable of being securely sealed. The growler is ~~utilized~~ used by an authorized licensee for purposes of off-premise sales only of nonintoxicating beer or nonintoxicating craft beer for personal consumption not on a licensed premise and not for resale. The nonintoxicating beer or nonintoxicating craft beer served and sold in a sealed growler may include ice or water mixed with the nonintoxicating beer or nonintoxicating craft beer to create a frozen nonintoxicating beer or nonintoxicating craft beer beverage. Any frozen nonintoxicating beer or nonintoxicating craft beer beverage machine used for filling growlers shall be sanitized daily, shall be under the control of the licensee in the secure area, and served to the patron by the licensee from the secure area. Notwithstanding any other provision of this code to the contrary, a securely sealed growler is not an open container under federal, state, and local law. A growler with a broken seal is an open container under federal, state, and local law unless it is located in an area of the motor vehicle physically separated from the passenger compartment. The secure sealing of a growler requires the use of a ~~tamper-resistant~~ tamper-evident seal, security tape, or other material, as approved by the commissioner, placed on or over the growler's opening, which seal, security tape or other material is clearly marked with the date of the secure sealing by the authorized licensee who is selling the growler.

(12) "Line extension" means any nonintoxicating beer product that is an extension of a brand or family of brands that is labeled, branded, advertised, marketed, promoted, or offered for sale with the intent or purpose of being manufactured, imported, associated,

contracted, affiliated, or otherwise related to a brewer's existing brand through the use of a brewer, its subsidiaries, parent entities, contracted entities, affiliated entities, or other related entities. In determining whether a nonintoxicating beer product is a line extension, the commissioner may consider, but is not limited to, the following factors: Name or partial name; trade name or partial trade name; logos; copyrights; trademarks or trade design; product codes; advertising promotion; or pricing.

(13) "Manager" means an individual who is the applicant's or licensee's on-premises employee, member, partner, shareholder, director, or officer who meets the licensure requirements of §11-16-1 *et seq.* of this code and rules promulgated thereunder who actively manages, conducts, and carries on the day-to-day operations of the applicant or licensee with full and apparent authority or actual authority to act on behalf of the applicant or licensee. ~~Such~~ Duties include but are not limited to: Coordinating staffing; reviewing and approving payroll; ordering and paying for inventory, such as nonintoxicating beer, wine, and liquor, as applicable; and managing security staff, security systems, video, and other security equipment; and any further acts or actions involved in managing the affairs of the business, on behalf of owners, partners, members, shareholders, officers, or directors.

(14) "Nonintoxicating beer" means all natural cereal malt beverages or products of the brewing industry commonly referred to as beer, lager beer, ale, and all other mixtures and preparations produced by the brewing industry, including malt coolers and nonintoxicating craft beers with no caffeine infusion or any additives masking or altering the alcohol effect containing at least one half of one percent alcohol by volume, but not more than 11.9 percent of alcohol by weight, or 15 percent alcohol by volume, whichever is greater. The word "liquor", as used in §60-1-1 *et seq.* of this code, does not include or embrace nonintoxicating beer nor any of the beverages, products, mixtures, or preparations included within this definition.

(15) "Nonintoxicating beer floor plan extension" means a temporary one-day extension of an existing Class A licensee's floor plan to a contiguous, adjoining, and bounded area, such as a

parking lot or outdoor area, which shall for the temporary period encompass the licensee's licensed premises; further the license shall be endorsed or approved by the county or municipality where the license is located; the license shall be in good standing with the commissioner, and further ~~such~~ the temporary event shall cease on or before midnight of the approved temporary one-day event.

(16) "Nonintoxicating beer sampling event" means an event approved by the commissioner for a Class A retail licensee to hold a nonintoxicating beer sampling authorized pursuant to §11-16-11a of this code.

(17) "Nonintoxicating beer sampling day" means any days and hours of the week where Class A retail licensees may sell nonintoxicating beer, pursuant to §11-16-11a and §11-16-18(a)(1) of this code, and ~~is~~ who are approved, in writing, by the commissioner to conduct a nonintoxicating beer sampling event.

(18) "Nonintoxicating craft beer" means any beverage obtained by the natural fermentation of barley, malt, hops, or any other similar product or substitute and containing not less than one half of one percent by volume and not more than 15 percent alcohol by volume or 11.9 percent alcohol by weight with no caffeine infusion or any additives masking or altering the alcohol effect.

(19) "Original container" means the container used by a resident brewer or brewer at the place of manufacturing, bottling, or otherwise producing nonintoxicating beer or nonintoxicating craft beer for sale at wholesale.

(20) "Person" means and includes an individual, firm, partnership, limited partnership, limited liability company, association, or corporation.

(21) "Private club" means a license issued pursuant to §60-7-1 *et seq.* of this code.

(22) "Resident brewer" means any brewer or manufacturer of nonintoxicating beer or nonintoxicating craft beer whose principal place of business and manufacture is located in the State of West Virginia; which may also have multiple manufacturing locations

located in West Virginia as set forth in §11-16-9 of the code; and which does not brew or manufacture more than 25,000 barrels of nonintoxicating beer or nonintoxicating craft beer annually at all manufacturing locations in the aggregate and does not self-distribute more than 10,000 barrels thereof in the State of West Virginia annually from all manufacturing locations in the aggregate.

(23) "Retailer" means any person selling, serving, or otherwise dispensing nonintoxicating beer and all products regulated by this article, including, but not limited to, malt coolers at his or her established and licensed place of business.

(24) "Tax Commissioner" means the Tax Commissioner of the State of West Virginia or the commissioner's designee.

§11-16-6. License in one capacity only; no connection between different licensees; when brewer may act as distributor; credit and rebates proscribed; brewer, resident brewer, and brewpub requirements.

(a) A person shall not be licensed in more than one capacity under the terms of this article, and there shall be no connection whatsoever between any retailer, distributor, resident brewer, or brewer, and a person shall be interested, directly or indirectly, through the ownership of corporate stock, membership in a partnership, or in any other way in the business of a retailer, if the person is at the same time interested in the business of a brewer, resident brewer or distributor. A resident brewer may act as distributor in a limited capacity for his or her own product from the resident brewery or place of manufacture or bottling, but a resident brewer, is not permitted to act as a distributor as defined in §11-16-3 of this code: *Provided*, That nothing in this article may prevent a resident brewer from using the services of licensed distributors as specified in this article. A resident brewer or distributor may sell to a patron for personal use and not for resale, quantities of draught beer in original containers that are no larger in size than one-half barrel for off-premises consumption. A resident brewer who also has a brewpub license may sell nonintoxicating beer or nonintoxicating craft beer produced by the resident brewer in cans,

bottles, or sealed growlers, pursuant to §11-16-6b of this code, for personal consumption off of the brewpub's licensed premises and not for resale.

In order to promote the state's hospitality and tourism industry, as well as promoting economic development within the state by supporting the development of local breweries, including the application for licensure of brewery owners seeking licensure as a resident brewer in this state while licensed in other states, the commissioner may not consider licensure in such other states as a limiting factor or as the basis of licensure denial when evaluating applications for licensure as a resident brewer in this state. Any applicant seeking licensure as a resident brewer in this state (1) must meet all requirements for licensure as a resident brewer in this state, (2) must be in good standing in all other jurisdictions wherein the applicant is licensed as a brewer or resident brewer as such terms are defined in the licensing jurisdiction and, (3) must never have had a license revoked in any other state; *Provided*, that persons licensed as resident brewers in this state are limited to producing 25,000 barrels of non-intoxicating beer and limited to self-distribution rights of 10,000 barrels of non-intoxicating beer, and such production and distribution limits shall apply, in the aggregate, whether produced in another state or West Virginia, as to all non-intoxicating beer produced by a person licensed as a resident brewer in West Virginia.

(b) It is unlawful for any brewer, resident brewer, manufacturer, or distributor to assist any retailer or for any retailer to accept assistance from any brewer, manufacturer, or distributor, accept any gifts, loans, forbearance of money or property of any kind, nature, or description, or other thing of value, or give any rebates or discounts of any kind whatsoever, except as permitted by rule, or order promulgated by the commissioner in accordance with this article.

(c) Notwithstanding subsections (a) and (b) of this section, a brewpub may offer for retail sale nonintoxicating beer or nonintoxicating craft beer so long as the sale of the nonintoxicating beer or nonintoxicating craft beer is limited to the brewpub's licensed premises, except as provided in §11-16-6b of this code.

(d) A brewer or resident brewer licensed under this section may also be licensed under §60-4-1 *et seq.* of this code: *Provided*, That the holder of the license meets all the requirements for the additional licenses required by the commissioner and pays all fees related to the license: *Provided, however*, That the licensee maintains all the rights and privileges associated with the license.

§11-16-6a. Brewer and resident brewer license to manufacture, sell, and provide complimentary samples.

(a) *Legislative findings.*—The Legislature hereby finds that it is in the public interest to regulate, control, and support the brewing, manufacturing, distribution, sale, consumption, transportation, and storage of nonintoxicating beer and nonintoxicating craft beer and its industry in this state in order to protect the public health, welfare, and safety of the citizens of this state, and promote hospitality and tourism. Therefore, this section authorizes a licensed brewer or resident brewer with its principal place of business and manufacture located in this state to have certain abilities in order to promote the sale of nonintoxicating beer and nonintoxicating craft beer manufactured in this state for the benefit of the citizens of this state, the state's growing brewing industry, and the state's hospitality and tourism industry, all of which are vital components for the state's economy.

(b) *Sales of nonintoxicating beer.*—A licensed brewer or resident brewer with its principal place of business and manufacture located in the State of West Virginia may offer only nonintoxicating beer or nonintoxicating craft beer manufactured by the licensed brewer or resident brewer for retail sale to customers from the brewer's or resident brewer's licensed premises for consumption off of the licensed premises only in the form of kegs, bottles, cans, or growlers for personal consumption and not for resale. A licensed brewer or resident brewer may not sell, give, or furnish nonintoxicating beer for consumption on the premises of the principal place of business and manufacture located in the State of West Virginia, except for the limited purpose of complimentary samples as permitted in subsection (c) of this section.

(c) *Complimentary samples.*—A licensed brewer or resident brewer with its principal place of business and manufacture located in the State of West Virginia may only offer complimentary samples of nonintoxicating beer or nonintoxicating craft beer brewed at the brewer's or resident brewer's principal place of business and manufacture located in the State of West Virginia. The complimentary samples may be no greater than two ounces per sample per patron, and a sampling shall not exceed 10 complimentary two-ounce samples per patron per day. A licensed brewer or resident brewer providing complimentary samples shall provide complimentary food items to the patron consuming the complimentary samples; and prior to any sampling, verify, using proper identification, that the patron sampling is 21 years of age or over and that the patron is not visibly intoxicated.

(d) *Retail sales.*—Every licensed brewer or resident brewer under this section shall comply with all the provisions of this article as applicable to nonintoxicating beer retailers when conducting sales of nonintoxicating beer or nonintoxicating craft beer and shall be subject to all applicable requirements and penalties in this article. In the interest of promoting tourism throughout the state, every licensed brewer or resident brewer manufacturing nonintoxicating beer or nonintoxicating craft beer in this state is authorized, with a limited off-site retail privilege at private fair and festivals, for off-premises consumption sales of only the brewer or resident brewer's sealed nonintoxicating beer or nonintoxicating craft beer. At least five days prior to an approved private fair and festival, an authorized brewer or resident brewer shall provide a copy of a written agreement to sell only nonintoxicating beer or nonintoxicating craft beer manufactured by the brewer or resident brewer at the private fair and festival's licensed premises. If approved, an authorized brewer or resident brewer may conduct off-premises consumption sales of their nonintoxicating beer or nonintoxicating craft beer from a designated booth at the private fair and festival as set forth in §60-7-8a of this code. All authorized and approved brewers or resident brewers conducting the off-premises consumption sales shall comply with all retail requirements in §11-16-1 et seq. of this code, and specifically with respect to all markups, taxes, and fees. Additionally, an authorized

brewer or resident brewer may provide complimentary samples to patrons who are 21 years of age or over and who are not intoxicated in the amounts set forth in subsection (c).

(e) *Payment of taxes and fees.*—A licensed brewer or resident brewer under this section shall pay all taxes and fees required of licensed nonintoxicating beer retailers, in addition to any other taxes and fees required, and meet applicable licensing provisions as required by this chapter and by rule of the commissioner.

(f) *Advertising.*—A licensed brewer or resident brewer under this section may advertise a particular brand or brands of nonintoxicating beer or nonintoxicating craft beer produced by the licensed brewer or resident brewer and the price of the nonintoxicating beer or nonintoxicating craft beer subject to state and federal requirements or restrictions. The advertisement may not encourage intemperance.

(g) *Growler requirements.*—A licensed brewer or resident brewer under this section ~~must~~ shall fill a growler and patrons are not permitted to access the secure area or fill a growler. A licensed brewer or resident brewer under this section ~~must~~ shall sanitize, fill, securely seal, and label any growler prior to its sale. A licensed brewer or resident brewer under this section may only offer for retail sale growlers no larger than 128 fluid ounces of nonintoxicating beer or nonintoxicating craft beer manufactured by the licensed brewer or resident brewer for personal consumption off of the licensed premises and not for resale. A licensed brewer or resident brewer under this section may refill a growler subject to the requirements of this section. A licensed brewer or resident brewer shall visually inspect any growler before filling or refilling it. A licensed brewer or resident brewer may not fill or refill any growler that appears to be cracked, broken, unsafe, or otherwise unfit to serve as a sealed beverage container.

(h) *Growler labeling.*—A licensed brewer or resident brewer under this section selling growlers shall affix a conspicuous label on all sold and securely sealed growlers listing the name of the licensee selling the growler, the brand of the nonintoxicating beer or nonintoxicating craft beer in the growler, the alcohol content by

volume of the nonintoxicating beer or nonintoxicating craft beer in the growler, and the date the growler was filled or refilled, and, further, all labeling on the growler shall be consistent with all federal labeling and warning requirements.

(i) *Growler sanitation.*—A licensed brewer or resident brewer authorized under this section shall clean and sanitize all growlers he or she fills or refills in accordance with all state and county health requirements prior to its sealing. In addition, the licensed brewer or resident brewer shall sanitize, in accordance with all state and county health requirements, all taps, tap lines, pipelines, barrel tubes, and any other related equipment used to fill or refill growlers. Failure to comply with this subsection may result in penalties under §11-16-23 of this code.

(j) *Fee.*—There is no additional fee for a licensed brewer or resident brewer authorized under this section to sell growlers.

(k) *Limitations on licensees.*—To be authorized under this section, a licensed brewer or resident brewer may not produce more than 25,000 barrels per calendar year at the brewer's or resident brewer's principal place of business and manufacture located in the State of West Virginia. No more than one brewer or resident brewer license may be issued to a single person or entity and no person may hold both a brewer and a resident brewer license. A licensed brewer or resident brewer under this section may only conduct tours, give complimentary samples, and sell growlers during the hours of operation set forth in §11-16-18(a)(1) of this code. A licensed brewer or resident brewer authorized under this section shall be subject to the applicable penalties under §11-16-23 of this code for violations of this section.

(l) (1) *Contract Brewing Services Agreements.* - A licensed brewer or resident brewer may enter into contract brewing services agreements with another licensed brewer or resident brewer with its principal place of business and manufacture located in the State of West Virginia for purposes of sharing brewing equipment or facilities as part of the manufacture of nonintoxicating beer or nonintoxicating craft beer. Any such contract brewing services agreement shall be provided to the West Virginia Alcohol

Beverage and Control Administration and set forth the following terms and conditions:

(A) The licensed brewer or resident brewer serving as the brewer of record and retaining ownership, rights, title, and interest in the nonintoxicating beer or nonintoxicating craft beer recipe and brand;

(B) The licensed brewer or resident brewer who will be responsible for executing any brew of nonintoxicating beer or nonintoxicating craft beer;

(C) The location of the facilities to be utilized for the manufacture of the nonintoxicating beer or nonintoxicating craft beer;

(D) Specifications regarding the packaging of all nonintoxicating beer or nonintoxicating craft beer manufactured under the contract brewing services agreement; and

(E) The manner of payment of any and all federal and state excise taxes associated with the manufactured nonintoxicating beer or nonintoxicating craft beer.

(2) The licensed brewer or resident brewer serving as the brewer of record is responsible for the transportation of the finished and packaged product to their licensed facility, where it must come to rest and be tax determined. Any nonintoxicating beer or nonintoxicating craft beer manufactured pursuant to a contract brewing services agreement shall be credited to the specified brewer of record for purposes of the barrel limitations set forth in §11-16-6a(k) of this code, and not the licensed brewer or resident brewer responsible for executing any brew on behalf of the brewer of record.

(m) Rules.—The commissioner, in consultation with the Bureau for Public Health concerning sanitation, ~~is authorized to~~ may propose rules for legislative approval, pursuant to §29A-3-1 et seq. of this code, to implement this section.

§11-16-6d. Nonintoxicating beer or nonintoxicating craft beer delivery license for a licensed Class A retail dealer or a third-party; requirements; limitations; third-party license fee; retail transportation permit; and requirements.

(a) A Class A retail dealer who is licensed to sell nonintoxicating beer or nonintoxicating craft beer may apply for a nonintoxicating beer or nonintoxicating craft beer delivery license permitting the order, sale, and delivery of nonintoxicating beer or nonintoxicating craft beer in a sealed original container of bottles or cans, and sealed growlers, when separately licensed for growler sales. The order, sale, and delivery of nonintoxicating beer or nonintoxicating craft beer is permitted for off-premises consumption when completed by the licensee or the licensee's employees to a person purchasing the nonintoxicating beer or nonintoxicating craft beer by telephone, a mobile ordering application, or a web-based software program, as authorized by the licensee's license. There is no additional fee for licensed Class A retail dealers to obtain a nonintoxicating beer or nonintoxicating craft beer delivery license. The order, sale, and delivery process shall meet the requirements of this section. The order, sale, and delivery process is subject to the penalties of this article.

(b) A third party, not licensed for nonintoxicating beer or nonintoxicating craft beer sales or distribution, may apply for a nonintoxicating beer or nonintoxicating craft beer delivery license for the privilege and convenience to offer ordering and delivery services of nonintoxicating beer or nonintoxicating craft beer in the sealed original container of bottles or cans, and sealed growlers, from a licensee with a growler license. The order, sale, and delivery of nonintoxicating beer or nonintoxicating craft beer is permitted for off-premises consumption when the Class A retail dealer sells to a person purchasing the nonintoxicating beer or nonintoxicating craft beer through telephone orders, a mobile ordering application, or a web-based software program. The annual nonintoxicating beer or nonintoxicating craft beer delivery license fee is \$200 per third-party entity, with no limit on the number of drivers and vehicles. The delivery license fee under this subsection may not be prorated nor refunded.

(c) The nonintoxicating beer or nonintoxicating craft beer delivery license application shall comply with licensure requirements in §11-16-8 of this code, and shall require any information set forth in this article and as reasonably required by the commissioner.

(d) *Sale Requirements.*—

(1) The nonintoxicating beer or nonintoxicating craft beer purchase shall accompany the purchase of prepared food, or a meal and the completion of the sale may be accomplished by the delivery of the prepared food or meal and nonintoxicating beer or nonintoxicating craft beer by the Class A retail dealer or third-party licensee;

(2) Any person purchasing nonintoxicating beer or nonintoxicating craft beer shall be 21 years of age or older, ~~shall~~ may not be visibly or noticeably intoxicated at the time of delivery, and shall meet the requirements set forth in this article for the sale of nonintoxicating beer or nonintoxicating craft beer;

(3) "Prepared food or a meal" shall, for purposes of this article, mean food that has been cooked, grilled, fried, deep-fried, air-fried, smoked, boiled, broiled, twice baked, blanched, sautéed, or in any other manner freshly made and prepared, and does not include pre-packaged food from the manufacturer;

~~(4) An order, sale, or delivery consisting of multiple meals shall not amount to any combination of bottles, cans, or sealed growlers in excess of 384 fluid ounces of nonintoxicating beer or nonintoxicating craft beer; and~~

~~(5)~~ (4) A third-party delivery licensee may not have a pecuniary interest in a Class A retail dealer, as set forth in this article, therefore a third-party delivery licensee may only charge a convenience fee for the delivery of any nonintoxicating beer or nonintoxicating craft beer. The third-party licensee may not collect a percentage of the delivery order for the delivery of alcohol, but may continue to collect a percentage of the delivery order directly related to the prepared food or a meal. The convenience fee charged

by the third-party delivery licensee to the person purchasing may not be greater than \$20 per delivery order where nonintoxicating beer or nonintoxicating craft beer are ordered by the purchasing person. For any third-party licensee also licensed for wine growler delivery as set forth in §60-8-6c of this code, or craft cocktail growler delivery as set forth in §60-7-8f of this code, the total convenience fee of any order, sale, and delivery of a sealed growler, wine growler, or craft cocktail growler ~~shall~~ may not exceed \$5.

(e) *Delivery Requirements.*—

(1) Delivery persons employed for the delivery of nonintoxicating beer or nonintoxicating craft beer shall be 21 years of age or older. The licensed Class A retail dealer and the third-party delivery licensee shall file each delivery person's name, driver's license, and vehicle information with the commissioner;

(2) A Class A retail dealer or third-party delivery licensee shall train delivery persons on verifying legal identification and in identifying the signs of intoxication and shall submit certification of the training to the commissioner;

(3) The Class A retail dealer or third-party delivery licensee shall hold a retail transportation permit for each delivery vehicle delivering sealed nonintoxicating beer or nonintoxicating craft beer pursuant to §11-16-6d(g) of this code: *Provided*, That a delivery driver may retain an electronic copy of his or her permit;

(4) A Class A retail dealer or third-party delivery licensee may only deliver prepared food or a meal, and sealed nonintoxicating beer or nonintoxicating craft beer orders in the county or contiguous counties where the Class A retail dealer is located;

(5) A Class A retail dealer or third-party delivery licensee may only deliver prepared food or a meal, and sealed nonintoxicating beer or nonintoxicating craft beer to addresses located in West Virginia. A Class A retail dealer or third-party delivery licensee shall pay and account for all sales and municipal taxes;

(6) A Class A retail dealer or third-party delivery licensee may not deliver prepared food or a meal, and nonintoxicating beer or nonintoxicating craft beer to any other Class A licensee;

(7) A Class A retail dealer or third-party delivery licensee may only deliver prepared food or a meal, and sealed nonintoxicating beer or nonintoxicating craft beer for personal use, and not for resale; and

(8) A Class A retail dealer or third-party delivery licensee ~~shall~~ may not deliver and leave prepared food or a meal, and sealed nonintoxicating beer or nonintoxicating craft beer at any address without verifying a person's age and identification as required by this section.

(f) Telephone, mobile ordering application, or web-based software requirements.—

(1) The delivery person may only permit the person who placed the order through a telephone, mobile ordering application, or web-based software to accept the prepared food or a meal, and nonintoxicating beer or nonintoxicating craft beer delivery which is subject to age verification upon delivery with the delivery person's visual review and age verification;

(2) Any mobile ordering application or web-based software used shall create a stored record and image of the purchasing person's legal identification and details of the sale, accessible by the delivery person for verification, and shall include the delivery driver's name and vehicle information and delivery shall be subject to legal identification verification;

(3) Any telephone ordering system shall maintain a log or record of the purchasing person's legal identification and details of the sale, accessible by the delivery person for verification, and shall include the delivery driver's name and vehicle information and delivery shall be subject to legal identification verification;

(4) All records are subject to inspection by the commissioner. A Class A retail dealer or third-party delivery licensee shall retain

all records for three years, and may not unreasonably withhold the records from the commissioner's inspection; and

(5) Each vehicle delivering nonintoxicating beer or nonintoxicating craft beer ~~must~~ shall be issued a retail transportation permit per §11-16-6d(g) of this code.

(g) *Retail Transportation Permit.*—

(1) A Class A retail dealer or third-party delivery licensee shall obtain and maintain a retail transportation permit for the delivery of prepared food and nonintoxicating beer or nonintoxicating craft beer.

(2) A Class A retail dealer or a third-party licensee shall apply for a permit and provide vehicle and driver information, as required by the commissioner. Upon any change in vehicles or drivers, the Class A retail dealer or third-party delivery licensee shall update the vehicle and driver information with the commissioner within 10 days of the change.

(h) *Enforcement.*—

(1) A Class A retail dealer or third-party delivery licensee is responsible for any violations committed by their employees or independent contractors under this article, and more than one violation may be issued for a single violation involving multiple Class A retail dealers or licensees, employees, or independent contractors.

(2) A license or permit granted by this section is subject to the penalties of probation, monetary fines, suspension, and revocation, as set forth in this article, for violations committed by the Class A retail dealer or third-party delivery licensee, its employees, or independent contractors.

(3) It is a violation for any licensee, its employees, or independent contractors to break the seal of a growler subject to the maximum penalties available in this article.

(4) For purposes of criminal enforcement of the provisions of this article, persons ordering, purchasing, or accepting delivery of orders are considered to be purchasers.

§11-16-6f. Nonintoxicating beer or nonintoxicating craft beer delivery license for a licensed Class B retail dealer or a third-party; requirements; limitations; third-party license fee; retail transportation permit; and requirements.

(a) A Class B retail dealer who is licensed to sell nonintoxicating beer or nonintoxicating craft beer may apply for a nonintoxicating beer or nonintoxicating craft beer delivery license permitting the order, sale, and delivery of nonintoxicating beer or nonintoxicating craft beer in a sealed original container of bottles or cans, and sealed growlers, when separately licensed for growler sales. The order, sale, and delivery of nonintoxicating beer or nonintoxicating craft beer is permitted for off-premises consumption when completed by the licensee or the licensee's employees to a person purchasing the nonintoxicating beer or nonintoxicating craft beer by a telephone, a mobile ordering application, or web-based software program, as authorized by the licensee's license. There is no additional fee for licensed Class B retail dealers to obtain a nonintoxicating beer or nonintoxicating craft beer delivery license. The order, sale, and delivery process shall meet the requirements of this section. The order, sale, and delivery process is subject to the penalties of this article.

(b) A third party, not licensed for nonintoxicating beer or nonintoxicating craft beer sales or distribution, may apply for a nonintoxicating beer or nonintoxicating craft beer delivery license for the privilege and convenience to offer ordering and delivery services of nonintoxicating beer or nonintoxicating craft beer in the sealed original container of bottles or cans, and sealed growlers, from a licensee with a growler license. The order, sale, and delivery of nonintoxicating beer or nonintoxicating craft beer is permitted for off-premises consumption when the Class B retail dealer sells to a person purchasing the nonintoxicating beer or nonintoxicating craft beer through a telephone order, a mobile ordering application, or web-based software program. The nonintoxicating beer or nonintoxicating craft beer delivery annual license fee is \$200 per

third-party licensee, with no limit on the number of drivers and vehicles. The delivery license fee under this subsection may not be prorated nor refunded.

(c) The nonintoxicating beer or nonintoxicating craft beer delivery license application shall comply with licensure requirements in §11-16-8 of this code and shall require any information set forth in this article and as reasonably required by the commissioner.

(d) *Sale Requirements.*—

(1) The nonintoxicating beer or nonintoxicating craft beer purchase shall accompany the purchase of food and the completion of the sale may be accomplished by the delivery of food and nonintoxicating beer or nonintoxicating craft beer by the licensee or third-party licensee;

(2) Any person purchasing nonintoxicating beer or nonintoxicating craft beer shall be 21 years of age or older, ~~shall~~ may not be visibly or noticeably intoxicated at the time of delivery, and meet the requirements set forth in this article for the sale of nonintoxicating beer or nonintoxicating craft beer;

(3) Food, for purposes of this section, means food that has been cooked, microwaved, or that is pre-packaged food from the manufacturer; and

~~(4) An order, sale, or delivery consisting of food and any combination of sealed nonintoxicating beer or nonintoxicating craft beer bottles, cans, or growlers shall not be in excess of 384 fluid ounces of nonintoxicating beer or nonintoxicating craft beer; and~~

~~(5)~~ (4) A third-party delivery licensee ~~shall~~ may not have a pecuniary interest in a Class B retail dealer, as set forth in this article. A third-party delivery licensee may only charge a convenience fee for the delivery of any nonintoxicating beer or nonintoxicating craft beer. The third-party licensee may not collect a percentage of the delivery order for the delivery of nonintoxicating beer or nonintoxicating craft beer, but may

continue to collect a percentage of the delivery order directly related to food. The convenience fee charged by the third-party delivery licensee to the purchasing person may not be greater than \$20 per delivery order. For any third-party licensee also licensed for wine delivery, as set forth in §60-8-6f of this code, the total convenience fee for any order, sale, and delivery of sealed wine may not exceed \$20.

(e) *Delivery Requirements.*—

(1) Delivery persons employed for the delivery of nonintoxicating beer or nonintoxicating craft beer shall be 21 years of age or older. A Class B retail dealer and a third-party licensee shall file each delivery person's name, driver's license, and vehicle information with the commissioner;

(2) A Class B retail dealer and a third-party licensee shall train delivery persons on verifying legal identification and in identifying the signs of intoxication and submit the certification of the training to the commissioner;

(3) The Class B retail dealer or third-party delivery licensee shall hold a retail transportation permit for each delivery vehicle delivering sealed nonintoxicating beer or nonintoxicating craft beer pursuant to §11-16-6f(g) of this code: *Provided*, That a delivery driver may retain an electronic copy of his or her permit as proof of the licensure;

(4) A Class B retail dealer and a third-party licensee may deliver food and sealed nonintoxicating beer or nonintoxicating craft beer orders in the county where the Class B retail dealer is located;

(5) A Class B retail dealer and a third-party licensee may only deliver food and sealed nonintoxicating beer or nonintoxicating craft beer to addresses located in West Virginia. A Class B retail dealer and a third-party licensee shall pay and account for all sales and municipal taxes;

(6) A Class B retail dealer and a third-party licensee may not deliver food and nonintoxicating beer or nonintoxicating craft beer to any other Class B licensee;

(7) Deliveries of food and sealed nonintoxicating beer or nonintoxicating craft beer are only for personal use, and not for resale; and

(8) A Class B retail dealer and a third-party licensee shall not deliver and leave food and sealed nonintoxicating beer or nonintoxicating craft beer at any address without verifying a person's age and identification as required by this section.

(f) Telephone, mobile ordering application, or web-based software requirements.—

(1) The delivery person may only permit the person who placed the order through a telephone, mobile ordering application, or web-based software to accept the food and nonintoxicating beer or nonintoxicating craft beer delivery. The delivery is subject to age verification upon delivery with the delivery person's visual review and age verification;

(2) Any mobile ordering application or web-based software used must create a stored record and image of the purchasing person's legal identification and details of the sale, accessible by the delivery person for verification, and shall include the delivery driver's name and vehicle information and delivery shall be subject to legal identification verification;

(3) Any telephone ordering system shall maintain a log or record of the purchasing person's legal identification and details of the sale, accessible by the delivery person for verification, and shall include the delivery driver's name and vehicle information and delivery shall be subject to legal identification verification;

(4) All records are subject to inspection by the commissioner. A Class B retail dealer and a third-party licensee shall retain all records for three years, and may not unreasonably withhold the records from the commissioner's inspection; and

(5) Each vehicle delivering nonintoxicating beer or nonintoxicating craft beer shall be issued a retail transportation permit in accordance with §11-16-6f(g) of this code.

(g) *Retail Transportation Permit.*—

(1) A Class B retail dealer and a third-party licensee shall obtain and maintain a retail transportation permit for the delivery of food and nonintoxicating beer or nonintoxicating craft beer.

(2) A Class B retail dealer or a third-party licensee shall apply for a permit and provide vehicle and driver information, required by the commissioner. Upon any change in vehicles or drivers, Class B retail dealer and a third-party licensee shall update the vehicle and driver information with the commissioner within 10 days of the change.

(h) *Enforcement.*—

(1) The Class B retail dealer and a third-party licensee are responsible for any violations committed by their employees or independent contractors under this article, and more than one violation may be issued for a single violation involving multiple Class B retail dealers or third-party licensees, employees, or independent contractors.

(2) A license or permit granted by this section is subject to the penalties of probation, monetary fines, suspension, and revocation, as set forth in this article, for violations committed by the Class B retail dealer or third-party licensee, their employees, or independent contractors.

(3) It is a violation for any Class B retail dealer or third-party licensee, their employees, or independent contractors to break the seal of a growler subject to the maximum penalties available in this article.

(4) For purposes of criminal enforcement of the provisions of this article, persons ordering, purchasing, or accepting delivery of orders are considered to be purchasers.

§11-16-8. Form of application for license; fee and bond; refusal of license.

(a) A license may be issued by the commissioner to any person who submits an application, accompanied by a license fee and, where required, a bond, and states under oath:

(1) The name and residence of the applicant, the duration of the residency, and that the applicant is 21 years of age. If the applicant is a firm, association, partnership, limited partnership, limited liability company, or corporation, the application shall include the residence of the members or officers. If a person, firm, partnership, limited partnership, limited liability company, association, corporation, or trust applies for a license as a distributor, the person, or in the case of a firm, partnership, limited partnership, limited liability company, association, or trust, the members, officers, trustees, or other persons in active control of the activities of the limited liability company, association, or trust relating to the license, shall include the residency for these persons on the application. All applicants and licensees shall include a manager on the applicant's license application, or a licensee's renewal application, who shall meet all other requirements of licensure. The applicant shall be a United States citizen or a naturalized citizen, pass a background investigation, be at least 21 years of age, be a suitable applicant, and meet other requirements, all as set forth in this article and the rules promulgated ~~thereunder~~, hereunder, all in the interest of protecting public health and safety and being a suitable applicant or licensee. In order to maintain licensure, a licensee shall notify the commissioner immediately of a change in managers. If the applicant is a trust or has a trust as an owner, the trustees, or other persons in active control of the activities of the trust relating to the license, shall provide a certification of trust as described in §44D-10-1013 of this code. This certification of trust shall include the excerpts described in §44D-10-1013(e) of this code and shall further state, under oath, the names, addresses, Social Security numbers, and birth dates of the beneficiaries of the trust and certify that the trustee and beneficiaries are 21 years of age or older. If a beneficiary is not 21 years of age, the certification of trust shall state that the beneficiary's interest in the trust is

represented by a trustee, parent, or legal guardian who is 21 years of age and who will direct all actions on behalf of the beneficiary related to the trust with respect to the distributor until the beneficiary is 21 years of age. Any beneficiary who is not 21 years of age or older shall have his or her trustee, parent, or legal guardian include in the certification of trust and state under oath his or her name, address, Social Security number, and birth date;

(2) The place of birth of the applicant, that he or she is a citizen of the United States and of good moral character and, if a naturalized citizen, when and where naturalized. If the applicant is a corporation organized or authorized to do business under the laws of the state, the application shall state when and where incorporated, the name and address of each officer, and that each officer is a citizen of the United States and a person of good moral character. If the applicant is a firm, association, limited liability company, partnership, limited partnership, trust, or has a trust as an owner, the application shall provide the place of birth of each member of the firm, association, limited liability company, partnership or limited partnership and of the trustees, beneficiaries, or other persons in active control of the activities of the trust relating to the license and that each member or trustee, beneficiary, or other persons in active control of the activities of the trust relating to the license is a citizen of the United States, and if a naturalized citizen, when and where naturalized, each of whom shall qualify and sign the application;

(3) The particular place for which the license is desired and a detailed description thereof;

(4) The name of the owner of the building and, if the owner is not the applicant, that the applicant is the actual and bona fide lessee of the premises;

(5) That the premises or building in which the applicant proposes to do business conforms to all applicable laws of health, fire, and zoning regulations; is a safe and proper place or building; and is not within 200 feet of a school or church measured from front door-to-front door, along the street or streets. This requirement does not apply to a Class B license or to a place

occupied by a beer licensee so long as it is continuously so occupied. The prohibition does not apply to a college, university, or church that has notified the commissioner, in writing, that it has no objection to the location of a proposed business in a place or building within 200 feet of the college, university, or church;

(6) That the applicant is not incarcerated and has not, in the previous five years before application: (A) Been convicted of a felony; (B) been convicted of a crime involving fraud, dishonesty, or deceit; or (C) been convicted of a felony for violating alcohol-related distribution laws;

(7) That the applicant is the only person in any manner pecuniarily interested in the business to be licensed and that no other person is in any manner pecuniarily interested during the continuance of the license; and

(8) That the applicant has not during five years preceding the date of the application had a nonintoxicating beer license revoked.

(b) In the case of an applicant that is a trust or has a trust as an owner, a distributor license may be issued only upon submission by the trustees or other persons in active control of the activities of the trust relating to the distributor license of a true and correct copy of the written trust instrument to the commissioner for his or her review. Notwithstanding any provision of law to the contrary, the copy of the written trust instrument submitted to the commissioner pursuant to this section is confidential, ~~and~~ is not a public record, and is not available for release pursuant to the West Virginia Freedom of Information Act codified in §29B-1-1 *et seq.* of this code.

(c) The provisions and requirements of subsection (a) of this section are mandatory prerequisites for the issuance of a license and, if any applicant fails to qualify, the commissioner shall refuse to issue the license. In addition to the information furnished in any application, the commissioner may make any additional and independent investigation of each applicant, manager, and of the place to be occupied as necessary or advisable and, for this reason, all applications, with license fee and bond, shall be submitted with

all true and correct information. For the purpose of conducting the independent investigation, the commissioner may withhold the granting or refusal to grant the license for a 30-day period or until the applicant has completed the conditions set forth in this section. If it appears that the applicant and manager meet the requirements in the code and the rules, including, but not limited to, ~~has~~ have not been convicted of a felony in the previous five years before application, ~~has~~ have not been convicted of a crime involving fraud, dishonesty, or deceit in the previous five years before application, ~~has~~ have not been convicted of a felony for violating any alcohol-related distribution laws; ~~having made no~~ have not made any false statements or material misrepresentations; involving no hidden ownership; and having no persons with an undisclosed pecuniary interest contained in the application; and if there are no other omissions or failures by the applicant to complete the application, as determined by the commissioner, the commissioner shall issue a license authorizing the applicant to sell nonintoxicating beer or nonintoxicating craft beer.

(d) The commissioner may refuse a license to any applicant under the provisions of this article if the commissioner is of the opinion:

(1) That the applicant or manager has, within the previous five years before application: (A) Been convicted of a felony within the previous five years; (B) been convicted of a crime involving fraud, dishonesty, or deceit; or (C) been convicted of a felony for violating any state or federal alcohol-related distribution laws; and (D) that the applicant or the manager is not a suitable applicant;

(2) That the place to be occupied by the applicant is not a suitable place; or is within 200 feet of any school or church measured from front door to front door along the street or streets. This requirement does not apply to a Class B licensee or to a place now occupied by a beer licensee so long as it is continuously so occupied. The prohibition does not apply to a college, university, or church that has notified the commissioner, in writing, that it has no objection to the location of any such place within 200 feet;

(3) That ~~the~~ any manager, owner, employee, or other person ~~is~~ in a contractual relationship to provide goods or services to the applicant is an active employee of the commissioner; or

(4) That the license should not be issued for reason of conduct declared to be unlawful by this article.

§11-16-9. Amount of license tax; Class A and Class B retail dealers; purchase and sale of nonintoxicating beer permitted; distributors; brewers; brewpubs.

(a) All retail dealers, distributors, brewpubs, brewers, and resident brewers of nonintoxicating beer and of nonintoxicating craft beer shall pay an annual fee to maintain an active license as required by this article. The license period begins on July 1 of each year and ends on June 30 of the following year. If the license is granted for a shorter period, then the license fee shall be computed semiannually in proportion to the remainder of the fiscal year: *Provided*, That if a licensee fails to complete a renewal application and make payment of its annual license fee in renewing its license on or before June 30 of any subsequent year, then an additional \$150 reactivation fee shall be charged and paid by the licensee; the fee may not be prorated or refunded, prior to the processing of any renewal application and applicable full year annual license fee; and furthermore, a licensee who continues to operate after the expiration of its license is subject to all fines, penalties, and sanctions available in §11-16-23 of this code, all as determined by the commissioner.

(b) The annual license fees are as follows:

(1) Retail dealers shall be divided into two classes: Class A and Class B.

(A) For a Class A retail dealer, the license fee is \$150 for each place of business; the license fee for social, fraternal, or private clubs not operating for profit, and which have been in continuous operation for two years or more immediately preceding the date of application, is \$150: *Provided*, That railroads operating in this state may dispense nonintoxicating beer upon payment of an annual

license tax of \$10 for each dining, club, or buffet car in which the beer is dispensed. Class A licenses issued for railroad dining, club, or buffet cars authorize the licensee to sell nonintoxicating beer at retail for consumption only on the licensed premises where sold. All other Class A licensees may sell nonintoxicating beer or nonintoxicating craft beer at retail, as licensed, for consumption on the licensed premises or off the licensed premises. Class A licensees may sell nonintoxicating beer or nonintoxicating craft beer for consumption off the licensed premises when it is in a sealed original container and sold for personal use, and not for resale. Class A licensees shall provide prepared food or meals along with sealed nonintoxicating beer or nonintoxicating craft beer in the original container or in a sealed growler as set forth for sales and service in §11-16-6d of this code, to a purchasing person who is in-person or in-vehicle picking up prepared food or a meal, and sealed nonintoxicating beer or nonintoxicating craft beer orders-to-go, subject to verification that the purchasing person is 21 years of age or older, and not visibly or noticeably intoxicated, and as otherwise specified in this article.

(B) For a Class B retail dealer, the license fee, authorizing the sale of both chilled and unchilled beer, is \$150 for each place of business. A Class B license authorizes the licensee to sell nonintoxicating beer at retail in bottles, cans, or other sealed containers only, and only for consumption off the licensed premises. A Class B retailer may sell to a purchasing person, for personal use, and not for resale, quantities of draught beer ~~in~~ in original containers that are no larger in size than one-half barrel for off-premises consumption. The commissioner may only issue a Class B license to the proprietor or owner of a grocery store. For the purpose of this article, the term "grocery store" means any retail establishment commonly known as a grocery store or delicatessen, and caterer or party supply store, where food or food products are sold for consumption off the premises, and includes a separate and segregated portion of any other retail store which is dedicated solely to the sale of food, food products, and supplies for the table for consumption off the premises. Caterers or party supply stores shall purchase the appropriate licenses from the Alcohol Beverage Control Administration.

(C) A Class A retail dealer may contract, purchase, or develop a mobile ordering application or web-based software program to permit the ordering and purchase of nonintoxicating beer or nonintoxicating craft beer, as authorized by the licensee's license. The nonintoxicating beer or nonintoxicating craft beer shall be in a sealed original container or a sealed growler and meet the requirements of §11-16-6d of this code.

(2) For a distributor, the license fee is \$1,000 for each place of business.

(3) For a brewer or a resident brewer with its principal place of business or manufacture located in this state and who produces:

(A) Twelve thousand five hundred barrels or less of nonintoxicating beer or nonintoxicating craft beer, the license fee is ~~\$500~~ \$250 for each place of manufacture, and no more than three places of manufacture are permitted for licensure;

(B) Twelve thousand five hundred one barrels and up to 25,000 barrels of nonintoxicating beer or nonintoxicating craft beer, the license fee is \$1,000 for each place of manufacture, and no more than five places of manufacture are permitted for licensure;

(C) More than 25,001 barrels of nonintoxicating beer or nonintoxicating craft beer, the license fee is \$1,500 for each place of manufacture.

(D) A brewer or resident brewer licensed under paragraph (A) or (B) of this subdivision shall receive one license for use at all places of manufacture; each place of manufacture shall meet all licensing requirements in this article and the rules; and all places of manufacture shall be noted on the one brewer or resident brewer license in compliance with §11-16-5 and §11-16-6a(k) of this code.

(4) For a brewer whose principal place of business or manufacture is not located in this state, the license fee is \$1,500. The brewer is exempt from the requirements set out in subsections (c), (d), and (e) of this section: *Provided*, That a brewer whose principal place of business or manufacture is not located in this state that produces less than 25,000 barrels of nonintoxicating beer

or nonintoxicating craft beer may choose to apply, in writing, to the commissioner to be subject to the variable license fees of subdivision (3), subsection (b) of this section and the requirements set out in subsections (c), (d), and (e) of this section subject to investigation and approval by the commissioner as to brewer requirements.

(5) For a brewpub, the license fee is \$500 for each place of manufacture.

(c) As part of the application or renewal application and in order to determine a brewer or resident brewer's license fee pursuant to this section, a brewer or resident brewer shall provide the commissioner, on a form provided by the commissioner, with an estimate of the number of nonintoxicating beer or nonintoxicating craft beer barrels and gallons it may produce during the year based upon the production capacity of the brewer's or resident brewer's manufacturing facilities and the prior year's production and sales volume of nonintoxicating beer or nonintoxicating craft beer.

(d) On or before July 15 of each year, every brewer, or resident brewer who is granted a license shall file a final report, on a form provided by the commissioner, that is dated as of June 30 of that year, stating the actual volume of nonintoxicating beer or nonintoxicating craft beer in barrels and gallons produced at its principal place of business and other sites of manufacture during the prior year.

(e) If the actual total production of nonintoxicating beer or nonintoxicating craft beer by the brewer or resident brewer exceeded the brewer's or resident brewer's estimate that was filed with the application or renewal application for a brewer's or resident brewer's license for that period, then the brewer or resident brewer shall include a remittance for the balance of the license fee pursuant to this section that would be required for the final, higher level of production.

(f) Any brewer or resident brewer failing to file the reports required in subsections (c) and (d) of this section, and who is not

exempt from the reporting requirements, shall, at the discretion of the commissioner, be subject to the penalties set forth in §11-16-23 of this code.

(g) Notwithstanding subsections (a) and (b) of this section, the license fee per event for a nonintoxicating beer floor plan extension is \$50, and the fee may not be prorated or refunded. A licensee shall submit an application, certification that the event meets certain requirements in this code and rules, and any other information required by the commissioner, at least 15 days prior to the event, all as determined by the commissioner.

(h) Notwithstanding subsections (a) and (b) of this section, a Class A retail dealer, in good standing with the commissioner, may apply, on a form provided by the commissioner, to sell, serve, and furnish nonintoxicating beer or nonintoxicating craft beer for on-premises consumption in an outdoor dining area or outdoor street dining area, as authorized by any municipal government or county commission in the which the licensee operates. The Class A retail dealer shall submit to the municipal government or county commission, for approval, a revised floorplan and a request to sell and serve nonintoxicating beer or nonintoxicating craft beer, subject to the commissioner's requirements, in an approved outdoor area. For private outdoor street dining, or private outdoor dining, the approved and bounded outdoor area need not be adjacent to the licensee's licensed premises, but in close proximity and under the licensee's control with right of ingress and egress. For purposes of this section, "close proximity" means an available area within 150 feet of the Class A retail dealer's licensed premises. A Class A retail dealer may operate a nonintoxicating beer or nonintoxicating craft beer outdoor dining or outdoor street dining in conjunction with a temporary private outdoor dining or temporary private outdoor street dining area set forth in §60-7-8d of this code and temporary private wine outdoor dining or temporary private wine outdoor street dining set forth in §60-8-32a of this code.

(i) For purposes of this article, "nonintoxicating beer or nonintoxicating craft beer outdoor dining and nonintoxicating beer or nonintoxicating craft beer outdoor street dining" includes dining areas that are:

(1) Outside and not served by an HVAC system for air handling services and use outside air;

(2) Open to the air; and

(3) Not enclosed by fixed or temporary walls; however, the commissioner may seasonally approve a partial enclosure with up to three temporary or fixed walls. Any area where seating is incorporated inside a permanent building with ambient air through HVAC is not considered outdoor dining pursuant to this subsection.

CHAPTER 60. STATE CONTROL OF ALCOHOLIC LIQUORS.

ARTICLE 3A. SALES BY RETAIL LIQUOR LICENSEES

§60-3A-3a. Liquor sampling.

(a) Notwithstanding any provision of this code to the contrary, a Class A retail licensee may conduct a liquor sampling event on a designated sampling day.

(b) At least five business days prior to the liquor sampling, the Class A retail licensee shall submit a written proposal to the commissioner informing the Commissioner that the Class A licensee will hold a liquor sampling event, including:

(1) The day of the event;

(2) The location of the event;

(3) The times for the event; and

(4) The specific brand and flavor of the West Virginia product to be sampled.

(c) Upon approval by the commissioner, a Class A retail licensee may serve a complimentary liquor sample of the approved brand and flavor of the West Virginia product that is purchased by the Class A retail licensee from the commissioner.

(d) The complimentary liquor samples on any sampling day shall not exceed:

(1) ~~One~~ Three separate and individual ~~sample samples~~ serving per customer verified to be 21 years of age or older; and

(2) ~~One ounce~~ One and one-half ounces in total volume. Samples may be mixed with each other or with non-alcoholic liquids as long as the total amount of the liquor sampled does not exceed one and one-half ounces.

(e) Servers at the liquor sampling event shall:

(1) Be employees of the Class A retail licensee; and

(2) Be at least 21 years of age or older.

(f) All servers at the liquor sampling event shall verify the age of the customer sampling liquor by requiring and reviewing proper forms of identification. Servers at the liquor sampling event may not serve any person who is:

(1) Under the age of 21 years;

(2) Intoxicated.

(g) A liquor sampling event shall:

(1) Occur only inside the Class A retail licensee's licensed premises; and

(2) Cease on or before 9:00 p.m. on any approved sampling day.

(h) Any liquor bottle used for sampling must be from the inventory of the licensee, and clearly and conspicuously labeled "SAMPLE, NOT FOR RESALE". If the seal is broken on any liquor bottle or if any liquor bottle is opened, then that liquor bottle must be removed from the licensed premises immediately following the event.

(i) Violations of this section are subject to the civil and criminal penalties set forth in §60-3A-24, §60-3A-25a, §60-3A-26, and §60-3A-27 of this code;

§60-3A-8. Retail license application requirements; retail licensee qualifications.

(a) Prior to or simultaneously with the submission of a bid for a retail license or the payment of a purchase option for a Class A retail license, each applicant shall file an application with the commissioner, stating under oath, the following:

(1) If the applicant is an individual, his or her name and residence address;

(2) If the applicant is other than an individual, the name and business address of the applicant; the state of its incorporation or organization; the names and residence addresses of each executive officer and other principal officer, partner, or member of the entity; a copy of the entity's charter or other agreement under which the entity operates; the names and residence addresses of any person owning, directly or indirectly, at least 20 percent of the outstanding stock, partnership, or other interests in the applicant; and all applicants and licensees must list a manager on the applicant's license application, or a licensee's renewal application, ~~and further that the~~ The manager shall meet all other requirements of licensure, including, but not limited to, United States citizenship or naturalization, passing a background investigation, being at least 21 years of age, being a suitable applicant, and being of good moral character, and meet other requirements, all as set forth in the code and the legislative rules, in order for the manager to be able to meet and conduct any regulatory matters, including, but not limited to, licensure or enforcement matters related to the applicant or licensee all in the interest of protecting public health and safety. In order to maintain active licensure, any change by a licensee in any manager listed on an application must be made immediately to the commissioner, in order to verify that the new manager meets licensure requirements;

(3) That the applicant and manager have not: (A) Been convicted in this state or any other state of any felony in the five years preceding the date of application; or (B) been convicted of any other crime involving fraud, dishonesty, or deceit in the five years preceding the date of application; or (C) been convicted of any felony in this or any other state court or any federal court for a violation of state or federal alcohol-related distribution laws; ~~and~~ if ~~if~~ the applicant is other than an individual, that none of its executive officers, other principal officers, partners, or members, or any person owning, directly or indirectly, at least 20 percent of the outstanding stock, partnership, or other interests in the applicant, has been convicted; and

(4) That the applicant and the manager, each is a United States citizen of good moral character and, if a naturalized citizen, when and where naturalized; and, if a corporation organized and authorized to do business under the laws of this state, when and where incorporated, with the name and address of each officer; that each officer is a citizen of the United States and a person of good moral character; and if a firm, association, partnership, or limited partnership, that each member is a citizen of the United States and, if a naturalized citizen, when and where naturalized, each of whom must sign the application.

(b) An applicant and manager shall provide the commissioner any additional information requested by the commissioner including, but not limited to, authorization to conduct a criminal background and credit records check.

(c) Whenever a change occurs in any information provided to the commissioner, the change shall immediately be reported to the commissioner in the same manner as originally provided.

(d) The commissioner shall disqualify each bid submitted by an applicant under §60-3A-10 of this code and ~~no~~ an applicant shall not be issued or eligible to hold a retail license under this article, ~~if~~ the applicant:

(1) ~~The applicant has~~ Has been, within the five years preceding the date of application: (A) Convicted in this state of any felony;

or (B) convicted of a crime involving fraud, dishonesty, or deceit; or (C) convicted of any felony in this or any other state court or any federal court for a violation of state or federal alcohol-related ~~distribution~~ laws; or

(2) Any executive officer or other principal officer, partner, or member of the applicant, or any person owning, directly or indirectly, at least 20 percent of the outstanding stock, partnership, or other interests in the applicant, has been, within the five years preceding the date of application: (A) Convicted in this state of any felony; or (B) convicted of a crime involving fraud, dishonesty, or deceit; or (C) convicted of any felony in this or any other state court or any federal court for a violation of state or federal alcohol-related ~~distribution~~ laws.

(e) The commissioner shall not issue a retail license to an applicant which does not hold a license issued pursuant to federal law to sell liquor at wholesale.

ARTICLE 4. LICENSES.

§60-4-3a. Distillery, ~~and~~ mini-distillery, and micro-distillery license to manufacture and sell.

(a) *Sales of liquor.*—An operator of a distillery, mini-distillery, or micro-distillery may offer liquor for retail sale to customers from the distillery, mini-distillery, or micro-distillery for consumption off premises only. Except for complimentary samples offered pursuant to §60-6-1 of this code, customers may not consume any liquor on the premises of the distillery, mini-distillery, or micro-distillery and except for a distillery, mini-distillery, or micro-distillery that obtains a private manufacturer club license set forth in §60-7-1 *et seq.* of this code, and a Class A retail dealer license set forth in §11-16-1 *et seq.* of the code: *Provided*, That a licensed distillery, mini-distillery, or micro-distillery may offer complimentary samples of alcoholic liquors as authorized by this subsection when alcoholic liquors are manufactured by that licensed distillery, mini-distillery, or micro-distillery for consumption on the licensed premises. Notwithstanding any other provision of law to the contrary, a licensed distillery, mini-

distillery, or micro-distillery may sell, furnish, and serve alcoholic liquors when licensed accordingly beginning at 6:00 a.m. unless otherwise determined by the residents of the county pursuant to §7-1-3ss of this code.

(b) *Retail off-premises consumption sales.*—Every licensed distillery, mini-distillery, or micro-distillery shall comply with the provisions of §60-3A-9, §60-3A-11, §60-3A-13, §60-3A-16, §60-3A-17, §60-3A-18, §60-3A-19, §60-3A-22, §60-3A-23, §60-3A-24, §60-3A-25, and §60-3A-26 of this code, and the provisions of §60-3-1 *et seq.* and §60-4-1 *et seq.* of this code, applicable to liquor retailers and distillers. In the interest of promoting tourism throughout the state, every licensed distillery, mini-distillery, or micro-distillery manufacturing liquor in this state is authorized, with a limited off-site retail privilege at private fair and festivals, for off-premises consumption sales of only the licensed distillery, mini-distillery, or micro-distillery's sealed liquor. At least five days prior to an approved private fair and festival, an authorized distillery, mini-distillery, or micro-distillery shall provide a copy of a written agreement to sell only liquor manufactured by the licensed distillery, mini-distillery, or micro-distillery at the private fair and festival's licensed premises. If approved, an authorized distillery, mini-distillery, or micro-distillery may conduct off-premises consumption sales of their liquor from a designated booth at the private fair and festival as set forth in §60-7-8a of this code. All authorized and approved distilleries, mini-distilleries, and micro-distilleries' off-premises consumption sales shall comply with all retail requirements in §60-3A-1 *et seq.* of this code, and specifically §60-3A-17 of this code with respect to all markups, taxes, and fees. Additionally, every authorized distillery, mini-distillery, and micro-distillery may provide complimentary samples to patrons who are 21 years of age and older and who are not intoxicated.

The complimentary liquor samples of the licensed distillery, mini-distillery, or micro-distillery's product on any sampling day shall not exceed:

(1) Three separate and individual samples serving per customer verified to be 21 years of age or older; and

(2) One and one-half ounces in total volume. Samples may be mixed with each other or with non-alcoholic liquids as long as the total amount of the liquor sampled does not exceed one and one-half ounces.

(c) *Payment of taxes and fees.*—The distillery, mini-distillery, or micro-distillery shall pay all taxes and fees required of licensed retailers and meet applicable licensing provisions as required by this chapter and by rule of the commissioner, except for payments of the wholesale markup percentage and the handling fee provided by rule of the commissioner: *Provided*, That all liquor for sale to customers from the distillery, mini-distillery, or micro-distillery for off-premises consumption is subject of a five percent wholesale markup fee and an 80 cents per case bailment fee to be paid to the commissioner: *Provided, however*, That liquor sold by the distillery, mini-distillery, or micro-distillery shall not be priced less than the price set by the commissioner pursuant §60-3A-17 of this code.

(d) *Payments to market zone retailers.*—Each distillery, mini-distillery, or micro-distillery shall submit to the commissioner two percent of the gross sales price of each retail liquor sale for the value of all sales at the distillery, mini-distillery, or micro-distillery each month. This collection shall be distributed by the commissioner, at least quarterly, to each market zone retailer located in the distillery, mini-distillery, or micro-distillery's market zone, proportionate to each market zone retailer's annual gross prior years pretax value sales. The maximum amount of market zone payments that a distillery, mini-distillery, or micro-distillery shall submit to the commissioner is \$15,000 per annum.

(e) *Limitations on licensees.*—A distillery, mini-distillery, or micro-distillery may not ~~sell more than 3,000 gallons of product at the distillery, mini-distillery, or micro-distillery location during the initial 24 month period of licensure. The distillery, mini-distillery, or micro-distillery may increase sales at the distillery, mini-distillery, or micro-distillery location by 2,000 gallons following the initial 24 month period of licensure and may increase sales at the distillery, mini-distillery, or micro-distillery location each subsequent 24 month period by 2,000 gallons, not to exceed 10,000~~

~~gallons a year of total sales at the distillery, mini-distillery, or micro-distillery location. No A licensed mini-distillery may produce more than 50,000 gallons per calendar year, at the mini-distillery location. A licensed micro-distillery may not produce more than 10,000 gallons per calendar year at the micro-distillery location.~~ The commissioner may issue more than one distillery, ~~or~~ mini-distillery, or micro-distillery license to a single person or entity and a person may hold both a distillery and a mini-distillery license. The owners of a licensed distillery, mini-distillery, or micro-distillery may operate a winery, farm winery, brewery, or as a resident brewer as otherwise specified in the code.

(f) *Building code and tax classification.*—Notwithstanding any provision of this code to the contrary, the mere addition of a distillery, mini-distillery, or micro-distillery licensed under this article on a property does not change the nature or use of the property which otherwise qualifies as agricultural use for building code and property tax classification purposes.

§60-4-3b. Winery and farm winery license to manufacture and sell.

(a) An operator of a winery or farm winery may offer wine produced by the winery, farm winery, or a farm entity authorized by §60-1-5c of this code, for retail sale to customers from the winery or farm winery for consumption off the premises only. Customers may consume wine on the premises when an operator of a winery or farm winery offers complimentary samples pursuant to §60-6-1 of this code, the winery or farm winery is licensed as a private wine restaurant, or the winery or farm winery is licensed as a private manufacturer club. Customers may not consume any wine on the licensed premises of the winery, farm winery, or a farm entity authorized by §60-1-5c of this code, unless the winery, farm winery, or farm entity has obtained a multi-capacity winery or farm winery license: *Provided*, That under this subsection, a licensed winery or farm winery may offer complimentary samples of wine manufactured by that licensed winery or farm winery for consumption on the premises only on Sundays beginning at 6:00 a.m. in any county in which the same has been approved as provided in §7-1-3ss of this code. Notwithstanding any other

provision of law to the contrary, a licensed winery or farm winery may sell, serve, and furnish wine, for on-premises consumption when licensed accordingly, beginning at 6:00 a.m., and for off-premises consumption beginning at 6:00 a.m. on any day of the week, unless otherwise determined by the residents of the county pursuant to §7-1-3ss of this code.

(b) Complimentary samples allowed by the provisions of this section may not exceed two fluid ounces and no more than three samples may be given to a patron in any one day.

(c) Complimentary samples may be provided only for on-premises consumption.

(d) A winery, farm winery, or farm entity, pursuant to §60-1-5c of this code, may offer for retail sale from their licensed premises sealed original container bottles of wine for off-premises consumption only.

(e) A winery, farm winery, or farm entity licensed pursuant to §60-1-5c of this code, holding a multi-capacity license and a private wine restaurant license may offer wine by the drink or glass in a private wine restaurant located on the property of the winery, farm winery, or farm entity licensed pursuant to §60-1-5c of this code.

(f) Every licensed winery or farm winery shall comply with the provisions of §60-3-1 *et seq.*, §60-4-1 *et seq.*, and §60-8-1 *et seq.* of this code as applicable to wine retailers, wineries, and suppliers when properly licensed in such capacities.

(g) (1) The winery or farm winery shall pay all taxes and fees required of licensed wine retailers and meet applicable licensing provisions as required by this chapter and by rules promulgated by the commissioner.

(2) Each winery or farm winery acting as its own supplier shall submit to the Tax Commissioner the liter tax for all sales at the winery or farm winery each month, as provided in §60-8-1 *et seq.* of this code.

(3) The five percent wine excise tax, levied pursuant to §60-3-9d of this code, or pursuant to §8-13-7 of this code, may not be imposed or collected on purchases of wine in the original sealed package for the purpose of resale in the original sealed package, if the final purchase of the wine is subject to the excise tax or if the purchase is delivered outside this state.

(4) ~~No~~ A liter tax shall not be collected on wine sold in the original sealed package for the purpose of resale in the original sealed package if a subsequent sale of the wine is subject to the liter tax.

(5) This section shall not be interpreted to authorize a purchase for resale exemption in contravention of §11-15-9a of this code.

(h) A winery or farm winery may advertise a particular brand or brands of wine produced by it. The price of the wine is subject to federal requirements or restrictions.

(i) A winery or farm winery shall maintain separate winery or farm winery supplier, retailer, and direct shipper licenses when acting in one or more of those capacities and shall pay all associated license fees, unless the winery or farm winery holds a license issued pursuant to the provisions of §60-8-3(b)(12) of this code. A winery or farm winery, if holding the appropriate licenses or a multi-capacity winery or farm winery license, may act as its own supplier; retailer for off-premises consumption of its wine as specified in §60-6-2 of this code; private wine restaurant; and direct shipper for wine produced by the winery or farm winery. A winery or farm winery that has applied, paid all fees, and met all requirements may obtain a private manufacturer club license subject to the requirements of §60-7-1 *et seq.* of this code, and a Class A retail dealer license subject to the requirements of §11-16-1 *et seq.* of ~~the~~ this code. All wineries ~~must~~ shall use a distributor to distribute and sell their wine in the state, except for farm wineries. Wineries or farm wineries may enter into alternating wine proprietorship agreements, pursuant to §60-1-5c of this code.

(j) The owners of a licensed winery or farm winery may operate a distillery, mini-distillery, or micro-distillery, brewery, or as a resident brewer, as otherwise specified in the code.

(k) For purposes of this section, terms have the same meaning as provided in §8-13-7 of this code.

(l) *Building code and tax classification.*—Notwithstanding any provision of this code to the contrary, the mere addition of a winery or farm winery licensed under this article on a property does not change the nature or use of the property which otherwise qualifies as agricultural use for building code and property tax classification purposes.

(m) In the interest of promoting tourism throughout the state, every licensed winery or farm winery manufacturing wine in this state is authorized, with a limited off-site retail privilege at private fair and festivals, for off-premises consumption sales of only the winery or farm winery's sealed wine. At least five days prior to an approved private fair and festival, an authorized winery or farm winery shall provide a copy of a written agreement to sell only wine manufactured by the licensed winery or farm winery at the private fair and festival's licensed premises. If approved, an authorized licensed winery or farm winery may conduct off-premises consumption sales of their wine from a designated booth at the private fair and festival as set forth in §60-7-8a of this code. All authorized and approved wineries and farm wineries' off-premises consumption sales shall comply with all retail requirements in §60-8-1 et seq. of this code, and specifically with respect to all markups, taxes, and fees. Additionally, an authorized winery or farm winery may provide complimentary samples to patrons who are 21 years of age and older and who are not intoxicated in the amounts set forth in subsection (b).

ARTICLE 7. LICENSES TO PRIVATE CLUBS.

§60-7-2. Definitions; authorizations; requirements for certain licenses.

Unless the context in which used clearly requires a different meaning, as used in this article:

(1) "Applicant" means a private club applying for a license under the provisions of this article.

(2) "Code" means the official Code of West Virginia, 1931, as amended.

(3) "Commissioner" means the West Virginia Alcohol Beverage Control Commissioner.

(4) "Licensee" means the holder of a license to operate a private club granted under this article, which remains unexpired, unsuspended, and unrevoked.

(5) "Private club" means any corporation or unincorporated association which either:

(A) Belongs to or is affiliated with a nationally recognized fraternal or veterans' organization which is operated exclusively for the benefit of its members, which pays no part of its income to its shareholders or individual members, which owns or leases a building or other premises to which club are admitted only duly-elected or approved dues-paying members in good standing of the corporation or association and their guests while in the company of a member and to which club the general public is not admitted, and which ~~club~~ maintains in the building or on the premises a suitable kitchen and dining facility with related equipment for serving food to members and their guests;

(B) Is a nonprofit social club, which is operated exclusively for the benefit of its members, which pays no part of its income to its shareholders or individual members, which owns or leases a building or other premises to which club are admitted only duly-elected or approved dues-paying members in good standing of the corporation or association and their guests while in the company of a member and to which club the general public is not admitted, and which ~~club~~ maintains in the building or on the premises a suitable kitchen and dining facility with related equipment for serving food to members and their guests;

(C) Is organized and operated for legitimate purposes which has at least 100 duly- elected or approved dues-paying members in

good standing, which owns or leases a building or other premises, including any vessel licensed or approved by any federal agency to carry or accommodate passengers on navigable waters of this state, to which club are admitted only duly- elected or approved dues-paying members in good standing of the corporation or association and their guests while in the company of a member and to which club the general public is not admitted, and which club maintains in the building or on the premises a suitable kitchen and dining facility with related equipment and employs a sufficient number of persons for serving meals to members and their guests; or

(D) Is organized for legitimate purposes and owns or leases a building or other delimited premises in any state, county, or municipal park, or at any airport, in which building or premises a club has been established, to which club are admitted only duly-elected and approved dues-paying members in good standing and their guests while in the company of a member and to which ~~club~~ the general public is not admitted, and which maintains in connection with the club a suitable kitchen and dining facility and related equipment and employs a sufficient number of persons for serving meals in the club to the members and their guests.

(6) "Private bakery" means an applicant for a private club or licensed private club license that has a primary function of operating a food preparation business that produces baked goods, including brownies, cookies, cupcakes, confections, muffins, breads, cakes, wedding cakes, and other baked goods. ~~The~~ where the applicant or licensee desires to sell baked goods infused with liquor, wine, or nonintoxicating beer or nonintoxicating craft beer, either: (A) In the icing, syrup, drizzle, or some other topping; (B) as an infusion where the alcohol is not processed or cooked out of the baked goods; or (C) the alcohol can be added by the purchaser from an infusion packet containing alcohol no greater than 10 milliliters. This applicant or licensee may not sell liquor, wine, or nonintoxicating beer or nonintoxicating craft beer for on or off-premises consumption. ~~This~~ The applicant or licensee may sell the baked goods with alcohol added as authorized for on and off-premises consumption. Further, the applicant or licensee shall ~~meet the criteria set forth in this subdivision which:~~

(i) ~~Has~~ Have at least 50 members;

(ii) ~~Operates~~ Operate a kitchen that produces baked goods, as specified in this subdivision, including at least: (I) A baking oven and a four-burner range or hot plate; (II) a sink with hot and cold running water; (III) a 17 cubic foot refrigerator or freezer, or some combination of a refrigerator and freezer which is not used for alcohol cold storage; (IV) baking utensils and pans, kitchen utensils, and other food consumption apparatus as determined by the commissioner; and (V) food fit for human consumption available to be served during all hours of operation on the licensed premises;

(iii) ~~Maintains,~~ Maintain, at any one time, a food inventory capable of being prepared in the private bakery's kitchen. In calculating the food inventory, the commissioner shall include television dinners, bags of chips or similar products, microwavable food or meals, frozen meals, pre-packaged foods, baking items such as flour, sugar, icing, and other confectionary items, or canned prepared foods;

(iv) ~~Uses~~ Use an age verification system approved by the commissioner for the purpose of verifying that persons under the age of 21 who are in the private bakery are not sold items containing alcoholic liquors, nonintoxicating beer or nonintoxicating craft beer, or wine, ~~and a~~ A person under 21 years of age may enter the shop and purchase other items not containing alcoholic liquors; and

(v) Meet and be subject to all other private club requirements.

(7) "Private cigar shop" means an applicant for a private club or licensed private club ~~licensee~~ licensee that has a primary function of operating a cigar shop for sales of premium cigars for consumption on or off the licensed premises. Where permitted by law, indoor on-premises cigar consumption is permitted with a limited food menu, which may be met by ~~utilizing~~ using a private caterer, for members and guests while the private club applicant or licensee is selling and serving liquor, wine, or nonintoxicating beer or nonintoxicating craft beer for on-premises consumption.

Further, the applicant or licensee shall ~~meet the criteria set forth in this subdivision which:~~

(A) ~~Has~~ Have at least 50 members;

(B) ~~Operates~~ Operate a cigar shop and bar with a kitchen, including at least: (i) A two-burner hot plate, air fryer, or microwave oven; (ii) a sink with hot and cold running water; (iii) a 17 cubic foot refrigerator or freezer, or some combination of a refrigerator and freezer which is not used for alcohol cold storage; (iv) kitchen utensils and other food consumption apparatus as determined by the commissioner; and (v) food fit for human consumption available to be served during all hours of operation on the licensed premises;

(C) ~~Maintains,~~ Maintain, at any one time, ~~\$500~~ not less than a food inventory capable of being prepared in the private club bar's kitchen or ~~has~~ have on hand at least \$150 in food provided by a private caterer. In calculating the food inventory, the commissioner shall include television dinners, bags of chips or similar products, microwavable food or meals, frozen meals, pre-packaged foods, or canned prepared foods;

(D) ~~Uses~~ Use an age verification system approved by the commissioner for the purpose of verifying that persons under the age of 21 who are in the private club bar are accompanied by a parent or legal guardian, and if a person under 21 years of age is not accompanied by a parent or legal guardian, that person may not be admitted as a guest; and

(E) ~~Meets~~ Meet and is subject to all other private club requirements.

(8) "Private caterer" means a licensed private club restaurant, private hotel, or private resort hotel authorized by the commissioner to cater and serve food and sell and serve alcoholic liquors, or non-intoxicating beer or non-intoxicating craft beer. A private caterer shall purchase wine sold or served at a catering event from a wine distributor. A private caterer shall purchase nonintoxicating beer and nonintoxicating craft beer sold or served

at the catering event from a licensed beer distributor. A private caterer shall purchase liquor from a retail liquor outlet authorized to sell in the market zone, where the catering event is held. The private caterer or the persons or entity holding the catering event shall:

(A) Have at least 10 members and guests attending the catering event;

(B) Have obtained an open container waiver or have otherwise been approved by a municipality or county in which the event is being held;

(C) Operate a private club restaurant on a daily operating basis;

(D) Only use its employees, independent contractors, or volunteers to sell and serve alcoholic liquors who have received certified training in verifying the legal identification, the age of a purchasing person, and the signs of visible, noticeable, and physical intoxication;

(E) Provide to the commissioner, at least seven days before the event is to take place:

(i) The name and business address of the unlicensed private venue where the private caterer is to provide food and alcohol for a catering event;

(ii) The name of the owner or operator of the unlicensed private venue;

(iii) A copy of the contract or contracts between the private caterer, the person contracting with the caterer, and the unlicensed private venue;

(iv) A floorplan of the unlicensed private venue to comprise the private catering premises, which shall only include spaces in buildings or rooms of an unlicensed private venue where the private caterer has control of the space for a set time period and where the space safely accounts for the ingress and egress of the stated members and guests who will be attending the private

catering event at the catering premises. The unlicensed private venue's floorplan during the set time period as stated in the contract shall comprise the private caterer's licensed premises, which is authorized for the lawful sale, service, and consumption of alcoholic liquors, nonintoxicating beer and nonintoxicating craft beer, and wine throughout the licensed private catering premises: *Provided*, That the unlicensed private venue shall: (I) Be inside a building or structure; (II) have other facilities to prepare and serve food and alcohol; (III) have adequate restrooms and sufficient building facilities for the number of members and guests expected to attend the private catering event; and (IV) otherwise be in compliance with health, fire, safety, and zoning requirements;

(F) Not hold more than 15 private catering events per calendar year. Upon reaching the 16th event, the unlicensed venue shall obtain its own private club license;

(G) Submit to the commissioner, evidence that any noncontiguous area of an unlicensed venue is within 150 feet of the private caterer's submitted floorplan and may submit a floorplan extension for authorization to permit alcohol and food at an outdoor event;

(H) Meet and be subject to all other private club requirements; and

(I) Use an age verification system approved by the commissioner.

(9) "Private club bar" means an applicant for a private club or licensed private club licensee that has a primary function for the use of the licensed premises as a bar for the sale and consumption of alcoholic liquors and nonintoxicating beer or nonintoxicating craft beer and wine when licensed for those sales, while providing a limited food menu for members and guests, and meeting the criteria set forth in this subdivision which:

(A) Has at least 100 members;

(B) Operates a bar with a kitchen, including at least: (i) A two-burner hot plate, air fryer, or microwave oven; (ii) a sink with hot

and cold running water; (iii) a 17 cubic foot refrigerator or freezer, or some combination of a refrigerator and freezer which is not used for alcohol cold storage; (iv) kitchen utensils and other food consumption apparatus as determined by the commissioner; and (v) food fit for human consumption available to be served during all hours of operation on the licensed premises;

(C) Maintains, at any one time, ~~\$500~~ a food inventory capable of being prepared in the private club bar's kitchen. In calculating the food inventory, the commissioner shall include television dinners, bags of chips or similar products, microwavable food or meals, frozen meals, prepackaged foods, or canned prepared foods;

(D) Uses an age verification system approved by the commissioner for the purpose of verifying that persons under the age of 18 who are in the private club bar are accompanied by a parent or legal guardian, ~~and if~~ If a person under 18 years of age is not accompanied by a parent or legal guardian that person may not be admitted as a guest; and

(E) Meets and is subject to all other private club requirements.

(10) "Private food truck" means an applicant for a private club, licensed private club ~~licensee~~ licensee, or licensed private manufacturer's club ~~licensee~~ licensee that has a primary function of operating a food preparation business using an industrial truck, van, or trailer to prepare food and meals for sale at various locations within the state while ~~utilizing~~ using a propane or electric generator powered kitchen. The private food truck applicant shall obtain county or municipal approval to operate for food and liquor, wine, hard cider, and nonintoxicating beer or nonintoxicating craft beer sales and service, while providing a food menu for members and guests. The private food truck applicant shall ~~meet the criteria set forth in this subdivision which:~~

(A) ~~Has~~ Have at least 10 members;

(B) ~~Operates~~ Operate with a kitchen, including at least: (i) A two-burner hot plate, air fryer, or microwave oven; (ii) a sink with hot and cold running water; (iii) at least a 10 cubic foot refrigerator

or freezer, or some combination of a refrigerator and freezer which is not used for alcohol cold storage; and (iv) plastic or metal kitchen utensils and other food consumption apparatus as determined by the commissioner;

(C) ~~Maintains~~, Maintain, at any one time, \$500 not less than \$200 of food inventory that is fit for human consumption and capable of being prepared and served from the private food truck's kitchen during all hours of operation;

(D) ~~Shall be~~ Is sponsored, endorsed, or approved by the governing body or its designee of the county or municipality in which the private food truck is to be located and operated, ~~and further each~~ Each location shall have a bounded and defined area and set hours for private food truck operations, sales, and consumption of alcohol that are not greater than a private club's hours of operation;

(E) ~~Provides~~ Provide the commissioner with a list of all locations, including a main business location, where the private food truck operates, and is approved for sales pursuant to subsection (D) of this section, and immediately update the commissioner when new locations are approved by a county or municipality;

(F) ~~Requires~~ Require all nonintoxicating beer and nonintoxicating craft beer sold, furnished, tendered, or served pursuant to the license created by this section to be purchased from the licensed distributor where the private food truck has its home location or from a resident brewer acting in a limited capacity as a distributor, all in accordance with §11-16-1 *et seq.* of this code.

(G) ~~Requires~~ Require wine or hard cider sold, furnished, tendered, or served pursuant to the license created by this section to be purchased from a licensed distributor, winery, or farm winery in accordance with §60-8-1 *et seq.* of this code.

(H) ~~Requires~~ Require liquor sold, furnished, tendered, or served pursuant to the license created by this section shall be purchased from a licensed retail liquor outlet in the market zone or

contiguous market zone where the private food truck has its main business location, all in accordance with §60-3A-1 *et seq.* of this code.

(I) A licensee authorized by this section shall ~~utilize~~ use bona fide employees to sell, furnish, tender, or serve the nonintoxicating beer or nonintoxicating craft beer, wine, or liquor.

(J) A brewer, resident brewer, winery, farm winery, distillery, mini-distillery, or micro-distillery may obtain a private food truck license;

(K) Licensed representatives of a brewer, resident brewer, beer distributor, wine distributor, wine supplier, winery, farm winery, distillery, mini-distillery, micro-distillery, and liquor broker representatives may attend a location where a private food truck is located and discuss their respective products but may not engage in the selling, furnishing, tendering, or serving of any nonintoxicating beer or nonintoxicating craft beer, wine, or liquor.

(L) ~~Uses~~ Use an age verification system approved by the commissioner for the purpose of verifying that persons under the age of 21 who are in the private club bar are not permitted to be served any alcoholic liquors, nonintoxicating beer or nonintoxicating craft beer, or wine but may be permitted to purchase food or other items;

(M) ~~Obtains~~ Obtain all permits required by §60-6-12 of this code; and

(N) ~~Meets~~ Meet and is be subject to all other applicable private club requirements.

(11) "Private club restaurant" means an applicant for a private club or licensed private club licensee that has a primary function of using the licensed premises as a restaurant for serving freshly prepared meals and dining in the restaurant area. The private club restaurant may have a bar area separate from or commingled with the restaurant, seating requirements for members and guests shall be met by the restaurant area. The applicant for a private club restaurant license is an applicant which:

(A) Has at least 100 members;

(B) Operate a restaurant and full kitchen with at least: (i) Ovens and four-burner ranges; (ii) refrigerators or freezers, or some combination of refrigerators and freezers greater than 50 cubic feet, or a walk-in refrigerator or freezer; (iii) other kitchen utensils and apparatus as determined by the commissioner; and (iv) freshly prepared food fit for human consumption available to be served during all hours of operation on the licensed premises;

(C) Maintains, at any one time, ~~\$1,000~~ of fresh food inventory capable of being prepared in the private club restaurant's full kitchen. In calculating the food inventory, the commissioner may not include television dinners, bags of chips or similar products, microwavable meals, frozen meals, pre-packaged foods, or canned prepared foods;

(D) Uses an age verification system approved by the commissioner for the purpose of verifying that persons under 18 years of age who are in the bar area of a private club restaurant are accompanied by a parent or legal guardian. The licensee may not seat a person in the bar area who is under the age of 18 years and who is not accompanied by a parent or legal guardian, but may allow that person, as a guest, to dine for food and nonalcoholic beverage purposes in the restaurant area of a private club restaurant:

(E) May uncork and serve members and guests up to two bottles of wine that a member purchased from a wine retailer, wine specialty shop, an applicable winery or farm winery when licensed for retail sales, or a licensed wine direct shipper when the purchase is for personal use and, not for resale. The licensee may charge a corkage fee of up to \$10 dollars per bottle. In no event may a member or a group of members and guests exceed two sealed bottles or containers of wine to carry onto the licensed premises for uncorking and serving by the private club restaurant and for personal consumption by the member and guests. A member or guest may cork and reseal any unconsumed wine bottles as provided in §60-8-3 (j) of this code and the legislative rules for carrying unconsumed wine off the licensed premises;

(F) Has at least two restrooms for members and their guests: *Provided*, That this requirement may be waived by the local health department upon supplying a written waiver of the requirement to the commissioner: *Provided, however*, That the requirement may also be waived for a historic building by written waiver supplied to commissioner of the requirement from the historic association or district with jurisdiction over a historic building: *Provided, further* That in no event may a private club restaurant have less than one restroom; and

(G) Meets and is subject to all other private club requirements.

(12) "Private manufacturer club" means an applicant for a private club or licensed private club licensee which is also licensed as a distillery, mini-distillery, micro-distillery, winery, farm winery, brewery, or resident brewery that manufacturers liquor, wine, nonintoxicating beer or nonintoxicating craft beer, which may be sold, served, and furnished to members and guests for on-premises consumption at the licensee's licensed premises and in the area or areas denoted on the licensee's floorplan, and which:

(A) Has at least 100 members;

(B) Offers tours, may offer complimentary samples, and may offer space as a conference center or for meetings;

(C) Operates a restaurant and full kitchen with ovens, four-burner ranges, a refrigerator, or freezer, or some combination of a refrigerator and freezer, and other kitchen utensils and apparatus as determined by the commissioner on the licensed premises and serves freshly prepared food at least 15 hours per week: *Provided*, That a licensee required by the provisions of this code to serve food on premises in order to lawfully serve alcoholic liquors, beer, wine, or hard cider may meet the requirement of having on-premises food preparation facilities by, during all hours alcoholic liquors, beer, wine, and hard cider are offered for sale or sampling, having on-site an operating food truck or other portable kitchen: *Provided, however*, That the approval of the commissioner and the appropriate health department is required to operate as allowed by subsection (a) of this section;

(D) Maintains, at any one time, ~~-\$500~~ of fresh food ~~inventory~~ capable of being prepared in the private manufacturer club's full kitchen. In calculating the food inventory, the commissioner may not include television dinners, bags of chips or similar products, microwavable meals, frozen meals, pre-packaged foods, or canned prepared foods;

(E) Owns or leases, controls, operates, and uses ~~acreage amounting to at least one acre~~ space which is contiguous, bounded, or fenced real property sufficient to safely operate the licensed premises that would be listed on the licensee's floorplan and may be used for large events such as weddings, reunions, conferences, meetings, and sporting or recreational events;

(F) Lists the entire property from paragraph (E) of this subdivision and all adjoining buildings and structures on the private manufacturer club's floorplan that would comprise the licensed premises, which would be authorized for the lawful sale, service, and consumption of alcoholic liquors, nonintoxicating beer or nonintoxicating craft beer, and wine throughout the licensed premises, whether these activities were conducted in a building or structure or outdoors while on the private manufacturer club's licensed premises, and as noted on the private manufacturer club's floorplan;

(G) Identifies a person, persons, an entity, or entities who or which ~~has~~ have the right, title, and ownership or lease interest in the real property, buildings, and structures located on the proposed licensed premises;

(H) Uses an age verification system approved by the commissioner; and

(I) Meets and is subject to all other private club requirements.

(13) "Private fair and festival" means an applicant for a private club or a licensed private club licensee meeting the requirements of §60-7-8a of this code for a temporary event, and the criteria set forth in this subdivision which:

(A) Has at least 100 members;

(B) Has been sponsored, endorsed, or approved, in writing, by the governing body (or its duly elected or appointed officers) of either the municipality or of the county in which the festival, fair, or other event is to be conducted;

(C) Prepares, provides, or engages a food vendor to provide adequate freshly prepared food or meals to serve its stated members and guests who will be attending the temporary festival, fair, or other event, and further shall provide any documentation or agreements to the commissioner prior to approval;

(D) Does not use third-party entities or individuals to purchase, sell, furnish, or serve alcoholic liquors, nonintoxicating beer or nonintoxicating craft beer;

(E) Provides adequate restroom facilities, whether permanent or portable, to serve the stated members and guests who will be attending the festival, fair, or other event;

(F) Provides a floorplan for the proposed premises with a defined and bounded area to safely account for the ingress and egress of stated members and guests who will be attending the festival, fair, or other event;

(G) Uses an age verification system approved by the commissioner; and

(H) Meets and is subject to all other private club requirements.

(14) "Private hotel" means an applicant for a private club or licensed private club licensee meeting the criteria set forth in this subsection which:

(A) Has at least 2,000 members;

(B) Offers short-term, daily rate accommodations or lodging for members and their guests amounting to at least 30 separate bedrooms, and also offers a conference center for meetings;

(C) Operates a restaurant and full kitchen with ovens, four-burner ranges, walk-in freezers, and other kitchen utensils and

apparatus as determined by the commissioner on the licensed premises and serves freshly prepared food at least 20 hours per week;

(D) Maintains, at any one time, ~~\$2,500~~ of fresh food inventory capable of being prepared in the private hotel's full kitchen. ~~And in~~ In calculating the food inventory, the commissioner may not include microwavable, frozen, or canned foods;

(E) Owns or leases, controls, operates, and uses acreage amounting to more than one acre but fewer than three acres, which are contiguous acres of bounded or fenced real property which would be listed on the licensee's floorplan and would be used for hotel and conferences and large contracted-for group-type events such as weddings, reunions, conferences, meetings, and sporting or recreational events;

(F) Lists the entire property from paragraph (E) of this subdivision and all adjoining buildings and structures on the private hotel's floorplan which would comprise the licensed premises, which would be authorized for the lawful sales, service, and consumption of alcoholic liquors throughout the licensed premises whether these activities were conducted in a building or structure or outdoors while on the private hotel's licensed premises and as noted on the private hotel's floorplan;

(G) Has an identified person, persons, or entity that has right, title, and ownership or lease interest in the real property buildings and structures located on the proposed licensed premises;

(H) Uses an age verification system approved by the commissioner;

(I) Meets and is subject to all other private club requirements; and

(J) May provide members and guests who are verified by proper form of identification to be 21 years of age or older to have secure access via key or key card to an in-room mini-bar in their rented short-term accommodation; the mini-bar may be a small refrigerator not in excess of 1.6 cubic feet for the sale of

nonintoxicating beer or nonintoxicating craft beer, wine, hard cider, and liquor sold from the original sealed container, and the refrigerator may contain: (i) Any combination of 12 fluid ounce cans or bottles not exceeding 72 fluid ounces of nonintoxicating beer or nonintoxicating craft beer; (ii) any combination of cans or bottles of wine or hard cider not exceeding 750 ml of wine or hard cider; (iii) liquor in bottles sized from 50 ml, 100 ml, and 200 ml, with any combination of those liquor bottles not exceeding 750 ml; and (iv) any combination of canned or packaged food valued at least \$50. All markups, fees, and taxes shall be charged on the sale of nonintoxicating beer, nonintoxicating craft beer, wine, ~~and liquor~~, and hard cider. All nonintoxicating beer or nonintoxicating craft beer available for sale shall be purchased from the licensed distributor in the area where licensed. All wine or hard cider available for sale shall be purchased from a licensed wine distributor or authorized farm winery. All liquor available for sale shall be purchased from the licensed retail liquor outlet in the market zone of the licensed premises. The mini-bar shall be checked daily and replenished as needed to benefit the member and guest.

(15) "Private resort hotel" means an applicant for a private club or licensed private club licensee which:

(A) Has at least 5,000 members;

(B) Offers short term, daily rate accommodations or lodging for members and their guests amounting to at least 50 separate bedrooms;

(C) Operates a restaurant and full kitchen with ovens, six-burner ranges, walk-in freezers, and other kitchen utensils and apparatus as determined by the commissioner on the licensed premises and serves freshly prepared food at least 25 hours per week;

(D) Maintains, at any one time, ~~\$5,000~~ of fresh food inventory capable of being prepared in the private resort hotel's full kitchen. In calculating the food inventory, the commissioner may not include microwavable, frozen, or canned foods;

(E) Owns or leases, controls, operates, and uses acreage amounting to at least 10 contiguous acres of bounded or fenced real property which would be listed on the licensee's floorplan and would be used for destination, resort, and large contracted-for group-type events such as weddings, reunions, conferences, meetings, and sporting or recreational events;

(F) Lists the entire property from paragraph (E) of this subdivision and all adjoining buildings and structures on the private resort hotel's floorplan comprising the licensed premises, which would be authorized for the lawful sales, service, and consumption of alcoholic liquors throughout the licensed premises whether these activities were conducted in a building or structure or outdoors while on the private resort hotel's licensed premises;

(G) Has an identified person, persons, or entity that has right, title, and ownership or lease interest in the real property, buildings, and structures located on the proposed licensed premises;

(H) Uses an age verification system approved by the commissioner;

(I) Meets and is subject to all other private club requirements;

(J) May have a separately licensed resident brewer with a brewpub license inner-connected via a walkway, doorway, or entryway, all as determined and approved by the commissioner, for limited access during permitted hours of operation for tours and complimentary samples at the resident brewery; and

(K) May provide members and guests who are verified by proper form of identification to be 21 years of age or older to have access via key or key card to an in-room mini-bar in their rented short-term accommodation. The mini-bar may be a small refrigerator not in excess of 3.2 cubic feet for the sale of nonintoxicating beer, nonintoxicating craft beer, wine, hard cider, and liquor sold from the original sealed container, and the refrigerator may contain: (i) Any combination of 12 fluid ounce cans or bottles not exceeding 144 fluid ounces of nonintoxicating beer or nonintoxicating craft beer; (ii) any combination of cans or

bottles of wine or hard cider not exceeding one and a half liters of wine or hard cider; (iii) liquor in bottles sized from 50 ml, 100 ml, 200 ml, and 375 ml with any combination of such liquor bottles not exceeding one and a half liters; and (iv) any combination of canned or packaged food valued at least \$100. All markups, fees, and taxes shall be charged on the sale of nonintoxicating beer, nonintoxicating craft beer, hard cider, wine, and liquor. All nonintoxicating beer or nonintoxicating craft beer available for sale shall be purchased from the licensed distributor in the area where licensed. All wine or hard cider available for sale shall be purchased from a licensed wine distributor or authorized farm winery. All liquor available for sale shall be purchased from the licensed retail liquor outlet in the market zone of the licensed premises. The mini-bar shall be checked daily and replenished as needed to benefit the member and guest.

(16) "Private golf club" means an applicant for a private club or licensed private club licensee ~~meeting the criteria set forth in this subdivision~~ which:

(A) Has at least 100 members;

(B) Maintains at least one 18-hole golf course with separate and distinct golf playing holes, not reusing nine golf playing holes to comprise the 18 golf playing holes, and a clubhouse;

(C) Operates a restaurant and full kitchen with ovens, as determined by the commissioner, on the licensed premises and serves freshly prepared food at least 15 hours per week;

(D) Owns or leases, controls, operates, and uses acreage amounting to at least 80 contiguous acres of bounded or fenced real property which would be listed on the private golf club's floorplan and could be used for golfing events and large contracted-for group-type events such as weddings, reunions, conferences, meetings, and sporting or recreational events;

(E) Lists the entire property from paragraph (D) of this subsection and all adjoining buildings and structures on the private golf club's floorplan comprising the licensed premises; which

would be authorized for the lawful sales, service, and consumption of alcoholic liquors throughout the licensed premises whether these activities were conducted in a building or structure or outdoors while on the private golf club's licensed premises;

(F) Has an identified person, persons, or entity that has right, title, and ownership interest in the real property, buildings, and structures located on the proposed licensed premises;

(G) Uses an age verification system approved by the commissioner; and

(H) Meets and is subject to all other private club requirements.

(17) "Private nine-hole golf course" means an applicant for a private club or licensed private club licensee ~~meeting the criteria set forth in this subdivision~~ which:

(A) Has at least 50 members;

(B) Maintains at least one nine-hole golf course with separate and distinct golf playing holes;

(C) Operates a restaurant and full kitchen with ovens, as determined by the commissioner, on the licensed premises and serves freshly prepared food at least 15 hours per week;

(D) Owns or leases, controls, operates, and uses acreage amounting to at least 30 contiguous acres of bounded or fenced real property which would be listed on the private nine-hole golf course's floorplan and could be used for golfing events and large contracted for group-type events such as weddings, reunions, conferences, meetings, and sporting or recreational events;

(E) Lists the entire property from paragraph (D) of this subdivision and all adjoining buildings and structures on the private nine-hole golf course's floorplan comprising the licensed premises; which would be authorized for the lawful sales, service, and consumption of alcoholic liquors throughout the licensed premises whether these activities were conducted in a building or

structure or outdoors while on the private nine-hole golf course's licensed premises;

(F) Has an identified person, persons, or entity that has right, title, and ownership interest in the real property buildings and structures located on the proposed licensed premises;

(G) Uses an age verification system approved by the commissioner; and

(H) Meets and is subject to all other private club requirements.

(18) "Private tennis club" means an applicant for a private club or licensed private club licensee which:

(A) Has at least 100 members;

(B) Maintains at least four separate and distinct tennis courts, either indoor or outdoor, and a clubhouse or similar facility;

(C) Has a restaurant and full kitchen with ovens, as determined by the commissioner, on the licensed premises ~~and~~ which is capable of serving freshly prepared food;

(D) Owns or leases, controls, operates, and uses acreage amounting to at least two contiguous acres of bounded or fenced real property which would be listed on the private tennis club's floorplan and could be used for tennis events and large events such as weddings, reunions, conferences, tournaments, meetings, and sporting or recreational events;

(E) Lists the entire property from paragraph (D) of this subdivision and all adjoining buildings and structures on the private tennis club's floorplan comprising the licensed premises; which would be authorized for the lawful sales, service, and consumption of alcoholic liquors throughout the licensed premises whether these activities were conducted in a building or structure or outdoors while on the private tennis club's licensed premises;

(F) Has identified a person, persons, an entity, or entities who or which has right, title, and ownership interest in the real property buildings and structures located on the proposed licensed premises;

(G) Meets and is subject to all other private club requirements; and

(H) Uses an age verification system approved by the commissioner.

(19) "Private college sports stadium" means an applicant for a private club or licensed private club licensee that operates a college or university stadium or coliseum for Division I, II, or III and what involves a college public or private or university that is a member of the National Collegiate Athletic Association, or its successor, and uses the facility for football, basketball, baseball, soccer, or other Division I, II, or III sports, reserved weddings, reunions, conferences, meetings, or other special events and does not maintain daily or regular operating hours as a bar or restaurant. The licensee may sell alcoholic liquors when conducting or temporarily hosting non-collegiate sporting events. This license may be issued in the name of the National Collegiate Athletic Association Division I, II, or III college or university or the name of the primary food and beverage vendor under contract with that college or university. All alcohol sales shall take place within the confines of the college or university stadium: *Provided*, That any outside area approved for alcohol sales shall be surrounded by a fence or other barrier prohibiting entry except upon the college or university's express permission, and under the conditions and restrictions established by the college or university, so that the alcohol sales area is closed in order to prevent entry and access by the general public. Further the applicant shall:

(A) Have at least 100 members;

(B) Maintain an open-air or ~~closed-air~~ enclosed stadium or coliseum venue primarily used for sporting events, such as football, basketball, baseball, soccer, or other Division I, II, or III sports, and also weddings, reunions, conferences, meetings, or other events

where parties shall reserve the college stadium venue in advance of the event;

(C) Operate a restaurant and full kitchen with ovens and equipment that is equivalent or greater than a private club restaurant, as determined by the commissioner, on the licensed premises ~~and~~ that is capable of serving freshly prepared food or meals to its stated members, guests, and patrons who will be attending the event at the private college sports stadium;

(D) Own or lease, control, operate, and use acreage amounting to at least two contiguous acres of bounded or fenced real property, as determined by the commissioner, which would be listed on the private college stadium's floorplan and could be used for contracted-for temporary non-collegiate sporting events, group-type weddings, reunions, conferences, meetings, or other events;

(E) List the entire property from paragraph (D) of this subdivision and all adjoining buildings and structures on the private college sports stadium's floorplan which would comprise the licensed premises, which would be authorized for the lawful sales, service, and consumption of alcoholic liquors and nonintoxicating beer or nonintoxicating craft beer throughout the licensed premises whether these activities were conducted in a building or structure or outdoors while on the private college sports stadium's licensed premises and as noted on the private college sports stadium's floorplan;

(F) Have an identified person, persons, or entity that has right, title, and ownership interest in the real property buildings and structures located on the proposed licensed premises;

(G) Meet and be subject to all other private club requirements; and

(H) Use an age verification system approved by the commissioner.

(20) "Private professional sports stadium" means an applicant for a private club or licensed private club licensee that is only open for professional sporting events when the events are affiliated with

or sponsored by a professional sporting association, reserved weddings, reunions, conferences, meetings, or other special events and does not maintain daily or regular operating hours as a bar or restaurant. The licensee may not sell alcoholic liquors when conducting or hosting non-professional sporting events, and further the applicant shall:

(A) Have at least 1,000 members;

(B) Maintain an open-air or ~~closed-air~~ enclosed stadium venue primarily used for sporting events, such as football, baseball, soccer, auto racing, or other professional sports, and also weddings, reunions, conferences, meetings, or other events where parties reserve the stadium venue in advance of the event;

(C) Operate a restaurant and full kitchen with ovens, as determined by the commissioner, on the licensed premises ~~and~~ which is capable of serving freshly prepared food or meals to serve its stated members, guests, and patrons who will be attending the event at the private professional sports stadium;

(D) Own or lease, control, operate, and use acreage amounting to at least three contiguous acres of bounded or fenced real property, as determined by the commissioner, which would be listed on the professional sports stadium's floorplan and could be used for contracted-for professional sporting events, group-type weddings, reunions, conferences, meetings, or other events;

(E) List the entire property from paragraph (D) of this subdivision and all adjoining buildings and structures on the private professional sports stadium's floorplan comprising the licensed premises, ~~and~~ which would be authorized for the lawful sales, service, and consumption of alcoholic liquors throughout the licensed premises whether these activities were conducted in a building or structure or outdoors while on the private professional sports stadium's licensed premises;

(F) Have an identified person, persons, or entity that has right, title, and ownership interest in the real property buildings and structures located on the proposed licensed premises;

(G) Meet and be subject to all other private club requirements; and

(H) Use an age verification system approved by the commissioner.

(21) "Private farmers market" means an applicant for a private club or licensed private club licensee that operates as an association of bars, restaurants, retailers who sell West Virginia-made products among other products, and other stores who open primarily during daytime hours of 6:00 a.m. to 6:00 p.m., but may operate in the day or evenings for special events where the sale of food and alcoholic liquors and nonintoxicating beer or nonintoxicating craft beer may occur for on-premises consumption, such as reserved weddings, reserved dinners, pairing events, tasting events, reunions, conferences, meetings, or other special events and does not maintain daily or regular operating hours as a bar or restaurant, ~~and all~~ All businesses that are members of the association ~~have agreed~~ shall agree in writing to be liable and responsible for all sales, service, furnishing, tendering, and consumption of alcoholic liquors, ~~and~~ nonintoxicating beer, ~~or~~ nonintoxicating craft beer, wine, and hard cider occurring on the entire licensed premises of the private farmer's market, including indoor and outdoor bounded areas, and further the applicant shall:

(A) Have at least 100 members;

(B) Have one or more members operating a private club restaurant and full kitchen with ovens, four-burner ranges, a refrigerator or freezer or some combination of a refrigerator and freezer, and other kitchen utensils and apparatus as determined by the commissioner on the licensed premises and ~~serve~~ serve freshly prepared food at least 15 hours per week;

(C) Have one or more members operating who maintain, at any one time, ~~\$1,000 of fresh food inventory~~ capable of being prepared for events conducted at the private farmers market in the private club restaurant's full kitchen, ~~and in~~ In calculating the food inventory, the commissioner may not include television dinners,

bags of chips or similar products, microwavable meals, frozen meals, pre-packaged foods, or canned prepared foods;

(D) Have an association that owns or leases, controls, operates, and uses acreage amounting to more than one acre, which is contiguous acreage of bounded or fenced real property which would be listed on the licensee's floorplan and would be used for large contracted-for reserved weddings, reserved dinners, pairing events, tasting events, reunions, conferences, meetings, or other special events;

(E) Have an association that lists in the application for licensure the entire property and all adjoining buildings and structures on the private farmers market's floorplan which would comprise the licensed premises, which would be authorized for the lawful sales, service, and consumption of alcoholic liquors and nonintoxicating beer or nonintoxicating craft beer throughout the licensed premises whether these activities were conducted in a building or structure or outdoors while on the private farmers market's licensed premises and as noted on the private farmers market's floorplan;

(F) Have an identified person, persons, or entity that has right, title, and ownership or lease interest in the real property buildings and structures located on the proposed licensed premises;

(G) Have at least two separate and unrelated vendors applying for the license and certifying that all vendors in the association have agreed to the liability responsibility associated with a private farmers market license;

(H) Only use its employees, independent contractors, or volunteers to purchase, sell, furnish, or serve liquor, wine, nonintoxicating beer or nonintoxicating craft beer;

(I) Provide adequate restroom facilities, whether permanent or portable, to serve the stated members and guests who will be attending the private farmers market;

(J) Provide a copy of a written agreement between all the vendors of the association that is executed by all vendors stating

that each vendor is jointly and severally liable for any violations of this chapter committed during the event;

(K) Provide a security plan indicating all vendor points of service, entrances, and exits in order to verify members', patrons', and guests' ages, to verify whether a member, patron, or guest is intoxicated, and to provide for the public health and safety of members, patrons, and guests;

(L) Use an age verification system approved by the commissioner; and

(M) Meet and be subject to all other private club requirements.

(22) "Private wedding venue or barn" means an applicant for a private club or licensed private club licensee that is only open for reserved weddings, reunions, conferences, meetings, or other events and does not maintain daily or regular operating hours, and which:

(A) Has at least 25 members;

(B) Maintains a venue, facility, barn, or pavilion primarily used for weddings, reunions, conferences, meetings, or other events where parties reserve or contract for the venue, facility, barn, or pavilion in advance of the event;

(C) Operates a restaurant and full kitchen with ovens, as determined by the commissioner, on the licensed premises that is capable of serving freshly prepared food, or ~~may engage~~ engages a food caterer to provide adequate freshly prepared food or meals to serve its stated members, guests, and patrons who will be attending the event at the private wedding venue or barn. The applicant or licensee shall provide written documentation including a list of food caterers or written agreements regarding any food catering operations to the commissioner prior to approval of a food catering event;

(D) Owns or leases, controls, operates, and uses ~~aerage amounting to at least two contiguous acres of bounded or fenced real property~~ space sufficient to safely operate the licensed

premises. The applicant or licensee shall verify that, the property is not less than two acres and is remotely located, subject to the commissioner's approval. The bounded or fenced real property may be listed on the private wedding venue's floorplan and may be used for large events such as weddings, reunions, conferences, meetings, or other events;

(E) Lists the entire property from paragraph (D) of this subdivision and all adjoining buildings and structures on the private wedding venue or barn's floorplan that would comprise the licensed premises, ~~and~~ which would be authorized for the lawful sales, service, and consumption of alcoholic liquors throughout the licensed premises whether these activities were conducted in a building or structure or outdoors while on the private wedding venue or barn's licensed premises;

(F) Has an identified person, persons, or entity that has right, title, and ownership interest in the real property buildings and structures located on the proposed licensed premises;

(G) Meets and is subject to all other private club requirements; and

(H) Uses an age verification system approved by the commissioner.

(23) "Private multi-sport complex" means an applicant for a private club or licensed private club licensee that is open for multiple sports events to be played at the complex facilities, reserved weddings, concerts, reunions, conferences, meetings, or other special events, and which:

(A) Has at least 100 members;

(B) Maintains an open-air multi-sport complex primarily for use for sporting events, such as baseball, soccer, basketball, tennis, frisbee, or other sports, but may also conduct weddings, concerts, reunions, conferences, meetings, or other events where parties reserve the parts of the sports complex in advance of the sporting or other event;

(C) Operates a restaurant and full kitchen with ovens in the licensee's main facility, as determined by the commissioner, on the licensed premises ~~and~~ which is capable of serving freshly prepared food, or meals to serve its stated members, guests, and patrons who will be attending the event at the private multi-sport complex. A licensee may contract with temporary food vendors or food trucks for food sales only, but not on a permanent basis, in areas of the multi-sport complex not readily accessible by the main facility;

(D) Maintains, at any one time, ~~\$1,000~~ of fresh food ~~inventory~~ capable of being prepared in the private multi-sport complex's full kitchen. In calculating the food inventory, the commissioner may not include television dinners, bags of chips or similar products, microwavable meals, frozen meals, prepackaged foods, or canned prepared foods;

(E) Owns or leases, controls, operates, and uses acreage amounting to at least 50 contiguous acres of bounded or fenced real property, as determined by the commissioner, which would be listed on the private multi-sport complex's floorplan and could be used for contracted-for sporting events, group-type weddings, concerts, reunions, conferences, meetings, or other events;

(F) Lists the entire property from paragraph (E) of this subdivision and all adjoining buildings and structures on the private multi-sport complex's floorplan which would comprise the licensed premises, which would be authorized for the lawful sales, service, and consumption of alcoholic liquors, nonintoxicating beer, nonintoxicating craft beer, and hard cider throughout the licensed premises whether these activities were conducted in a building or structure or outdoors while on the private multi-sport complex's licensed premises and as noted on the private multi-sport complex's floorplan. The licensee may sell alcoholic liquors and nonintoxicating beer or nonintoxicating craft beer from a golf cart or food truck owned or leased by the licensee and also operated by the licensee when the golf cart or food truck is located on the private multi-sport complex's licensed premises;

(G) Has an identified person, persons, or entity that has right, title, and ownership interest in the real property buildings and structures located on the proposed licensed premises;

(H) Meets and is subject to all other private club requirements; and

(I) Uses an age verification system approved by the commissioner.

(24) "Private coliseum or center" means an applicant for a private club or licensed private club licensee that is open for various events including, but not limited to, musical concerts, bands, sporting events, monster trucks, sports entertainment events, circuses, expos, hobby events, tradeshow, health events, reserved weddings, reunions, retreats, conventions, conferences, meetings, or other special events. The licensee may not sell alcoholic liquors, nonintoxicating beer or wine when conducting or hosting events focused on patrons who are less than 21 years of age, and further the applicant shall:

(A) Have at least 5,000 members;

(B) Maintain an enclosed coliseum or center venue with at least 80,000 square feet of event space primarily used for events as noted above, where parties reserve the coliseum or center venue in advance of the event;

(C) Operate a restaurant and full kitchen with ovens, as determined by the commissioner, on the licensed premises and be capable of serving freshly prepared food or meals to its stated members, guests, and patrons who will be attending events at the private coliseum or center;

(D) Own or lease, control, operate, and use acreage amounting to at least two contiguous acres of bounded or fenced real property, as determined by the commissioner, which would be listed on the private coliseum or center's floorplan and could be used for contracted-for events, as noted above, or a private fair and festival, as authorized by the commissioner per dual licensing requirements as set forth in §60-7-2a of this code;

(E) List the entire property from paragraph (D) of this subdivision and all adjoining buildings and structures on the private coliseum or center's floorplan comprising the licensed premises which would be authorized for the lawful sales, service, and consumption of alcoholic liquors throughout the licensed premises whether these activities were conducted in a building or structure or outdoors while on private coliseum or center's licensed premises;

(F) Have an identified person, persons, or entity that has right, title, and ownership interest in the real property buildings and structures located on the proposed licensed premises;

(G) Meet and be subject to all other private club requirements; and

(H) Use an age verification system approved by the commissioner.

(25) "Private food court" means an applicant who qualifies for a private club restaurant or licensed private club restaurant licensee that operates in a facility within a licensed premises with one licensed floorplan that includes an association of other inter-connected licensed private club restaurants or unlicensed restaurants that operate legally without alcohol sales, where all businesses that are licensed members of the association have agreed in writing to be liable and responsible for all sales, service, furnishing, tendering, and consumption of alcoholic liquors and nonintoxicating beer or nonintoxicating craft beer occurring on the entire licensed premises of the private food court, and further the applicant shall:

(A) Have at least 100 members;

(B) Have at least one member of its association who qualifies for a private club restaurant containing a full kitchen with ovens, four-burner ranges, a refrigerator or freezer or some combination of a refrigerator and freezer, and other kitchen utensils and apparatus as determined by the commissioner on the licensed

premises and be capable of serving freshly prepared food at least 15 hours per week in the private food court;

(C) Have at least one member of its association who qualifies for a private club restaurant who maintains, at any one time, \$1,000 of fresh food inventory capable of being prepared in the private club restaurant's full kitchen, and in calculating the food inventory the commissioner may not include television dinners, bags of chips or similar products, microwavable meals, frozen meals, pre-packaged foods, or canned prepared foods;

(D) Have an association that owns or leases, controls, operates, and uses a facility that meets requirements of this article, and the entire facility is listed on the licensee's floorplan as its licensed premises;

(E) Have an association that lists in the application for licensure the entire facility and any inter-connected and adjoining structures on the private food court's floorplan which would compromise the licensed premises, and which would be authorized for the lawful sales, service, and consumption of alcoholic liquors and nonintoxicating beer or nonintoxicating craft beer throughout the licensed premises whether these activities were conducted in a building or structure while on the private food court's licensed premises and as noted on the private food court's licensed floorplan;

(F) Have an identified person, persons, or entity that has right, title, and ownership or lease interest in the real property buildings and structures located on the proposed licensed premises;

(G) Have at least one separate and unrelated business applying for the license and certifying that all licensed businesses in the association have agreed to the liability responsibility associated with a private food court license;

(H) Only use its employees, independent contractors, or volunteers to purchase, sell, furnish, or serve liquor, wine, nonintoxicating beer or nonintoxicating craft beer;

(I) Provide adequate restroom facilities, whether permanent or portable, to serve the stated members and guests who will be attending the private food court;

(J) Provide a copy of a written agreement between all the vendors of the association that is executed by all businesses stating that each licensed vendor is jointly and severally liable for any violations of this chapter committed on the licensed premises;

(K) Provide a security plan indicating all businesses who will be selling and serving alcoholic liquors and nonintoxicating beer or nonintoxicating craft beer, list non-licensees who will be selling and serving food, list all entrances, and list all exits, provide a plan to verify the ages of members, patrons, and guests, a plan to verify whether a member, patron, or guest is intoxicated, and a plan to provide for the public health and safety of members, patrons, and guests;

(L) Use an age verification system approved by the commissioner; and

(M) Meet and be subject to all other private club requirements.

The Department of Natural Resources, the authority governing any county or municipal park, or any county commission, municipality, other governmental entity, public corporation, or public authority operating any park or airport may lease, as lessor, a building or portion thereof or other limited premises in any park or airport to any corporation or unincorporated association for the establishment of a private club pursuant to this article.

§60-7-2a. Dual licensing permitted; conditions.

(a) Any licensee defined in §60-7-2 of this code is authorized to apply for A private coliseum or center may permit a private fair and festival licensee to conduct the temporary special event, authorized by that license, within, or on the private coliseum or center licensee's licensed premises in order to and hold additional licenses for the purpose of holding events, such as fairs and festivals, and creating create tourism opportunities that will show ease businesses promote brewers, resident brewers, wineries, farm

wineries, distilleries, mini-distilleries, and micro-distilleries in this state.

(b) A private coliseum or center licensee may host ~~an~~ a special event for a private fair and festival licensee on the licensee's licensed premises if ~~the licensee is~~ both licensees are in good standing with the commissioner and ~~the licensee submits~~ submit to the commissioner ~~its~~ the temporary floorplan revisions of the ~~licensed venue~~ private coliseum or center in which the special event would be held to comprise the special event's lawful premises, which shall only include spaces in buildings or rooms of the private coliseum or center's licensed premises. By contractual agreement between the private coliseum or center licensee and the private fair and festival licensee, the parties shall agree where the licensee has control of the space that the private coliseum or center maintains control of its licensed premises, but for the a set contracted rental time period, where the space The private fair and festival licensee shall safely ~~accounts~~ account for the ingress and egress of the stated members and guests who will be attending the special event at the licensed premises. During the contracted rental time period, the private fair and festival licensee is wholly responsible and liable for the proper sale and serving of alcoholic liquors and nonintoxicating beer in the area designated as the private fair and festival's temporary floorplan, as set forth in this section. The venue's private fair and festival's temporary floorplan during the set time period as stated in the contract shall comprise the private fair and festival's licensed premises for the temporary special event, which is authorized for the lawful sale, service, and consumption of alcoholic liquors and nonintoxicating beer and nonintoxicating craft beer, and wine throughout the private fair and festival's licensed premises during this dually licensed temporary special event. Provided, That the venue private fair and festival's licensed premises dually shared and licensed with the private coliseum or center shall:

(1) Have facilities to prepare and serve food and alcohol;

(2) Have adequate restrooms and ~~(3)~~ sufficient building facilities for the expected number of members and guests ~~expected to attend~~ attending the event;

(3) Comply with all other requirements of its license in this article; and

~~(3)(4) otherwise be in compliance~~ Comply with health, fire, safety, and zoning requirements.

~~(c) A licensee defined in §60-7-2 of this code may not be limited or restricted in any way as to the number of events that may be held on the premises so long as the licensee continues to operate its primary business in good standing with the Commissioner. There is no limit on the number of private fair and festivals that may be held at a private coliseum or center.~~

§60-7-6. Annual license fee; partial fee; and reactivation fee.

(a) The annual license fee for a license issued under the provisions of this article to a fraternal or veterans' organization or a nonprofit social club is \$750.

(b) The annual license fee for a license issued under the provisions of this article to a private club other than a private club of the type specified in subsection (a) of this section is \$1,000 if the private club bar or restaurant has fewer than 1,000 members; \$1,000 for a private club restaurant, private hotel, or private resort hotel to be licensed as a private caterer as defined in §60-7-2 of this code; \$500 if the private club is a private bakery; \$1,500 if the private club is a private wedding venue or barn or a private cigar shop; \$2,000 if the private club is a private nine-hole golf course, private farmers market, private food truck, private college sports stadium, private professional sports stadium, private multi-sport complex, private manufacturer club, or a private tennis club as defined in §60-7-2 of this code; \$2,500 if the private club bar or private club restaurant has 1,000 or more members; and ~~\$4,000~~ \$2,000 if the private club is a private hotel with three or fewer designated areas, ~~or~~ a private golf club as defined in §60-7-2 of this code, a private coliseum or center as defined in §60-7-2 of this code, or a private food court as defined in §60-7-2 of this code. ~~and further, if~~ If the private club is a private resort hotel as defined in §60-7-2 of this code, the private resort hotel may designate areas within the licensed premises for the lawful sale, service, and

consumption of alcoholic liquors, nonintoxicating beer and nonintoxicating craft beer as provided for by this article. The annual license fee for a private resort hotel with five or fewer designated areas is \$7,500 and the annual license fee for a private resort hotel with at least six, but no more than 10 designated areas is \$12,500. The annual license fee for a private resort hotel with at least 11, but no more than 15 designated areas ~~shall be~~ is \$17,500. The annual license fee for a private resort hotel with no fewer than 15 nor more than 20 designated areas is \$22,500. A private resort hotel that obtained the license and paid the \$22,500 annual license fee may, upon application to and approval of the commissioner, designate additional areas for a period not to exceed seven days for an additional fee of \$150 per day, per designated area.

(c) The fee for any license issued following January 1 of any year that expires on June 30 of that year is one half of the annual license fee prescribed by subsections (a) and (b) of this section.

(d) A licensee that fails to complete a renewal application and make payment of its annual license fee in renewing its license on or before June 30 of any subsequent year, after initial application, shall be charged an additional \$150 reactivation fee. The fee payment may not be prorated or refunded, and the reactivation fee shall be paid prior to the processing of any renewal application and payment of the applicable full year annual license fee. A licensee who continues to operate upon the expiration of its license is subject to all fines, penalties, and sanctions available in §60-7-13 and §60-7-13a of this code, all as determined by the commissioner.

(e) The commissioner shall pay the fees to the State Treasurer for deposit into the General Revenue Fund of the state.

(f) The Legislature finds that the hospitality industry has been particularly damaged by the COVID-19 pandemic and that some assistance is warranted to promote reopening and continued operation of private clubs and restaurants licensed under this article. Accordingly, the fees set forth in subsections (a) and (b) of this section are temporarily modified as follows;

(1) License fees for the license period beginning July 1, 2021, shall be reduced to one third of the rate set forth in subsections (a) and (b) of this section;

(2) License fees for the license period beginning July 1, 2022, shall be two thirds of the rate set forth in subsections (a) and (b) of this section; and

(3) License fees for the license period beginning July 1, 2023, and beyond, shall be as set forth in subsections (a) and (b) of this section.

§60-7-8a. Special license for a private fair and festival; licensee fee and application; license fee; license subject to provisions of article; exception.

(a) There is hereby ~~created~~ created a special license designated Class S2 private fair and festival license for the retail sale of ~~liquor, wine~~ alcoholic liquors and nonintoxicating beer, and nonintoxicating craft beer for on-premises consumption.

(b) To be eligible for the license authorized by subsection (a) of this section, the private fair and festival or other event shall:

(1) Be sponsored, endorsed, or approved by the governing body or its designee of the county or municipality in which the private fair and festival or other event is located;

(2) ~~Shall make~~ Make application with the ~~commissioner~~ commissioner at least 15 days ~~pursuant~~ prior to the private fair, festival, or other event;

(3) Pay a nonrefundable non-prorated license fee of \$500; and

(4) Be approved by the commissioner to operate the private fair, festival, or other event.

(c) A private fair and festival license under this section shall be for a duration of no more than 10 consecutive days.

(d) Nonintoxicating beer and nonintoxicating craft beer sold, furnished, tendered, or served for on-premises consumption by the

private fair and festival pursuant to the license created by this section ~~must~~ shall be purchased from ~~the licensed distributor~~ distributors that services the area in which the private fair and festival is held or from a resident brewer acting in a limited capacity as a distributor, all in accordance with §11-16-1 *et seq.* of this code. ~~Sales of sSealed~~ containers of nonintoxicating beer or nonintoxicating craft beer may be sold for off-premises consumption if the nonintoxicating beer and nonintoxicating craft beer is being sold by an authorized brewer or resident brewer, as set forth in §11-16-6a(d) of this code, who manufactures the nonintoxicating beer or nonintoxicating craft beer in this state. are purchased from the licensed distributor that services the area in which the private fair, festival, or other event is being held and such licensed distributor The off-premises consumption sales shall be made pursuant to a written agreement between the private fair and festival and an authorized brewer or resident brewer. Prior to the start of the private fair or festival, an authorized brewer or resident brewer who agrees to offer such off-premises consumption sales of their nonintoxicating beer or nonintoxicating craft beer from a booth or other facility on the private fair and festival's licensed premises prior to the start of the private fair and festival must meet the requirements of §11-16-6a(d) of this code. s, or other event The written agreement with each authorized brewer or resident brewer shall account for lawful sales of nonintoxicating beer and nonintoxicating craft beer sold for off-premises consumption as set forth in §11-16-1 et seq. of this code. The authorized and approved brewer, resident brewer, or its licensed representatives may give or sell approved promotional items to private fair and festival members and guests, but not to the private fair and festival's volunteers, independent contractors, or employees.

(e) Wine or hard cider sold, furnished, tendered, or served for on-premises consumption by the private fair and festival pursuant to the license created by this section shall be purchased from a licensed wine or hard cider distributor, ~~winery,~~ or farm winery in accordance with §60-8-1 *et seq.* of this code and §60-8A-1 et seq. of this code, as applicable. Sales of sSealed containers of wine or hard cider may be sold for off-premises consumption if the wine or hard cider is purchased from a licensed distributor is being sold by

an authorized winery or farm winery, as set forth in §60-4-3b(m) and §60-8A-5(c) of this code, who manufactures that wine or hard cider in this state. The off-premises consumption sales shall be made pursuant to a written agreement between the private fair and festival and an authorized winery or farm winery. and the licensed distributor, winery, or farm winery An authorized winery or farm winery who agrees to offer their wine or hard cider for off-premises consumption sales from a booth or other facility on the private fair and festival's licensed premises prior to the start of the private fair or festival or other event shall meet the requirements of §60-4-3b(m) and §60-8A-5(c) of this code, as applicable. The written agreement with each authorized winery or farm winery shall account for lawful sales of wine or hard cider sold for off-premises consumption as set forth in §60-8-1 et seq. of this code and §60-8A-1 et seq. of this code, as applicable. The authorized and approved winery, farm winery or its licensed representatives may give or sell approved promotional items to private fair and festival members and guests, but not to the private fair and festival's volunteers, independent contractors, or employees.

(f) Liquor sold, furnished, tendered, or served for on-premises consumption by the private fair and festival pursuant to the license created by this section shall be purchased from a licensed retail liquor outlet in the market zone or contiguous market zone where the private fair or festival is occurring, all in accordance with §60-3A-1 et seq. of this code. Sales of sealed containers of liquor may be sold for off-premises consumption if the liquor is purchased being sold by an authorized distillery, mini-distillery, or micro-distillery, as set forth in §60-4-3a of this code, who manufactures their liquor in this state. Off-premises consumption sales shall comply with §60-3A-17 of this code and §60-4-3a(c) of this code shall not apply to these sales. The off-premises consumption sales shall be made pursuant to a written agreement between the private fair and festival and an authorized distillery, mini-distillery, or micro-distillery. from the licensed retail liquor outlet in the market zone or contiguous market zone where the private fair, festival, or other event is occurring and the licensed retail liquor outlet An authorized licensed distillery, mini-distillery, or micro-distillery who agrees to offer such off-premises consumption sales of their

manufactured liquor from a booth or other facility on the private fair and festival's licensed premises prior to the start of the private fair, festival, or other event must meet the requirements as set forth in §60-4-3a of this code. The written agreement with each authorized distillery, mini-distillery, or micro-distillery shall account for lawful sales of liquor sold for off-premises consumption as set forth in §60-3A-1 of this code. An authorized and approved distillery, mini-distillery, micro-distillery or its licensed representatives may give or sell approved promotional items to private fair and festival members and guests, but not to the private fair and festival's volunteers, independent contractors, or employees.

(g) A licensee authorized by this section may ~~utilize~~ use bona fide employees, ~~or~~ volunteers or in limited circumstances licensed representatives to sell, furnish, tender, or serve the nonintoxicating beer, nonintoxicating craft beer, wine, ~~or~~ liquor, or hard cider.

(h) Licensed representatives of ~~a~~ an authorized and approved brewer, resident brewer, beer distributor, wine distributor, wine supplier, winery, farm winery, distillery, mini-distillery, micro-distillery, and liquor broker representatives may attend a private fair and festival and discuss their respective products but shall not engage in the selling, furnishing, tendering, or serving of any nonintoxicating beer, nonintoxicating craft beer, wine, hard cider, or liquor. However, licensed representatives of a brewer, resident brewer, winery, farm winery, distillery, mini-distillery, or micro-distillery that has agreed in writing to conduct sampling and off-premises consumption sales of their respective licensee's products at the private fair and festival, may discuss their respective products and engage in the limited giving of complimentary samples in accordance with §11-16-6a (c) and (d), §60-4-3a (a) and (b), and §60-4-3b (b) and (m) of this code; and the selling of sealed bottles or cans of their respective nonintoxicating beer, nonintoxicating craft beer, wine, hard cider, or liquor products for off-premises consumption. All taxes and fees must be paid on lawful sales.

(i) A license issued under this section and the licensee are subject to all other provisions of this article and the rules and orders

of the commissioner: *Provided*, That the commissioner may by rule or order allow certain waivers or exceptions with respect to those provisions, rules, or orders as the circumstances of each private fair and festival require, including without limitation, the right to revoke or suspend immediately any license issued under this section prior to any notice or hearing, notwithstanding §60-7-13a of this code: *Provided, however*, That under no circumstances may the provisions of §60-7-12 of this code be waived or an exception granted with respect thereto.

~~(j) During events authorized by this section, licensees may also sell promotional and other items relating to promoting their business and its products~~ Dual licensing is permitted for private fairs and festivals pursuant to §60-7-2a of this code.

(k) A private fair and festival licensee who executes a written agreement with a licensed brewer, resident brewer, winery, farm winery, distillery, mini-distillery, micro-distillery, or their licensed representatives is jointly liable and responsible for any violations of this article.

(l) A private fair and festival licensee who executes a written agreement with a licensed brewer, resident brewer, winery, farm winery, distillery, mini-distillery, or micro-distillery to conduct limited off-premises consumption sales shall not have any pecuniary interest, share, or percentage in any sales of sealed nonintoxicating beer, nonintoxicating craft beer, wine, hard cider, or liquor.

(m) A private fair and festival licensee who executes a written agreement with a licensed brewer, resident brewer, winery, farm winery, distillery, mini-distillery, or micro-distillery to conduct limited off-premises consumption sales may charge them a flat booth rental fee.

(n) A private fair and festival licensee, licensed brewer, resident brewer, winery, farm winery, distillery, mini-distillery, micro-distillery, or their licensed representatives who permits members or guests to consume, on the private fair and festival's licensed premises, any nonintoxicating beer, nonintoxicating craft

beer, wine, hard cider, or liquor, that was purchased as an off-premises consumption sale, shall have their respective license immediately suspended, and that conduct is grounds for revocation of their license.

§60-7-8g. Special permit for a qualified permit holders in a private outdoor designated area; license fee and application; license subject to provisions of article.

(a) There is hereby created a special permit designated Class S4 for a qualified permit holder operating in a private outdoor designated area approved by a municipality as set forth in §8-12-26 of this code for the consumption of liquor, wine, nonintoxicating beer, and nonintoxicating craft beer for on-premises consumption at a certain public property designated as a private outdoor designated area where multiple private club license type licensees who apply and obtain a qualified permit holder permit shall share liability and responsibility. Each qualified permit holder may sell, furnish, or serve liquor, wine, nonintoxicating beer, and nonintoxicating craft beer as provided in this section.

(b) Definitions:

(1) "Private outdoor designated area" means public property that has become a legally demarcated area established by a municipal ordinance as set forth in §8-12-26 of this code for the consumption of liquor, wine, nonintoxicating beer, and nonintoxicating craft beer.

(2) "Qualified permit holder" means the holder of a Class A license issued under §60-7-1 *et seq.* of this code.

(c) To be eligible for the license authorized by subsection (a) of this section, the qualified permit holder shall:

(1) Operate in a private outdoor designated area created by municipal ordinance as set forth in §8-12-26 of this code, and provide the commissioner a copy of the certified ordinance from the municipality;

(2) Apply to the commissioner for the special permit prior to operating in an approved private outdoor designated area on an application provided by the commissioner;

(3) Pay a nonrefundable non-prorated annual license fee of \$100 to the commissioner;

(4) Be in compliance with all state and federal laws and be in good standing with the commissioner;

(5) Be approved by the municipality to operate in the private outdoor designated area;

(6) Provide the days and hours of operation in the private designated area which cannot exceed the stated private club hours of operation;

(7) Provide, in conjunction with the municipality, adequate restroom facilities, whether permanent or portable, to serve the members and guests who will be attending the private outdoor designated area;

(8) Provide an executed agreement between all qualified permit holders stating that each qualified permit holder is jointly and severally liable for any improper acts or conduct committed in the operation of the private outdoor designated area in conjunction with operation of their Class A license;

(9) Provide a security plan for the private outdoor designated area indicating: All qualified permit holders' licensed premises where alcohol will be served in approved non-glass containers; all entrances and exits in order to verify members', patrons', and guests' ages, and to assess whether a member, patron, or guest is under 21 years of age or intoxicated; and a plan to provide for the public health and safety of members, patrons, and guests;

(10) Provide a floorplan for the private outdoor designated area indicating a legally demarcated area that is bounded or utilizes signage to safely account for the ingress and egress of members, patrons, and guests who will be within the private outdoor designated area and also be permitted to carry liquor, wine,

nonintoxicating beer, and nonintoxicating craft beer on and off of the qualified permit holders' licensed premises and within the private outdoor designated area when contained in an approved non-glass container. The private outdoor designated area's floorplan does comprise a separate licensed premises authorized only for the lawful consumption of liquor, wine, nonintoxicating beer, or nonintoxicating craft beer throughout the licensed premises when lawfully purchased from a qualified permit holder;

(11) Meet and be subject to all other private club license type requirements;

(12) Provide a plan to prevent members, guests, and patrons from bringing, consuming, or selling alcohol not in an approved non-glass container in the private outdoor designated area; and

(13) Use an age verification system approved by the commissioner.

(c) As set forth in §8-12-26 of this code a municipality may, by ordinance, establish a private outdoor designated area where the municipality may zone, set requirements and establish conditions for safe operation of private outdoor designated area by qualified permit holders.

(d) A municipality shall be responsible for the enforcement of any criminal violations occurring in a private outdoor designated area and shall report such violations to commissioner for a determination of any violation of §11-16-1 *et seq.* and chapter 60 of this code.

(e) The commissioner shall enforce any violations of §11-16-1 *et seq.* and chapter 60 of this code committed by qualified permit holders against their permit and their Class A license.

(f) A qualified permit holder that is separately authorized for an outdoor dining area or sidewalk dining area may continue to operate those areas in conjunction with the private outdoor designated area subject to the commissioner's requirements.

(g) A licensee permitted under this section is subject to all other provisions of this article and the rules and orders of the commissioner: *Provided*, That the commissioner may, by rule or order, allow certain waivers or exceptions with respect to those provisions, rules, or orders as required by the circumstances of for the operation of qualified permit holders in each private outdoor designated area. The commissioner may revoke or suspend immediately any permit issued under this section prior to any notice or hearing, notwithstanding §60-7-13a of this code: *Provided, however*, That under no circumstances may the provisions of §60-7-12 of this code be waived or an exception granted with respect thereto.

ARTICLE 8. SALE OF WINES.

§60-8-6g. Special privilege of Class A private wine restaurant licensee to operate separate, but connected, Class B wine specialty shop license.

A Class A private wine restaurant licensee may, in the commissioner's discretion, operate Class B wine specialty shop license for the off-premises sale of nonintoxicating beer and wine in a connected but separately operated area of the Class A private wine restaurant is licensed premises: *Provided*, That each business is licensed separately and operates separate cash registers and maintains separation barriers between the different licensed operations. A licensee who fails to license two inner-connected businesses subjects the licensee to the penalties under this article.

ARTICLE 8A. MANUFACTURE AND SALE OF HARD CIDER.

§60-8A-5. Winery or farm winery licensee's authority to manufacture, sell, and provide complimentary samples; growler sales; advertisements; taxes; fees; rulemaking.

(a) *Sales of hard cider.*—A licensed winery or farm winery with its principal place of business or manufacturing facility located in the State of West Virginia may offer hard cider manufactured by the licensed winery or farm winery for retail sale

to customers from the winery's or farm winery's licensed premises for consumption off of the licensed premises only in approved and registered hard cider kegs, bottles, or cans, or also sealed wine growlers for personal consumption and not for resale. A licensed winery or farm winery may not sell, give, or furnish hard cider for consumption on the premises of the principal place of business or manufacturing facility located in the State of West Virginia, except for the limited purpose of complimentary samples as permitted in subsection (b) of this section. "Wine Growler" has the meaning set forth in §60-8-6c(g) of this code.

(b) *Complimentary samples.*—A licensed winery or farm winery with its principal place of business or manufacturing facility located in the State of West Virginia may offer complimentary samples of hard cider manufactured at the winery's or farm winery's principal place of business or manufacturing facility located in the State of West Virginia. The complimentary samples may be no greater than two fluid ounces per sample per patron, and a sampling shall not exceed six complimentary two-fluid ounce samples per patron per day. A licensed winery or farm winery providing complimentary samples shall provide complimentary food items to the patron consuming the complimentary samples; and prior to any sampling, verify, using proper identification, that the patron sampling is 21 years of age or older and that the patron is not noticeably or visibly intoxicated.

(c) *Retail sales.*—Every licensed winery or farm winery under this section shall comply with all the provisions applicable to wine retailers when conducting sales of hard cider and is subject to all applicable requirements and penalties. In the interest of promoting tourism throughout the state, every licensed winery or farm winery manufacturing cider in this state is authorized, with a limited off-site retail privilege at private fair and festivals, for off-premises consumption sales of only the winery or farm winery's sealed hard cider. At least five days prior to an approved private fair and festival, an authorized winery or farm winery shall provide a copy of a written agreement to sell only hard cider manufactured by the licensed winery or farm winery at the private fair and festival's licensed premises. If approved, an authorized winery or farm

winery may conduct off-premises consumption sales of their hard cider from a designated booth at the private fair and festival as set forth in §60-7-8a of this code. All authorized and approved wineries and farm wineries' off-premises consumption sales of hard cider shall comply with all retail requirements in §60-8-1 et seq. of this code and §60-8A-1 et seq. of this code, and specifically with respect to all markups, taxes, and fees.

(d) *Payment of taxes and fees.*—A licensed winery or farm winery under this section shall pay all taxes and fees required of licensed wine retailers, in addition to any other taxes and fees required, and meet applicable licensing provisions as required by law and by rule of the commissioner.

(e) *Advertising.*—A licensed winery or farm winery may advertise a particular brand or brands of hard cider produced by the licensed winery or farm winery and the price of the hard cider subject to state and federal requirements or restrictions. The advertisement may not encourage intemperance or target minors.

(f) *Growler requirements.*—A licensed winery or farm winery, if offering wine growler filling services, shall meet the filling, labeling, sanitation, and all other wine growler requirements in §60-8-6c of this code.

(g) *Fee.*—There is no additional fee for a licensed winery or farm winery authorized under §60-8-6c of this code, to sell wine growlers, if a winery or farm winery only desires to sell hard cider in the wine growler, and no other wine, then the annual non-prorated and nonrefundable license fee is \$50.

CHAPTER 61. CRIMES AND THEIR PUNISHMENT.

ARTICLE 8. CRIMES AGAINST CHASTITY, MORALITY AND DECENCY.

§61-8-27. Unlawful admission of children to dance house, etc.; penalty.

Any proprietor or any person in charge of a dance house, concert saloon, theater, museum, or similar place of amusement, or

other place, where wines or spirituous or malt liquors are sold or given away, or any place of entertainment injurious to health or morals who admits or permits to remain therein any minor under the age of 18 years, unless accompanied by his or her parent or guardian, is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding \$200: *Provided*, That there is exemption from this prohibition for: (a) A private bakery, private cigar shop, private caterer, private club restaurant, private manufacturer club, private fair and festival, private resort hotel, private hotel, private golf club, private food truck, private nine-hole golf course, private tennis club, private wedding venue or barn, private outdoor dining and private outdoor street dining, private multi-vendor fair and festival license, private farmers market, private college sports stadium or coliseum, private professional sports stadium, and a private multi-sports complex licensed pursuant to §60-7-1 *et seq.* of this code and in compliance with, §60-7-2(6)(iv), §60-7-2(7)(D), §60-7-2(8)(I), §60-7-2(10)(L), §60-7-2(11)(D), §60-7-2(12)(H), §60-7-2(13)(6), §60-7-2(14)(H), 60-7-2(15)(H), §60-7-2(16)(G), §60-7-2(17)(G), §60-7-2(18)(H), §60-7-2(19)(H), §60-7-2(20)(H), §60-7-2(21)(L), §60-7-2(22)(H), §60-7-2(23)(H), §60-7-2(24)(H), §60-7-2(25)(H), §60-7-8c(b)(14), §60-7-8d, §60-7-8g(c)(15), and §60-8-32a of this code; or (b) a private club with more than 1,000 members that is in good standing with the Alcohol Beverage Control Commissioner, that has been approved by the Alcohol Beverage Control Commissioner; and which has designated certain seating areas on its licensed premises as nonalcoholic liquor and nonintoxicating beer areas, as noted in the licensee's floorplan, by using a mandatory carding or identification program by which all members or guests being served or sold alcoholic liquors, nonintoxicating beer or nonintoxicating craft beer are asked and required to provide their proper identification to verify their identity and further that they are of legal drinking age, 21 years of age or older, prior to each sale or service of alcoholic liquors, nonintoxicating beer or nonintoxicating craft beer.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 534—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §8-12-26 and §8-12-27; to amend and reenact §11-16-3, §11-16-6, §11-16-6a, §11-16-6d, §11-16-6f, §11-16-8, §11-16-9 of said code; to amend and reenact §60-3A-3a, and §60-3A-8 of said code; to amend and reenact §60-4-3a and §60-4-3b of said code; to amend and reenact §60-7-2, §60-7-2a, §60-7-6, and §60-7-8a of said code; to amend said code by adding thereto a new section designated §60-7-8g; to amend said code by adding thereto a new section, designated §60-8-6g; to amend and reenact §60-8A-5 of said code; and to amend and reenact §61-8-27 of said code; all relating to nonintoxicating beer, nonintoxicating craft beer, hard cider, wine, and liquor license requirements; defining terms; authorizing municipalities to create private outdoor designated areas by ordinances; creating special permit for Class A licensees who apply to be qualified permit holders to operate in private outdoor designated areas, setting forth requirements, and setting fees; providing municipalities may not impose additional license fees on any state licensee; promoting tourism in the state by permitting authorized brewers, resident brewers, wineries, farm wineries, distilleries, mini-distilleries, and micro-distilleries a limited off-site retail privilege for off-premises consumption sales for nonintoxicating beer manufactured by them and permitting limited complimentary samples at private fair and festivals; providing requirements for the conduct of the sales at private fairs and festivals; requiring payment of taxes, fees and markups, and no license fee; clarifying the nonintoxicating beer growler requirements for contents and sealing; allowing brewer and resident brewer to have additional places of manufacture under one license and based on manufacturing volume capacity; reducing fees and limiting additional places of manufacture under one license; forbidding the commissioner from considering licenses in other state as a criterion when evaluating applications for licensure in this state; providing that any applicant for licensure in this state must meet all requirements, must be in good standing in all other states and must never had a license revoked in any other state in

which it is licensed; providing, that persons licensed as resident brewers in this state are limited to producing 25,000 barrels of non-intoxicating beer and limited to self-distribution rights of 10,000 barrels of non-intoxicating beer; providing that such production and distribution limits shall apply, in the aggregate, whether produced in another state or West Virginia, as to all non-intoxicating beer produced by a person licensed as a resident brewer in West Virginia; providing a licensed brewer or resident brewer may enter into contract brewing services agreements with another licensed brewer or resident brewer with its principal place of business and manufacture located in the State of West Virginia for purposes of sharing brewing equipment or facilities as part of the manufacture of nonintoxicating beer or nonintoxicating craft beer; requiring any such contract brewing services agreement shall be provided to the West Virginia Alcohol Beverage and Control Administration and contain enumerated terms and conditions: removing limit on nonintoxicating beer or nonintoxicating craft beer which may be included with an order, sale or delivery of multiple meals; allowing commissioner to refuse a license if applicant or manager is not a suitable applicant; increasing number and size of liquor samples that are permitted; requiring manager to be suitable applicant and of good moral character; reducing and modifying food inventory required for private cigar shop, private club bars, private food truck, private manufacturer club, private hotel, private resort hotel, private farmers market in a private club restaurant, private multi-sport complex, and private food court; allowing a private manufacturer club to have operating food truck or other portable kitchen in lieu of on-premises food preparation facilities; removing acreage requirement for private wedding venue or barn license; clarifying nonintoxicating beer license requirements for persons, fairs and festivals; clarifying retail liquor outlet license requirements for applicants; clarifying that the statute applying to distilleries and mini-distilleries also applies to micro-distilleries; clarifying manufacturing limitations on distilleries, mini-distilleries, and micro distilleries; permitting dually licensed events, and a license fee; creating a private coliseum or center license and specifying license requirements; authorizing private coliseum or center license to conduct a temporary event in conjunction with a private fair and festival licensee and setting

forth requirements; setting fees; creating a private food court license and specifying license requirements; clarifying dual licensing requirements and authorization for private fair and festivals, requirements, and no license fee; permitting private fairs and festivals to conduct on-premises consumption sales with certain requirements; permitting private fairs and festivals to allow authorized brewers, resident brewers, wineries, farm wineries, distilleries, mini-distilleries, and micro-distilleries to conduct limited off-premises consumption retail sales with certain requirements from the private fair and festival's licensed premises; permitting a private wine restaurant to operate a separately licensed but connected wine specialty shop; clarifying unlawful admission to dance hall; and exempting permit holder operating a private outdoor designated area, private coliseum or center licensee, or private food court from prohibition on admitting persons under the age of 18.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 534, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Barrett, Boley, Caputo, Clements, Hamilton, Hunt, Maroney, Martin, Nelson, Oliverio, Phillips, Plymale, Queen, Rucker, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—25.

The nays were: Azinger, Chapman, Deeds, Grady, Karnes, Maynard, Roberts, and Smith—8.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 534) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 232, Creating study group to make recommendations regarding diversion of persons with disabilities from criminal justice system.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 6A. COMPETENCY AND CRIMINAL RESPONSIBILITY OF PERSONS CHARGED OR CONVICTED OF A CRIME.

§27-6A-12. Development of a strategic plan for a Sequential Intercept Model to divert adults and juveniles with mental illness, developmental disabilities, cognitive disabilities, and substance use disorders away from the criminal justice system into treatment and to promote continuity of care and interventions; directing submission of a report to the Legislature.

(a) The Legislature finds that the state's adult and juvenile forensic patient populations continue to increase and that the placement of forensic patients at state health care facilities, diversion facilities, group homes, transitional living facilities, in the community, and other settings continues to rapidly escalate. The Legislature further finds that persons with mental illness, developmental disabilities, cognitive disabilities, and/or substance use disorder may be overrepresented in the criminal justice system, and many of these people might not present a danger to the public if they could participate in a functioning community behavioral

health continuum of care. The Legislature further finds that the increasing adult and juvenile forensic patient populations, the placement and treatment of adult and juvenile forensic patients, and the release of persons with mental illness, developmental disabilities, and other disabilities creates significant clinical, public safety, staffing, and fiscal needs and burdens for the judiciary, law enforcement, state health care facilities, correctional facilities, behavioral health professionals, hospitals, and the public. The Legislature further finds that there is a need for improved coordination among the Department of Health and Human Resources, the Division of Corrections and Rehabilitation, and the Division of Rehabilitation Services to promote the identification, safe discharge, and effective community intervention and placement of persons who suffer from mental illness, a developmental disability, a cognitive disability, and/or substance use disorder. The Legislature further finds that there is a need to develop functional standards and protocols for the identification, management, qualified assessment, and treatment of adult and juvenile forensic patients.

(b) The Chairman of the Dangerousness Assessment Advisory Board (DAAB) shall convene a multi-disciplinary study group of the following persons:

- (1) The Statewide Forensic Clinical Director;
- (2) The Statewide Forensic Coordinator;
- (3) The two forensic psychiatrists who are members of the board;
- (4) The two psychologists who are members of the board;
- (5) The Director of the Office of Drug Control Policy;
- (6) A designee of the Supreme Court of Appeals;
- (7) A designee of the Bureau of Children and Families with experience in juvenile forensic matters;

(8) A designee of the Division of Corrections and Rehabilitation;

(9) A designee of the Division of Rehabilitation Services;

(10) A designee of the Prosecuting Attorneys Institute;

(11) A designee of the Public Defender Services;

(12) A designee of the West Virginia Behavioral Healthcare Providers Association who is a licensed clinician with forensic patient experience;

(13) A designee of the West Virginia Hospital Association;

(14) A designee of the West Virginia Housing Development Fund;

(15) A designee of Disability Rights of West Virginia;

(16) A designee of the West Virginia Sheriff's Association;

(17) A designee of the Juvenile Justice Commission; and

(18) A designee of the West Virginia University Center for Excellence in Disabilities.

(c) The purpose of the multi-disciplinary study group is to provide opinion, guidance, and informed objective expertise to the Legislature regarding each of the following areas:

(1) The development and implementation of a Sequential Intercept Model to divert adults and juveniles with mental illness, developmental disabilities, cognitive disabilities, and/or substance use disorders away from the criminal justice system and into community-based treatment or other settings where appropriate;

(2) The review and recommendation of standards and protocols for the evaluation, treatment, management, and stabilization of adult and juvenile forensic patients;

(3) A recommendation regarding standards and protocols to promote continuity of care and interventions for adult and juvenile forensic patients and inmates released from correctional facilities;

(4) The recommendation of a model to coordinate services and interventions among the Department of Health and Human Resources, the Division of Corrections and Rehabilitation, the Division of Rehabilitation Services, behavioral healthcare providers, law enforcement, and the court system to facilitate the appropriate diversion, identification, evaluation, assessment, management, and placement of adults and juveniles who suffer from mental illness, a development disability, a cognitive disability, and/or substance use disorder to ensure public safety and the effective clinical management of such persons;

(5) The identification of potential funding sources and the scope of resources needed for the implementation of the study group's recommendations; and

(6) Any other issues related to addressing the Legislature's findings.

(d) The provisions of §6-9A-1 *et seq.* and §29B-1-1 *et seq.* of this code are inapplicable to the operation of the study group.

(e) The written recommendations of the study group shall be submitted to the President of the Senate and the Speaker of the House of Delegates on or before November 30, 2023.

(f) Each member of the multi-disciplinary study group whose regular salary is not paid by the State of West Virginia shall be paid the same compensation and expense reimbursement that is paid to members of the Legislature for their interim duties as recommended by the Citizens Legislative Compensation Commission and authorized by law for each day or portion thereof engaged in the discharge of official duties. Reimbursement for expenses shall not be made, except upon an itemized account, properly certified by the members of the study group. All reimbursement for expenses shall be paid out of the State Treasury upon a requisition upon the State Auditor.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 232—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §27-6A-12, relating to creating a multi-disciplinary study group to make recommendations regarding the diversion of persons with mental illness, developmental disabilities, cognitive disabilities, substance abuse problems, and other disabilities from the criminal justice system; setting forth findings; listing the membership makeup of the study group; promoting appropriate interventions and placements for inmates and persons with disabilities; developing a plan to coordinate care, treatment, and placement for persons with disabilities in the criminal justice system and in the community; directing a report be made to Legislature on or before November 30, 2023; and authorizing per diem expenses for nongovernmental members.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 232, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 232) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 232) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 240, Requiring state board of examination or registration proceedings to be open to public inspection.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1 by striking everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 1. GENERAL PROVISIONS APPLICABLE TO ALL STATE BOARDS OF EXAMINATION OR REGISTRATION REFERRED TO IN CHAPTER.

§30-1-12. Record of proceedings; register of applicants; certified copies of records prima facie evidence; report to Governor and Legislature; public access.

(a) The secretary of every board shall keep a record of its proceedings and a register of all applicants for license or registration, showing for each the date of his or her application, his or her name, age, educational and other qualifications, ~~place of residence~~ mailing address, whether an examination was required, whether the applicant was rejected or a certificate of license or registration granted, the date of this action, the license or registration number, all renewals of the license or registration, if required, and any suspension or revocation thereof. ~~The books and register of the board shall be open to public inspection at all reasonable times, and the~~ The books and register, or a copy of any part thereof, certified by the secretary and attested by the seal of the board, shall be prima facie evidence of all matters recorded therein.

(b) The record of the board's proceedings shall be open to public inspection at all reasonable times and copies provided upon oral or written request after payment of a reasonable fee, as determined by the board in accordance with the provisions of §29B-1-3 of this code.

(c) The register of applicants shall be made available upon written request on a form prescribed by the board. The form shall require the requester to provide at least the following information:

(1) Legal identity;

(2) Purpose for which the register is sought;

(3) A telephone number where the requester may be contacted by the board; and

(4) Whether copies of the register are requested.

If requested, copies of the register shall be provided after payment of a reasonable fee, as determined by the board in accordance with the provisions of §29B-1-3 of this code.

The board may deny a request that the register, or copies thereof, be made available or provided if it determines, in its discretion, that the request is made for an improper purpose.

~~(b)~~ (d) On or before January 1 of each year in which the Legislature meets in regular session, the board shall submit to the Governor and to the Legislature a report of its activities for the preceding two years, containing the following information for that period:

(1) The total receipts and disbursements for each year;

(2) A list of amounts received in each year for the following categories of receipts:

(A) License applications, registrations, and renewals;

(B) Examination fees, if applicable;

(C) Other fees, including late fees, copying charges, and fees for printed certificates;

(D) Fines or penalties;

(E) Expense reimbursements from disciplinary actions; and

(F) Grants, special appropriations, or other sources of revenue not from fees;

(3) A list of amounts spent in each year for the following categories of expenditures:

(A) Personal services;

(B) Board member per diem compensation;

(C) Travel expenses and automobile mileage;

(D) Professional contracts;

(E) Rent;

(F) Office supplies;

(G) Postage;

(H) Entertainment and hosting;

(I) Insurance; and

(J) Bank costs;

(4) A complete list of the names of all persons newly licensed or registered;

(5) A table or list showing numbers of licensees or registrants by West Virginia county of practice or, for out-of-state licensees or registrants, by state of residence, and by specialty, if appropriate to the particular profession;

(6) Complaints filed and investigations opened by the board, with a brief classification of the nature of the complaint, together with the dates of compliance with the time requirements of §30-1-5(c) of this code, and the disposition, if any;

(7) In addition to complaints reported under the preceding ~~subsection~~ subdivision, complaints resolved and investigations closed by the board, with a brief classification of the nature of the complaint, together with the dates of compliance with the time requirements of §30-1-5(c) of this code, and the disposition, if any; and

(8) Copies of the agendas for, and minutes of, board and committee or subcommittee meetings.

The report shall be certified by the president and the secretary of the board, and a copy of the report shall be filed with the Secretary of State and with the legislative librarian.

~~(e)~~ (e) To promote public access, the secretary of every board shall ensure that the address and telephone number of the board are included every year in the state government listings of the Charleston area telephone directory. Every board shall ~~regularly evaluate the feasibility of adopting additional methods of providing public access, including, but not limited to, listings in additional~~

~~telephone directories, toll free telephone numbers, facsimile and computer-based communications~~ maintain a website that provides at least the following information:

(1) Name of each board member;

(2) Names of all board staff;

(3) Contact information for each staff member, including office telephone number, office location, and office mailing address;

(4) A secure electronic means of contacting each staff member;

(5) The roster of licensed or registered practitioners;

(6) Copies of approved meeting minutes for meeting held during the preceding year;

(7) A schedule of regular meeting days for each calendar year;
and

(8) Notice of each upcoming board meeting.

§30-1-12a. Prohibition against disclosure of personally identifiable information; exceptions.

(a) Definitions.—

"Personally identifiable information" or "PII" means any information that identifies, or can be used to identify, locate, contact, or impersonate a particular individual.

"Sensitive PII" means those elements of PII that must receive heightened protection due to legal or policy requirements, including, but not limited to:

(1) Social Security numbers;

(2) Credit card numbers;

(3) Health and medical data;

(4) Driver's License numbers; and

(5) Individual financial account numbers.

(b) A board may not disclose sensitive PII of applicants, licensees, registrants, or other individuals except as necessary to comply with West Virginia or federal law, court order, or subpoena.

(c) Nothing in this section or section 12 of this article shall prohibit a board from providing information related to the qualifications and practice of licensees and registrants on the board's website, including but not limited to educational and training qualifications, specialties, and practice addresses.

§30-1-13. Roster of licensed or registered practitioners.

The secretary of every board shall prepare and maintain a complete roster of the names ~~and office addresses~~ of all persons licensed, or registered, and practicing in this state the profession or occupation to which such board relates, arranged alphabetically by name. ~~and also by the cities or counties in which their offices are situated.~~ Each board shall make the roster available upon request to any member of the public and shall also place and maintain the roster on its website.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 240—A Bill to amend and reenact §30-1-12 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated as §30-1-12a; and to amend and reenact §30-1-13 of said code, all relating to professional licensing boards' collection and dissemination of certain records and information; providing for public access to the record of each board's proceedings; providing for public access to each board's register of applicants; stating information that must be provided in order to access the register of applicants; giving each board discretion to deny requests for the register of applicants; requiring each board to maintain a website that provides certain information about the board; defining terms; prohibiting the

disclosure of sensitive personally identifiable information; providing that boards shall not be prohibited from providing information related to the qualifications and practice of licensees and registrants; providing that certain personal information of licensed practitioners shall not be disclosed; requiring the roster of licensed practitioners to be posted on each board's website.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Senate Bill 240, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 240) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 422, Requiring public schools to publish curriculum online at beginning of each new school year.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, after the enacting clause, by striking out the rest of the committee substitute and inserting, in lieu thereof, the following:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-27. Requirement to publish curriculum online; Parental parental right to inspect instructional materials; listing books on syllabus; right to file complaint.

(a) Each public school shall ensure that the adopted, up-to-date, county-adopted class curriculum is posted on the school's internet website at the beginning of each school year or no later than 30 business days after new or revised curriculum is adopted: *Provided*, That only students, parents, or guardians of the students shall be provided the login information to gain access to the online curriculum.

(1) For purposes of this section, class curriculum shall include curriculum created pursuant to §18-5A-6 of this code.

(2) The county board of education may provide access, or authorize access, to the county-adopted class curriculum.

(3) If the public school has no accessible website, the information shall be posted on the website of the appropriate county board of education, or website authorized by the state board of education.

~~(a)~~ (b) Each classroom teacher shall comply with the request of any parent, custodian, or guardian to inspect additional instructional materials adopted by the county board pursuant to §18-2A-10 of this code, supplementary instructional materials that were not adopted by the county board pursuant to §18-2A-10 of

this code, and books in the classroom that are available for students to read, subject to the following:

(1) Only the parent, custodian, or guardian of a child enrolled in the class may make a request pursuant to this subsection;

(2) The classroom teacher may require that the parent, custodian, or guardian schedule an appointment in order to inspect the instructional materials. If the classroom teacher requires an appointment pursuant to this subdivision, the teacher shall schedule the appointment within 10 business days of the request of the parent, custodian, or guardian; and

(3) As part of the inspection and upon request of the parent, custodian, or guardian, the classroom teacher shall demonstrate how the instructional material relates to the content standards adopted by the state board.

~~(b)~~ (c) For any class in which reading a book or books will be required, the classroom teacher shall include the book or books on a class syllabus. The classroom teacher shall make the syllabus available to any parent, custodian, or guardian of a child enrolled in the class upon request.

~~(e)~~ (d) Any parent, custodian, or guardian may file a complaint with the county superintendent, on a form developed and provided by the county superintendent, if the classroom teacher fails to comply with any provision of this section. If the complaint is not resolved by the county superintendent within seven business days, the parent, custodian, or guardian may file a complaint with the State Superintendent or his or her designee. The State Superintendent shall make a form available for parents to file a complaint pursuant to this subsection.

~~(d)~~ (e) By September 1 of each year, each county superintendent shall report to the State Superintendent the number of complaints filed with him or her the previous school year. The State Superintendent, annually by October 1, shall report to the Legislative Oversight Commission on Education Accountability the number of complaints filed during the previous school year.

The report shall include the number of complaints filed statewide and by county.

(e) (f) For purposes of this section, "parent" means a parent who has some allocation of physical custody of the child or who has some share of joint decision-making authority for the child. For purposes of this section, "custodian" means a person who has some allocation of physical custody of the child or who has provided to the school written permission of a parent to have access to the information contemplated by this section. For purposes of this section, "guardian" means a person other than a parent or custodian who, pursuant to a court order, acts in loco parentis for the child.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 422—A Bill to amend and reenact §18-5-27 of the Code of West Virginia, 1931, as amended, all relating to publishing county board curriculum; requiring public schools to post county-adopted curriculum online and establishing deadlines therefore; providing that only students, parents, or guardians have access to online curriculum; defining term; allowing county board to provide access to county-adopted curriculum; and providing that if a public school does not have a website, the information shall be posted on county board website or website authorized by state board.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 422, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Grady—1.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 422) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body to the title of the bill, passage as amended, to take effect July 1, 2023, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 446, Removing methanol and methanol fuel from definition of special fuel.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the title of the bill was reported by the Clerk:

Eng. Senate Bill 446—A Bill to amend and reenact §11-14C-2 of the Code of West Virginia, 1931, as amended, relating to removing methanol and methanol fuel from the definition of special fuel.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the title of the bill.

Engrossed Senate Bill 446, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart,

Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 446) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect July 1, 2023.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 446) takes effect July 1, 2023.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Com. Sub. for Senate Bill 468, Continuing Cabwaylingo State Forest Trail System.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page 1, section 3a, lines 15 through 19, by striking the new language in lines 15 through 19 and inserting in lieu thereof the following:

"The Parks and Recreation Section of the Division of Natural Resources is prohibited from establishing any additional ATV, ORV, or UTV trail systems within state parks and state forests: *Provided*, That the Director of the Division of Natural Resources shall have the authority to authorize the development and use of certain connector trails, roads, and parking areas from private systems, including, without limitation, the Hatfield-McCoy systems, solely for the purpose of providing access to state park and state forest recreational facilities and lodging by ATV, ORV, and UTV trail system users."

Senator Takubo moved that the Senate concurred in the House of Delegates amendment to the bill.

Following discussion,

The question being on the adoption of Senator Takubo's aforesated motion, the same was put and prevailed.

Engrossed Committee Substitute for Senate Bill 468, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Rucker—1.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 468) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body to the title of the bill, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 488, Aligning state and federal accreditation rules.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the title of the bill was reported by the Clerk:

Eng. Senate Bill 488—A Bill to amend and reenact §18B-4-7 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §18B-4-7a, all relating to aligning state and federal accreditation rules; requiring the Higher Education Policy Commission, the Council for Community and Technical College Education and the institutional governing boards of the exempted schools to regularly update their rules regarding accreditation to conform to federal regulations; requiring the council, commission, and governing boards to promulgate rules, by December 31, 2023, to permit institutions to choose to pursue accreditation with a recognized accreditor; making findings; requiring the council, commission, and governing boards to amend their regulations regarding accreditation by December 31, 2023; and providing that any regulations that imply or state that certain accreditors must be used are incorrect and must be amended.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the title of the bill.

Engrossed Senate Bill 488, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 488) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body to the title of the bill, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Com. Sub. for Com. Sub. for Senate Bill 543, Authorizing rule-making changes to terms, procedures and reporting duties in higher education.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the title of the bill was reported by the Clerk:

Eng. Com. Sub. for Com. Sub. for Senate Bill 543—A Bill to amend and reenact §29A-3A-1 and §29A-3A-2 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §29A-3A-2a; to amend and

reenact §29A-3A-3, §29A-3A-4, §29A-3A-5, §29A-3A-6, §29A-3A-7, §29A-3A-8, §29A-3A-9, §29A-3A-10, §29A-3A-11, §29A-3A-11a, §29A-3A-12, §29A-3A-13, §29A-3A-14, §29A-3A-15, §29A-3A-16, §29A-3A-16a, §29A-3A-17, §29A-3A-18, and §29A-3A-20, all relating to higher education and school building authority rule-making authority; revising definitions; requiring all sections of rule to be filed when proposing an amendment to an existing rule; requiring rule to be accompanied by note of explanation; requiring agency proposing to repeal a rule to file the rule in its entirety with the provisions of the rule struck through; making provisions applicable to procedural and interpretive rules applicable to legislative exempt rules; allowing an agency to hold a public hearing, schedule a public comment period, or both; requiring agency to respond to public comments and explain the reasoning for comments being incorporated or not incorporated into the rule; reducing time period for filing of notices of hearings for receiving public comment on a proposed rule; allowing repeal of a legislative exempt, procedural, or interpretive rule by filing notice of repeal with the Secretary of State; establishing timelimit for filing of notice of approval with the Secretary of State and the Legislative Oversight Commission on Education Accountability (LOCEA); requiring LOCEA make a continuing investigation, study, and review of the practices, policies, and procedures of the State Board of Education; requiring electronic submission of agency-approved rule to LOCEA; requiring electronic filing of notice of approval in the State Register; adding to information that electronic copies of the proposed legislative rule is to include; modifying topics LOCEA's review of a proposed legislative rule is to include; modifying LOCEA's options in making recommendations to the Legislature after reviewing a legislative rule; requiring bill authorizing legislative rule to incorporate the amendments recommended by LOCEA; modifying date after which proposed legislative rules submitted to LOCEA can be withheld from its report to the clerk of the respective houses; modifying provisions pertaining to bills of authorization; removing provisions pertaining to computation of dates; allowing disapproval of rules not approved or acted upon by the Legislature; requiring Secretary of State to publish an authorized and promulgated legislative rule in the Code of State Rules; adding to

information that must be filed with emergency rules in the State Register; providing for effective date for emergency rule and amendment to emergency rule; requiring the agency to file a copy of the emergency rule and the required statement with the Secretary of State and LOCEA; reducing time periods the agency has for filing a notice of public hearing on a proposed emergency rule and for filing the proposed emergency rule with LOCEA; removing provision pertaining to emergency legislative rules currently in effect; making certain provisions pertaining to filing an emergency rule and disapproval of an emergency rule applicable to filing an amendment to an emergency rule and disapproval of an emergency rule; modifying provisions pertaining to LOCEA's review of procedural rules, interpretive rules, or existing legislative rules; providing for prior rules to remain in full force and effect; modifying required sunset date; specifying procedure for renewing legislative rule; and requiring Secretary of State to file a notice of sunset in the State Register within 30 days following expiration of a legislative rule.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the title of the bill.

Engrossed Committee Substitute for Committee Substitute for Senate Bill 543, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com.

Sub. for Com. Sub. for S. B. 543) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 543) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 544, Increasing power purchase agreement cap.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 2. POWERS AND DUTIES OF PUBLIC SERVICE COMMISSION.**§24-2-1. Jurisdiction of commission; waiver of jurisdiction.**

(a) The jurisdiction of the commission extends to all public utilities in this state and includes any utility engaged in any of the following public services:

(1) Common carriage of passengers or goods, whether by air, railroad, street railroad, motor, or otherwise, by express or otherwise, by land, water, or air, whether wholly or partly by land, water, or air;

(2) Transportation of oil, gas, or water by pipeline;

(3) Transportation of coal and its derivatives and all mixtures and combinations thereof with other substances by pipeline;

(4) Sleeping car or parlor car services;

(5) Transmission of messages by telephone, telegraph, or radio;

(6) Generation and transmission of electrical energy by hydroelectric or other utilities for service to the public, whether directly or through a distributing utility;

(7) Supplying water, gas, or electricity by municipalities or others: *Provided*, That natural gas producers who provide natural gas service to not more than 25 residential customers are exempt from the jurisdiction of the commission with regard to the provisions of the residential service: *Provided, however*, That upon request of any of the customers of the natural gas producers, the commission may, upon good cause being shown, exercise authority as the commission may consider appropriate over the operation, rates, and charges of the producer and for the length of time determined proper by the commission: *Provided further*, That the provision of a solar photovoltaic energy facility located on and designed to meet only the electrical needs of the premises of a retail electric customer, the output of which is subject to a power purchase agreement (PPAs) with the retail electric customer, shall

not constitute a public service, subject to the following conditions and limitations:

(i) PPAs must be 11 point font or larger.

(ii) The aggregate of all PPAs and net metering arrangements in the state for any utility shall not exceed three percent of the utility's aggregate customer peak demand in the state during the previous year;

(iii) There shall be individual customer on-site generator limits of designing the photovoltaic energy facility to meet only the electrical needs of the premises of the retail electric customer and which in no case shall exceed ~~25~~ 50kW for residential customers, ~~500~~ 1,000 kW for commercial customers, and 2,000 kW for industrial customers;

(iv) Customers who enter into PPAs relating to photovoltaic facilities are to notify the utility of its intent to enter into a transaction. In response, the utility shall notify within 30 days if any of the caps have been reached. If the utility does not respond within 30 days, the generator may proceed and the caps will be presumed not to have been reached; and

(v) The Public Service Commission may promulgate rules to govern and implement the provisions of interconnections for PPAs, except the PSC does not have authority over the power rates for the arrangements between the on-site generator and the customer;

(8) Sewer systems servicing 25 or more persons or firms other than the owner of the sewer systems: *Provided*, That if a public utility other than a political subdivision intends to provide sewer service by an innovative, alternative method, as defined by the federal Environmental Protection Agency, the innovative, alternative method is a public utility function and subject to the jurisdiction of the Public Service Commission, regardless of the number of customers served by the innovative, alternative method;

(9) Any public service district created under the provisions of §16-13A-1 *et seq.* of this code, except that the Public Service

Commission has no jurisdiction over the provision of stormwater services by a public service district;

(10) Toll bridges located more than five miles from a toll-free bridge which crosses the same body of water or obstacle, wharves, ferries; solid waste facilities; and

(11) Any other public service.

(b) The jurisdiction of the commission over political subdivisions of this state providing separate or combined water and/or sewer services and having at least 4,500 customers and annual combined gross revenues of \$3 million or more that are political subdivisions of the state is limited to:

(1) General supervision of public utilities, as granted and described in §24-2-5 of this code;

(2) Regulation of measurements, practices, acts, or services, as granted and described in §24-2-7 of this code;

(3) Regulation of a system of accounts to be kept by a public utility that is a political subdivision of the state, as granted and described in §24-2-8 of this code;

(4) Submission of information to the commission regarding rates, tolls, charges, or practices, as granted and described in §24-2-9 of this code;

(5) Authority to subpoena witnesses, take testimony, and administer oaths to any witness in any proceeding before or conducted by the commission, as granted and described in §24-2-10 of this code; and

(6) Investigation and resolution of disputes between a political subdivision of the state providing wholesale water and/or wastewater treatment or other services, whether by contract or through a tariff, and its customer or customers, including, but not limited to, rates, fees, and charges, service areas and contested utility combinations: *Provided*, That any request for an investigation related to a dispute that is based on the act or omission

of the political subdivision shall be filed within 30 days of the act or omission of the political subdivision and the commission shall resolve the dispute within 120 days of filing. The 120-day period for resolution of the dispute may be tolled by the commission until the necessary information showing the basis of the rates, fees, and charges or other information required by the commission is filed: *Provided, however,* That the disputed rates, fees, and charges fixed by the political subdivision providing separate or combined water and/or sewer services shall remain in full force and effect until set aside, altered or, amended by the commission in an order to be followed in the future.

(7) Customers of water and sewer utilities operated by a political subdivision of the state may bring formal or informal complaints regarding the commission's exercise of the powers enumerated in this section and the commission shall resolve these complaints: *Provided,* That any formal complaint filed under this section that is based on the act or omission of the political subdivision shall be filed within 30 days of the act or omission complained of and the commission shall resolve the complaint within 180 days of filing. The 180-day period for resolution of the dispute may be tolled by the commission until the necessary information showing the basis of the matter complained of is filed by the political subdivision: *Provided, however,* That whenever the commission finds any regulations, measurements, practices, acts, or service to be unjust, unreasonable, insufficient, or unjustly discriminatory, or otherwise in violation of any provisions of this chapter, or finds that any service is inadequate, or that any service which is demanded cannot be reasonably obtained, the commission shall determine and declare, and by order fix reasonable measurement, regulations, acts, practices or services, to be furnished, imposed, observed, and followed in lieu of those found to be unjust, unreasonable, insufficient, or unjustly discriminatory, inadequate, or otherwise in violation of this chapter, and shall make an order that is just and reasonable: *Provided further,* That if the matter complained of would affect rates, fees, and charges fixed by the political subdivision providing separate or combined water and/or sewer services, the rates, fees, or charges shall remain in full

force and effect until set aside, altered, or amended by the commission in an order to be followed in the future.

(8) If a political subdivision has a deficiency in either its bond revenue or bond reserve accounts, or is otherwise in breach of a bond covenant, any bond holder may petition the Public Service Commission for any redress that will bring the accounts to current status or otherwise resolve the breached covenant. The commission has jurisdiction to fully resolve the alleged deficiency or breach.

(c) The commission may, upon application, waive its jurisdiction and allow a utility operating in an adjoining state to provide service in West Virginia when:

(1) An area of West Virginia cannot be practicably and economically served by a utility licensed to operate within the State of West Virginia;

(2) The area can be provided with utility service by a utility which operates in a state adjoining West Virginia;

(3) The utility operating in the adjoining state is regulated by a regulatory agency or commission of the adjoining state; and

(4) The number of customers to be served is not substantial. The rates the out-of-state utility charges West Virginia customers shall be the same as the rate the utility may charge in the adjoining jurisdiction. The commission, in the case of any such utility, may revoke its waiver of jurisdiction for good cause.

(d) Any other provisions of this chapter to the contrary notwithstanding:

(1) An owner or operator of an electric generating facility located or to be located in this state that has been designated as an exempt wholesale generator under applicable federal law, or will be so designated prior to commercial operation of the facility, for which the facility the owner or operator holds a certificate of public convenience and necessity issued by the commission on or before July 1, 2003, is subject to §24-2-11c(e) through §24-2-11c(j) of this code as if the certificate of public convenience and necessity for

the facility were a siting certificate issued under §24-2-11c of this code, and is not otherwise subject to the jurisdiction of the commission or to the provisions of this chapter with respect to the facility except for the making or constructing of a material modification thereof as provided in §24-2-1(d)(5) of this code.

(2) Any person, corporation, or other entity that intends to construct or construct and operate an electric generating facility to be located in this state that has been designated as an exempt wholesale generator under applicable federal law, or will be designated prior to commercial operation of the facility, for which facility the owner or operator does not hold a certificate of public convenience and necessity issued by the commission on or before July 1, 2003, shall, prior to commencement of construction of the facility, obtain a siting certificate from the commission pursuant to the provisions of §24-2-11c of this code in lieu of a certificate of public convenience and necessity pursuant to the provisions of §24-2-11 of this code. An owner or operator of an electric generating facility as is described in this subdivision for which a siting certificate has been issued by the commission is subject to §24-2-11c(e) through §24-2-11c(j) of this code and is not otherwise subject to the jurisdiction of the commission or to the provisions of this chapter with respect to the facility except for the making or constructing of a material modification thereof as provided in §24-2-1(d)(5) of this code.

(3) An owner or operator of an electric generating facility located in this state that had not been designated as an exempt wholesale generator under applicable federal law prior to commercial operation of the facility that generates electric energy solely for sale at retail outside this state or solely for sale at wholesale in accordance with any applicable federal law that preempts state law or solely for both sales at retail and sales at wholesale and that had been constructed and had engaged in commercial operation on or before July 1, 2003, is not subject to the jurisdiction of the commission or to the provisions of this chapter with respect to the facility, regardless of whether the facility subsequent to its construction has been or will be designated as an exempt wholesale generator under applicable

federal law: *Provided*, That the owner or operator is subject to §24-2-1(d)(5) of this code if a material modification of the facility is made or constructed.

(4) Any person, corporation, or other entity that intends to construct or construct and operate an electric generating facility to be located in this state that has not been or will not be designated as an exempt wholesale generator under applicable federal law prior to commercial operation of the facility that will generate electric energy solely for sale at retail outside this state or solely for sale at wholesale in accordance with any applicable federal law that preempts state law or solely for both sales at retail and sales at wholesale and that had not been constructed and had not been engaged in commercial operation on or before July 1, 2003, shall, prior to commencement of construction of the facility, obtain a siting certificate from the commission pursuant to the provisions of §24-2-11c of this code in lieu of a certificate of public convenience and necessity pursuant to the provisions of §24-2-11 of this code. An owner or operator of an electric generating facility as is described in this subdivision for which a siting certificate has been issued by the commission is subject to §24-2-11c(e) through §24-2-11c(j) of this code, and is not otherwise subject to the jurisdiction of the commission or to the provisions of this chapter with respect to the facility except for the making or constructing of a material modification thereof as provided in §24-2-1(d)(5) of this code.

(5) An owner or operator of an electric generating facility described in this subsection shall, before making or constructing a material modification of the facility that is not within the terms of any certificate of public convenience and necessity or siting certificate previously issued for the facility or an earlier material modification thereof, obtain a siting certificate for the modification from the commission pursuant to the provisions of §24-2-11c of this code, in lieu of a certificate of public convenience and necessity for the modification pursuant to the provisions of §24-2-11 of this code and, except for the provisions of §24-2-11c of this code, is not otherwise subject to the jurisdiction of the commission or to the provisions of this chapter with respect to the modification.

(6) The commission shall consider an application for a certificate of public convenience and necessity filed pursuant to §24-2-11 of this code, to construct an electric generating facility described in this subsection or to make or construct a material modification of the electric generating facility as an application for a siting certificate pursuant to §24-2-11c of this code if the application for the certificate of public convenience and necessity was filed with the commission prior to July 1, 2003, and if the commission has not issued a final order as of that date.

(7) The limitations on the jurisdiction of the commission over, and on the applicability of the provisions of this chapter to, the owner or operator of an electric generating facility as imposed by and described in this subsection do not affect or limit the commission's jurisdiction over contracts or arrangements between the owner or operator of the facility and any affiliated public utility subject to the provisions of this chapter.

(e) The commission does not have jurisdiction of Internet protocol-enabled service or voice-over Internet protocol-enabled service. As used in this subsection:

(1) "Internet protocol-enabled service" means any service, capability, functionality, or application provided using Internet protocol, or any successor protocol, that enables an end user to send or receive a communication in Internet protocol format, or any successor format, regardless of whether the communication is voice, data, or video.

(2) "Voice-over Internet protocol service" means any service that:

(i) Enables real-time, two-way voice communications that originate or terminate from the user's location using Internet protocol or a successor protocol; and

(ii) Uses a broadband connection from the user's location.

(3) The term "voice-over Internet protocol service" includes any service that permits users to receive calls that originate on the

public-switched telephone network and to terminate calls on the public-switched telephone network.

(f) Notwithstanding any other provisions of this article, the commission does not have jurisdiction to review or approve any transaction involving a telephone company otherwise subject to §24-2-12 and §24-2-12a of this code, if all entities involved in the transaction are under common ownership.

(g) The Legislature finds that the rates, fees, charges, and ratemaking of municipal power systems are most fairly and effectively regulated by the local governing body. Therefore, notwithstanding any other provisions of this article, the commission does not have jurisdiction over the setting or adjustment of rates, fees, and charges of municipal power systems. Further, the jurisdiction of the Public Service Commission over municipal power systems is limited to that granted specifically in this code.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 544—A Bill to amend and reenact §24-2-1 of the Code of West Virginia, 1931 as amended, relating to increasing the power purchase agreement (PPA) cap from 25 kW to 50kW for residential customers and from 500 kW to 1,000 kW for commercial customers.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Senate Bill 544, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Clements, Deeds, Grady, Hamilton, Hunt, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: Caputo, Chapman, Karnes, and Maroney—4.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 544) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 548, Clarifying what parties can redeem delinquent property and limiting those entitled to bid.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 7, section 45, beginning on line 31, by striking subdivision 2 in its entirety and inserting a new subdivision 2 to read as follows:

"(2) At the time of registration is delinquent in the payment of real property tax, for which registrant is the most recent owner of record, to any county in this state;" and renumbering the remaining subdivisions accordingly;

Beginning on page 7, section 45, after line 32, by inserting a new subdivision 3 to read as follows:

"(3) Has a history of noncompliance with code enforcement violations issued by a county or municipality pursuant to §7-1-3ff and §8-12-16 of this code; and" and renumbering the remaining subdivisions accordingly;

On page 11, section 48, beginning on line 21, by striking subdivision 2 in its entirety and inserting a new subdivision 2 to read as follows:

"(2) At the time of registration is delinquent in the payment of real property tax, for which registrant is the most recent owner of record, to any county in this state:" and renumbering the remaining subdivisions accordingly;

And,

Beginning on page 11, section 48, after line 22, by inserting a new subdivision 3 to read as follows:

"(3) Has a history of noncompliance with code enforcement violations issued by a county or municipality pursuant to §7-1-3ff and §8-12-16 of this code; and;" and renumbering the remaining subdivisions accordingly;

On page 7, section 45, line 27, Striking the period after "office" and inserting in lieu thereof "or complete and execute a notarized affidavit affirming that they meet the requirements set forth in this Article on the day of the sale.";

And,

On page 8, section 45, lines 32, 33-34 by inserting "and" after "state;" and removing lines 33 and 34 in their entirety and renumbering accordingly;

And,

On page 11, section 48, lines 22, 23-24 by inserting "and" after "state;" and removing lines 23 and 24 in their entirety and renumbering appropriately;

And,

On page 11, line 16, by inserting following: *"Provided, However, That instead of the Auditor, a purchaser may engage a licensed attorney to provide a title examination at his or her own cost."*

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 548, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Chapman and Maroney—2.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 548) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect July 1, 2023, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Com. Sub. for Senate Bill 561, Relating to administration of WV Drinking Water Treatment Revolving Fund Act.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 7, by striking section 7 in its entirety and renumbering the following section accordingly;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Com. Sub. for Senate Bill 561—A Bill to repeal §16-13C-1, §16-13C-2, §16-13C-3, §16-13C-4, §16-13C-5, and §16-13C-6 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §22-36-1, §22-36-2, §22-36-3, §22-36-4, §22-36-5, §22-36-6, and §22-36-7, all relating to the administration of the West Virginia Drinking Water Treatment Revolving Fund; transferring administration of Drinking Water Treatment Revolving Fund from Department of Health and Human Resources to Department of Environmental Protection; adding provisions relating to review by Department of Environmental Protection of funded projects and implementation of mitigation efforts if necessary to protect public health and the environment; and providing for Department of Environmental Protection to propose legislative rules.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Committee Substitute for Senate Bill 561, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com.

Sub. for Com. Sub. for S. B. 561) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect July 1, 2023.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 561) takes effect July 1, 2023.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 608, Correcting list of items which are considered deadly weapons.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 7. DANGEROUS WEAPONS.

§61-7-2. Definitions.

As used in this article, unless the context otherwise requires:

(1) "Antique firearm" means:

(A) Any firearm, including, but not limited to, a firearm with a match lock, flintlock, percussion cap, or similar type of ignition system which was manufactured on or before 1898;

(B) Any replica of any firearm described in paragraph (A) of this subdivision if such replica is not designed or redesigned to use rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade; and

(C) Any muzzle-loading rifle, muzzle-loading shotgun, or muzzle-loading pistol, which is designed to use black powder, or black powder substitute, and which cannot use fixed ammunition. For purposes of this subdivision, the term "antique firearm" shall not include any weapon which includes a firearm frame or receiver, any firearm which is converted into a muzzle-loading weapon, or any muzzle-loading weapon which can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.

(2) "Blackjack" means a short bludgeon consisting, at the striking end, of an encased piece of lead or some other heavy substance and, at the handle end, a strap or springy shaft which increases the force of impact when a person or object is struck. The term "blackjack" includes, but is not limited to, a billy, billy club, sand club, sandbag, or slapjack.

(3) "Concealed" means hidden from ordinary observation so as to prevent disclosure or recognition. A deadly weapon is concealed when it is carried on or about the person in such a manner that another person in the ordinary course of events would not be placed on notice that the deadly weapon was being carried. For purposes of concealed handgun licensees, a licensee is considered to be carrying on or about his or her person while in or on a motor vehicle if the firearm is located in a storage area in or on the motor vehicle.

(4) "Controlled substance" has the same meaning as is ascribed to that term in §60A-1-101(e) of this code.

(5) "Deadly weapon" means an instrument which is designed to be used to produce serious bodily injury or death or is readily adaptable to such use. The term "deadly weapon" includes, but is not limited to, the instruments defined in subdivisions (1) ~~through (8), (2), (5), (7), (8), (9), (10), (11), (12), (13), (14), and (15),~~ inclusive, of this section or other deadly weapons of like kind or character which may be easily concealed on or about the person. For the purposes of §18A-5-1a of this code and §61-7-11a of this code, in addition to the definition of "knife" set forth in subdivision (9) of this subsection, the term "deadly weapon" also includes any instrument included within the definition of "knife" with a blade of three and one-half inches or less in length. Additionally, for the purposes of §18A-5-1a of this code and §61-7-11a of this code, the term "deadly weapon" includes explosive, chemical, biological, and radiological materials. Notwithstanding any other provision of this section, the term "deadly weapon" does not include any item or material owned by the school or county board, intended for curricular use, and used by the student at the time of the alleged offense solely for curricular purposes. The term "deadly weapon" does not include pepper spray as defined in subdivision (12) of this subsection when used by any person ~~over the age of 16~~ solely for self-defense purposes.

(6) "Drug" has the same meaning as is ascribed to that term in §60A-1-101(m) of this code.

(7) "Firearm" means any weapon which will expel a projectile by action of an explosion: *Provided*, That it does not mean an antique firearm as defined in subdivision (1) of this subsection except for the purposes of §48-27-502 of this code.

(8) "Gravity knife" means any knife that has a blade released from the handle by the force of gravity or the application of centrifugal force and when released is locked in place by means of a button, spring, lever, or other locking or catching device.

(9) "Knife" means an instrument, intended to be used or readily adaptable to be used as a weapon, consisting of a sharp-edged or sharp-pointed blade, usually made of steel, attached to a handle which is capable of inflicting cutting, stabbing, or tearing wounds. The term "knife" includes, but is not limited to, any dagger, dirk, poniard, or stiletto, with a blade over three and one-half inches in length, any switchblade knife or gravity knife, and any other instrument capable of inflicting cutting, stabbing, or tearing wounds. A pocket knife with a blade three and one-half inches or less in length, a hunting or fishing knife carried for hunting, fishing, sports, or other recreational uses, or a knife designed for use as a tool or household implement is not included within the term "knife" as defined in this subdivision unless the knife is knowingly used or intended to be used to produce serious bodily injury or death.

(10) "Metallic or false knuckles" means a set of finger rings attached to a transverse piece to be worn over the front of the hand for use as a weapon and constructed in such a manner that, when striking another person with the fist or closed hand, considerable physical damage may be inflicted upon the person who was struck. The terms "metallic or false knuckles" includes any such instrument without reference to the metal or other substance or substances from which the metallic or false knuckles are made.

(11) "Nunchaku" means a flailing instrument consisting of two or more rigid parts, connected by a chain, cable, rope, or other nonrigid, flexible, or springy material, constructed in a manner that allows the rigid parts to swing freely so that one rigid part may be used as a handle and the other rigid part may be used as the striking end.

(12) "Pepper spray" means a temporarily disabling aerosol that is composed partly of capsicum oleoresin and causes irritation, blinding of the eyes, and inflammation of the nose, throat, and skin that is intended for self-defense use.

(13) "Pistol" means a short firearm having a chamber which is integral with the barrel, designed to be aimed and fired by the use of a single hand.

(14) "Revolver" means a short firearm having a cylinder of several chambers that are brought successively into line with the barrel to be discharged, designed to be aimed and fired by the use of a single hand.

(15) "Switchblade knife" means any knife having a spring-operated blade which opens automatically upon pressure being applied to a button, catch, or other releasing device in its handle.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 608—A Bill to amend and reenact §61-7-2 of the Code of West Virginia, 1931, as amended, relating to dangerous weapons; correcting the partial list of items which are considered deadly weapons; and removing certain age restrictions relating to pepper spray.

Senator Takubo moved that the Senate concur in the House of Delegates amendments to the bill.

Following discussion,

Senator Smith requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate.

The Chair replied that any impact on Senator Smith would be as a member of a class of persons and that he would be required to vote.

The question being on the adoption of Senator Takubo's aforestated motion, the same was put and prevailed.

Engrossed Senate Bill 608, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio,

Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 608) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 633, Requiring prompt appearances for persons detained on capiases.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 1. PRELIMINARY PROCEDURE.

§62-1-7. Offense arising in other county.

~~If the warrant issued, or if the offense is alleged to have been committed, in a county other than the county of arrest, all papers in the proceeding shall be promptly transmitted to a justice of the county having jurisdiction of the offense for preliminary examination or trial. If the defendant is unable to provide bail in~~

~~the county of arrest, he or she shall be committed to the custody of an officer who shall take him or her without unnecessary delay before a justice of the county wherein the examination or trial is to be held, there to be dealt with as provided by law.~~

In all cases where a person is arrested in a county other than where the indictment or charge is pending, an arraignment shall be held pursuant to the Rules of Criminal Procedure for Magistrate Courts in West Virginia. If the person remains incarcerated after the arraignment, he or she shall be transported to the regional jail serving the charging county within five days of arrest.

ARTICLE 1C. BAIL

62-1C-17b. Procedures for failure to appear; ~~Failure to appear~~ penalties.

(a) Any person, who, having been released upon his or her personal recognizance pursuant to §62-1-1a of this code or having been otherwise admitted to bail and released in accordance with this article, and who shall willfully and without just cause fail to appear as and when it may be required of him or her, shall be guilty of the offense as hereinafter prescribed, and, upon conviction thereof, shall be punished in the manner hereinafter provided.

(b) If any such person was admitted to bail or released after being arrested for, charged or convicted of a felony and, shall thereafter be convicted for a violation of the provisions of subsection (a) of this section, such persons shall be guilty of a felony and, shall be fined not more than \$5,000 or imprisoned not less than one nor more than five years, or both such fine and imprisonment.

(c) If any such person was admitted to bail or released after being arrested for, charged or convicted of a misdemeanor and, shall thereafter be convicted for a violation of the provision of subsection (a) of this section, such persons shall be guilty of a misdemeanor and, shall be fined not more the \$1,000 or confined in the county jail for not more than one year, or both such fine and confinement.

(d) If any such person was admitted to bail or released pending appearance as a material witness and shall thereafter fail to appear when and where it shall have been required of him or her, such persons shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more the \$1,000 or confined in the county jail not more than one year, or both such fine and confinement.

(e) Any penalty authorized by this section shall be in addition to any forfeiture authorized or mandated by this article or by any other provision of law.

(f) If any defendant admitted to bail and released in accordance with this article fails to appear at a scheduled court appearance, the court may issue a capias or bench warrant for failure to appear if it determines that the defendant was provided effective notice of the court appearance by the court;

(g) For the purposes of this subsection, "effective notice of the court appearance" means a notice stating the date, time, location, and purpose of the hearing, transmitted to the defendant or defendant's counsel, no fewer than 10 days prior to the scheduled court appearance. The court may waive the 10 day requirement upon a finding of emergent circumstances.

(h) For purposes of capiases for failure to appear after indictment, newspaper publication alone does not constitute effective notice.

(i) Notwithstanding the provisions of subsections (a) through (d) of this section, where the record does not reflect that the person failing to appear received effective notice to appear from the court or where he or she has no documented history of failure to appear, a court, absent good cause shown, may not issue a capias until no fewer than 24 hours have elapsed since the failure to appear. If the defendant voluntarily appears within 24 hours, he or she is not subject to prosecution under this section.

(j) Nothing in subsection (f) of this section may be construed to limit a court's ability to issue a capias upon credible information

of danger to a person or the community, new criminal conduct or a bail violation other than failure to appear.

(k) Upon the arrest of a defendant pursuant to a capias in the county in which the indictment or charge is pending, a hearing pursuant to §62-1C-1a of this code shall be scheduled and held within five days of the arrest.

(l) Upon the appearance in the county in which the indictment or charge is pending of a defendant against whom a capias has been issued the court shall provide written notice to the sheriff for his or her dissemination to all appropriate law-enforcement agencies, that the warrant or capias is no longer active and order it to be immediately removed from all databases.

ARTICLE 2. PRESENTMENTS AND INDICTMENTS

§62-2-17. Delivery of prisoner to court, magistrate or jailer.

(a) An officer who, under a capias from a court, arrests a person accused of an offense other than murder in the first degree shall deliver the accused to such court, if sitting, and if such court is not sitting, the officer shall deliver the accused to a magistrate who may admit the accused to bail: *Provided*, That any such bail granted by a magistrate shall be conditioned upon the appearance by the accused before the court on the date provided in the capias for such appearance, or, if no such date is provided in the capias, then such bail shall be conditioned upon the appearance of the accused on the next day on which such court is sitting.

(b) No magistrate shall admit to bail any person arrested under an alias capias.

(c) Bail set by a magistrate may be made and posted before the magistrate court clerk and the recognizance and record thereof, together with any money received therefor, shall be forthwith delivered to the clerk of the circuit court.

(d) An officer who, under a capias from a court, arrests a person accused of an offense not bailable, or for which bail is not given,

shall deliver the accused to such court, if sitting, or to the jailer thereof, who shall receive and imprison him or her.

(e) In all cases where a defendant is arrested and held under a capias for failure to appear in the county wherein the charge or charges is pending, and he or she is entitled to admission to bail, an initial appearance shall be held as soon as practicable, or within five days whichever is sooner, and bail shall be considered pursuant to §62-1C-1a of this code.

(f) Upon the appearance of a defendant upon an indictment or complaint upon which a warrant or capias has been issued, the court shall provide written notice to the sheriff for his or her dissemination to all appropriate law-enforcement agencies that the warrant or capias is no longer active and order that it be immediately removed from all databases.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 633—A Bill to amend and reenact §62-1-7 of the Code of West Virginia, 1931, as amended; to amend and reenact §62-1C-17b of said code; and to amend and reenact §62-2-17 of said code, all relating to failure to appear; requiring compliance with the magistrate court criminal rules; requiring transport to the regional jail serving the charging county if an arrest occurs in a county other than the charging county and the defendant remains incarcerated after the arraignment; requiring prompt court appearances for persons detained on capiases or warrants for failure to appear; providing procedures for issuing bench warrants and capiases for nonappearance at scheduled court hearings or other proceeding; providing for purposes of capiases for failure to appear after indictment, that newspaper publication alone does not constitute effective notice; allowing a grace period after a failure to appear to allow certain defendants to appear except in defined circumstances; providing procedures following execution of bench warrants for nonappearance; providing that in all cases where a defendant is arrested and held under a capias for

failure to appear in the county wherein the charge or charges is pending, and he or she is entitled to admission to bail, an initial appearance shall be held as soon as practicable, or within five days whichever is sooner, and bail shall be considered; and requiring courts to ensure that all inactive warrants and capiases for failure to appear are removed from law-enforcement databases.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 633, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 633) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 647, Relating to substantiation of abuse and neglect allegations.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 4. COURT ACTIONS.

PART VI. PROCEDURES IN CASES OF CHILD NEGLECT OR ABUSE.

§49-4-601b. Substantiation by the department of abuse and neglect; file purging; expungement; exceptions.

(a) Notwithstanding any provision of this code to the contrary, when the department substantiates an allegation of abuse ~~or~~ and/or neglect against a person, but there is no judicial finding of abuse ~~or~~ and/or neglect as a result of the allegation, the department shall provide written notice of the substantiation to the person by certified mail, return receipt requested.

(b) The ~~individual~~ person against whom an abuse ~~or~~ and/or neglect allegation has been substantiated, as described in subsection (a) of this section, has the right to contest the substantiation by filing a grievance with the board of review of the department and has the right to appeal the decision of the board of review to the court, in accordance with the provisions of §29A-5-1 *et seq.* of this code regarding administrative appeals.

(c) The secretary of the department shall ~~promulgate~~ propose legislative rules for promulgation in accordance with §29A-3-1 *et seq.* of this code, within the applicable time limit to be considered by the Legislature during its regular session in the year 2021, which rules shall include, at a minimum:

(1) Provisions for ensuring that an individual against whom the department has substantiated an allegation of abuse ~~and/or~~ neglect, but against whom there is no judicial finding of abuse ~~or~~ and/or

neglect, receives written notice of the substantiation in a timely manner. The written notice ~~must~~, shall at a minimum, state the following:

(A) The name of the child the person is alleged to have abused ~~or~~ and/or neglected, the place or places where the abuse ~~or~~ and/or neglect allegedly occurred, and the date or dates on which the abuse ~~or~~ and/or neglect is alleged to have occurred;

(B) That the person has a right to file a grievance protesting the substantiation of abuse and/or neglect with the board of review of the department and clear instructions regarding how to file a grievance with the board of review, including a description of any applicable time limits;

(C) That the person has a right to appeal an adverse decision of the board of review of the department to the courts and notice of any applicable time limits; and

(D) A description of any public or nonpublic registry on which the person's name will be included as a result of a substantiated allegation of abuse and/or neglect and a statement that the inclusion of the person's name on the registry may prevent the person from holding jobs from which child abusers are disqualified, or from providing foster or kinship care to a child in the future;

(2) Provisions for ensuring that a person against whom an allegation of abuse and/or neglect has been substantiated, but against whom there is no judicial finding of abuse and/or neglect, may file a grievance with the department and provisions guaranteeing that ~~any such person~~ he or she will have a full and fair opportunity to be heard; and

(3) Provisions requiring the department to remove a person's name from an abuse and/or neglect registry maintained by the department if a ~~substantiation~~ substantiated allegation is successfully challenged in the board of review or in a court.

(d) Notwithstanding any provision of this code to the contrary:

(1) Where any allegation of abuse and/or neglect is substantiated and a petition for abuse and/or neglect could be filed and the department does not file a petition, all department records related to the allegation shall be sealed one year after the substantiation determination, unless during the one-year period another allegation of child abuse and/or neglect against the person is substantiated: *Provided*, That the provisions of this subdivision do not apply to a person against whom an allegation is substantiated but the circumstances do not allow for the filing of a petition for abuse and/or neglect;

(2) Where an allegation of child abuse and/or neglect is substantiated and a petition is filed with the circuit court which does not end in an adjudication that abuse and/or neglect occurred, the allegation shall be considered to have been unsubstantiated.

(3)(A) Where an allegation of child abuse and/or neglect is substantiated and a judicial determination of child abuse and/or neglect is found, a person may petition the circuit court which found the person to be an abusing parent to have his or her department record sealed after no less than five years have elapsed since the finding of abuse and/or neglect is rendered: *Provided*, That a petition may not be filed if the person had been the subject of a substantiated allegation of abuse and/or neglect during the period of time after the finding and prior to the filing of the petition; and

(B) In its consideration of a petition filed under this subdivision, the court, in its discretion, may look at all relevant factors related to the petition, including, but not limited to, efforts at rehabilitation and family reunification.

(e) The sealing of a record pursuant to subsection (d) of this section means that any inquiry of the department about a person having a record of child abuse and/or neglect for purposes of possible employment shall be answered in the negative.

(f) The secretary is directed to propose legislative rules pursuant to §29A-1-1 *et seq.* of this code to effectuate the

amendments to this section enacted during the regular session of the Legislature, 2023.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 647—A Bill to amend and reenact §49-4-601b of the Code of West Virginia, 1931, as amended, relating to substantiation of abuse and neglect allegations; requiring that when an abuse and/or neglect allegation is substantiated and a child abuse petition could be filed and the department does not do so, records related to the allegation are sealed after one year, absent a new allegation within that year; excluding persons from having records sealed who have a substantiated case but no court case can be filed; requiring that substantiated cases where the court does not adjudicate abuse and/or neglect be deemed unsubstantiated; allowing a petition to seal a file after five years for persons found to be creating an abusing parent; exceptions; criteria; directing the department to propose legislative rules to effectuate the statutory directive; clarifying terms relating to abuse and/or neglect; and defining terms.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 647, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 647) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 661, Clarifying preferential recall rights for employees sustaining compensable injury.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1 by striking everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 5A. DISCRIMINATORY PRACTICES.

§23-5A-3. Termination of injured employees prohibited; reemployment of injured employees.

(a) It shall be a discriminatory practice within the meaning of section one of this article to terminate an injured employee while the injured employee is off work due to a compensable injury within the meaning of §23-4-1 *et seq.* of this code and is receiving or is eligible to receive temporary total disability benefits, unless the injured employee has committed a separate dischargeable offense. A separate dischargeable offense shall mean misconduct by the injured employee wholly unrelated to the injury or the absence from work resulting from the injury. A separate dischargeable offense shall not include absence resulting from the

injury or from the inclusion or aggregation of absence due to the injury with any other absence from work.

(b) It shall be a discriminatory practice within the meaning of section one of this article for an employer to fail to reinstate an employee who has sustained a compensable injury to the employee's former position of employment upon demand made in writing and transmitted by the United States Postal Service, return receipt requested, to the employer's principal office for such reinstatement provided that the position in which the employee sustained the compensable injury is still available and the employee is not disabled from performing the duties of such position. If the former position is not available, the employee shall be reinstated to another comparable position which is available and which the employee is capable of performing. A comparable position for the purposes of this section shall mean a position which is comparable as to wages, working conditions and, to the extent reasonably practicable, duties to the position held at the time of injury. A written statement from a duly licensed physician that the physician approves the injured employee's return to his or her regular employment shall be prima facie evidence that the worker is able to perform such duties. In the event that neither the former position nor a comparable position is available, the employee shall have a right to preferential recall to any job which the injured employee is capable of performing which becomes open after the injured employee notifies the employer that he or she desired reinstatement. Said right of preferential recall shall be in effect for one year from the day the injured employee notifies the employer that he or she desires reinstatement: *Provided*, That the employee provides to the employer a current mailing address during this one-year period.

(c) For the preferential recall rights authorized by this section when an employee is employed by an employer defined by §30-42-3(d) of this code, the employee's right to preferential recall shall be no greater than 120 days from the date the employee is released by a duly licensed physician to return to his or her regular employment. It is the employee's obligation to continually seek the possibility of employment during the employee's preferential recall

period under this subsection. The employee's right to preferential recall authorized by this subsection terminates once the employer offers the employee his or her former position or a comparable position.

~~(e)~~(d) Any civil action brought under this section shall be subject to the seniority provisions of a valid and applicable collective bargaining agreement, or arbitrator's decision thereunder, or to any court or administrative order applying specifically to the injured employee's employer, and shall further be subject to any applicable federal statute or regulation.

~~(d)~~(e) Nothing in this section shall affect the eligibility of the injured employee to workers' compensation benefits under this chapter.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 661—A Bill to amend and reenact §23-5A-3 of the Code of West Virginia, 1931, as amended, relating to the preferential recall rights of an employee who is off work due to a compensable injury; providing that any demand for reinstatement made by an injured employee must be made in writing; providing for how and where the demand for reinstatement must be mailed; providing requirements for an injured employee's reinstatement to his or her former position; providing for a preferential recall time period of 120 days when the injured employee is employed by contractors as defined by §30-42-3 of said code; stating that it is the employee's obligation to continually seek the possibility of employment during the preferential recall period; and providing that the employee's right to preferential recall terminates once the employer offers the employee his or her former position or a comparable position.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 661, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Caputo—1.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 661) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 667, Requiring periodic performance audits of WV Secondary Schools Athletic Commission.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, after the enacting clause, by striking out the remainder of the bill and inserting, in lieu thereof, the following:

ARTICLE 2. STATE BOARD OF EDUCATION.**§18-2-25e. Requiring the Legislative Auditor conduct periodic performance audits of the West Virginia Secondary Schools Activities Commission.**

(a) The Legislative Auditor may, at reasonable and prudent intervals, conduct performance audits of the commission.

(b) The Legislative Auditor shall have the power and authority to examine the revenues, expenditures, and performance of the commission, which shall allow the Legislative Auditor to inspect all records and accounts of the commission and to examine the personnel of the commission. *Provided:* That for any legally protected information provided or disclosed to the Legislative Auditor pursuant to this section, the Legislative Auditor shall protect the confidentiality, privacy, or security of the protected information in like manner and with the same duty as is required of the commission.

(c) The Legislative Auditor shall complete an initial performance audit of the commission by December 1, 2023, and, on that date, deliver a report thereof to the Joint Committee on Government and Finance and to the Legislative Oversight Commission on Education Accountability.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 667—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-25e; all relating to requiring the legislative auditor to conduct periodic performance audits of the West Virginia Secondary Schools Activities Commission; granting the legislative auditor the power and authority to conduct examinations and inspections; requiring the legislative auditor to protect the confidentiality, privacy, and security of protected information; and establishing deadline for initial performance audit and reporting requirements.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 667, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Deeds, Grady, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woodrum, and Blair (Mr. President)—28.

The nays were: Caputo, Clements, Hamilton, Plymale, and Woelfel—5.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 667) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 677, Clarifying role and responsibilities of State Resiliency Officer.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page one, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

CHAPTER 15. PUBLIC SAFETY.**ARTICLE 5. DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT.****§15-5-2. Definitions.**

As used in this article:

"Board" means the ~~West Virginia Disaster Recovery Board created by this article~~

"Code" means the Code of West Virginia, 1931, as amended;

"Community facilities" means a specific work, or improvement within this state, or a specific item of equipment or tangible personal property owned or operated by any political subdivision or nonprofit corporation and used within this state to provide any essential service to the general public;

"Critical infrastructure" includes any systems and assets, whether physical or virtual, so vital to the state that the incapacity or destruction of such systems and assets would have a debilitating impact on security, state economic security, state public health or safety, or any combination of those matters.

"Disaster" means the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural, or terrorist, or man-made cause, including weapons of mass destruction, fire, flood, earthquake, wind, snow, storm, chemical or oil spill or other water or soil contamination, epidemic, air contamination, blight, drought, infestation, or other public calamity requiring emergency action;

"Disaster ~~recovery~~ response activities" means activities undertaken prior to, during or immediately following a disaster to provide, or to participate in the provision of, critical infrastructure, emergency services, temporary housing, residential housing, essential business activities, and community facilities;

"Emergency services" means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to protect, respond, and recover, to prevent, detect, deter, and mitigate, to minimize and repair injury and damage resulting from disasters or other events caused by flooding, terrorism, enemy attack, sabotage, or other natural or other man-made causes. These functions include, without limitation, critical infrastructure services, firefighting services, police services, medical and health services, communications, emergency telecommunications, radiological, chemical, and other special weapons defense, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services and other functions related to the health, safety, and welfare of the citizens of this state, together with all other activities necessary or incidental to the preparation for and carrying out of these functions. Disaster includes the imminent threat of disaster as well as its occurrence and any power or authority exercisable on account of a disaster that may be exercised during the period when there is an imminent threat;

"Essential business activities" means a specific work or improvement within this state or a specific item of equipment or tangible personal property used within this state by any person to provide any essential goods or critical infrastructure services determined by the authority to be necessary for continued operations during a disaster, state of emergency, or state of preparedness, and for recovery from a disaster;

"Essential workers" means employees or contractors that fall under the definition of essential business activities during a disaster, state of emergency, or state of preparedness.

"Local organization for emergency services" means an organization created in accordance with the provisions of this article by state or local authority to perform local emergency services function;

"Mobile support unit" means an organization for emergency services created in accordance with the provisions of this article by state or local authority to be dispatched by the Governor to supplement local organizations for emergency services in a stricken area;

"Person" means any individual, corporation, voluntary organization or entity, partnership, firm, or other association, organization, or entity organized or existing under the laws of this or any other state or country;

"Political subdivision" means any county or municipal corporation in this state;

~~"Recovery fund" means the West Virginia Disaster Recovery Trust Fund created by this article~~

"Residential housing" means a specific work or improvement within this state undertaken primarily to provide dwelling accommodations, including the acquisition, construction or rehabilitation of land, buildings and improvements thereto, for residential housing, including, but not limited to, facilities for temporary housing and emergency housing, and any other nonhousing facilities that are incidental or appurtenant thereto;

"Secretary" means the Secretary of the West Virginia Department of ~~Military Affairs and Public Safety~~ Homeland Security; and

"Temporary housing" means a specific work or improvement within this state undertaken primarily to provide dwelling accommodations, including the acquisition, construction or rehabilitation of land, buildings and improvements thereto, for temporary residential shelters or housing for victims of a disaster, and such other nonhousing facilities that are incidental or appurtenant thereto.

§15-5-4b. West Virginia Disaster Recovery Trust Fund disbursement.

[Repealed.]

§15-5-4c. Powers and duties related to the West Virginia Disaster Recovery Trust Fund.

[Repealed.]

§15-5-24. Disaster Recovery Trust Fund; disbursement of funds.

[Repealed.]

§15-5-25. Prohibition on funds inuring to the benefit of or being distributable to members, officers or private persons.

[Repealed.]

§15-5-26. Tax exemption.

[Repealed.]

CHAPTER 29. MISCELLANEOUS BOARDS AND OFFICERS.

ARTICLE 31. STATE RESILIENCY AND FLOOD PROTECTION ~~PLAN~~ PLANNING ACT.

§29-31-1. Short title; legislative findings; purpose.

(a) This article may be known and cited as the "Resiliency and Flood Protection Planning Act".

(b) The West Virginia Legislature finds that:

(1) Flooding has affected each of the 55 counties and 32 major watersheds within the state;

(2) Over the past 52 years, more than 282 West Virginians have died in floods;

(3) Between January 1996 and January 2017, there ~~have been~~ were 27 federal disaster declarations in West Virginia involving flooding;

(4) Between January 2010 and December 2021, West Virginia was impacted by more than 1,600 separate flood events;

~~(4)~~ (5) In June 2016, much of West Virginia suffered devastating flooding; and

~~(5)~~ (6) Despite the many state and federal flood protection programs and projects, flooding continues to be West Virginia's most common and widespread natural disaster.

(c) It is the purpose of this article to:

(1) provide ~~Provide~~ a comprehensive and coordinated statewide resiliency and flood protection planning program to save lives, and develop community and economic resiliency plans including, but not limited to, reducing or mitigating flood damage while supporting economic growth and protecting the environment; and

(2) Provide for funding mechanisms to implement such state and community plans developed through the program.

§29-31-2. State resiliency office, officer, deputy and board.

(a) It is determined that a state authority is required to provide a coordinated effort and planning for ~~emergency and disaster response~~, recovery, and resiliency between government agencies, first responders, and all other entities to reduce the loss of life and property, lessen the impact of future disasters, ~~respond quickly to save lives~~, protect property and the environment, meet basic human needs, and provide economic growth and resilience prior to and in the aftermath of an incident. Therefore, the State Resiliency Office is hereby created. The office shall be organized within the Office of the Governor. The office will serve as the recipient of disaster recovery and resiliency funds, excluding federal Stafford Act funds, and the coordinating agency of recovery and resiliency efforts, including matching funds for other disaster recovery programs, excluding those funds and efforts under the direct control of the State Resiliency Officer pursuant to ~~§15-5-4 and §15-5-24~~ §29-31-3, §29-31-6, §29-31-7 and §29-31-8 of this code. ~~for a particular event~~

(b)(1) The State Resiliency Office Board is also established and shall consist of the following members: The State Resiliency Officer; the Secretary of the Department of Commerce or his or her designee; the Director of the Division of Natural Resources or his or her designee; the Secretary of the Department of Environmental Protection or his or her designee; the Executive Director of the State Conservation Agency or his or her designee; the President of the West Virginia Emergency Management Council or his or her designee; the Secretary of the Department of Health and Human Resources or his or her designee; the Secretary of the Department of Homeland Security or his or her designee; the Secretary of Transportation or his or her designee; the Adjutant General of the West Virginia National Guard or his or her designee; the Director of the Division of Emergency Management within the Department of Homeland Security or his or her designee; two nonvoting members of the West Virginia Senate, one from each party, to be appointed by the President of the Senate; and two nonvoting members of the West Virginia House of Delegates, one from each party, to be appointed by the Speaker of the House of Delegates.

(2) A member of the board holds office so long as he or she retains the office or position by virtue of which he or she is serving on the board. A majority of the voting members of the board is a quorum and the concurrence of a board in any matter within their duties is required for its determination. The members of the board may not receive compensation for their services on the committee, but are entitled to reimbursement of expenses, including traveling expenses necessarily incurred in the discharge of their duties on the board.

(3) The board shall:

(A) Provide for the keeping of a full and accurate record of all proceedings and of all resolutions, rules, and orders issued or adopted, and of its other official actions;

(B) Shall adopt a seal, which shall be judicially noticed;

(C) Provide for an annual audit of the accounts of receipts and disbursements of the State Resiliency Office; and

(D) Perform those acts necessary for the execution of its functions under this article.

(1) The State Resiliency Officer shall be the chair of the State Resiliency Office Board and shall be appointed by the Governor with the advice and consent of the Senate. The State Resiliency Officer may cast a vote only in the event of a tie vote. The board shall elect from its voting membership a vice chair. The vice chair shall preside over the meetings of the board in the absence of the chair. In the absence of both the chair and the vice chair any member designated by the members present may act as chair.

(2) The State Resiliency Officer shall be vested with the authority and duties prescribed to the office within this article.

(3) The State Resiliency Officer shall be a person who has:

(A) At least five years' managerial or strategic planning experience in matters relating to flood control ~~and~~, hazard mitigation, and disaster resiliency, or alternatively, in disaster recovery, emergency management, community and economic development, regional planning, economics, or related public policy field; ~~emergency management, or emergency response~~

(B) At least a level IS-800 NIMS certification: *Provided*, That if the State Resiliency Officer does not have a level IS-800 NIMS certification when appointed, he or she shall become so certified within one year following appointment; and

(C) Be thoroughly knowledgeable in matters relating to flood control ~~and~~, hazard mitigation, and disaster resiliency, or alternatively, in matters relating to disaster recovery, emergency management, ~~and emergency response~~ community and economic development, regional planning, economics, or related public policy field.

(4) The State Resiliency Officer shall employ a deputy who shall assist the State Resiliency Officer in carrying out the duties of the office. The State Resiliency Office Board shall meet and submit a list of no more than five nor less than two of the most qualified persons to the Governor within 90 days of the occurrence

of a vacancy in this deputy position. This deputy shall be appointed by the Governor with the advice and consent of the Senate. Applicants for the deputy position shall at a minimum:

(A) Have at least three years' managerial or strategic planning experience in matters relating to flood control, hazard mitigation, and disaster resiliency, or alternatively, in disaster recovery, emergency management, community and economic development, regional planning, economics, or related public policy field; ~~in matters relating to flood control and hazard mitigation or, alternatively, in disaster recovery, emergency management, or emergency response;~~

(B) Have at least a level ~~E/L 950~~ IS 800 NIMS certification: *Provided*, That if the deputy State Resiliency Officer does not have a level ~~E/L 950~~ IS 800 NIMS certification when appointed, he or she shall become so certified within one year following appointment; and

(C) Be thoroughly knowledgeable in matters relating to flood control, hazard mitigation, and disaster resiliency, or alternatively, in matters relating to disaster recovery, emergency management, community and economic development, regional planning, economics, or related public policy field. ~~in matters relating to flood control and hazard mitigation, or alternatively, in matters relating to disaster recovery, emergency management, and emergency response; and~~

~~(D) If the State Resiliency Officer has his or her primary experience in flood control and hazard mitigation then his or her deputy must have experience in disaster recovery, emergency management, or emergency response; alternatively, if the State Resiliency Officer has his or her primary experience in disaster recovery, emergency management, or emergency response then his or her deputy must have experience in flood control and hazard mitigation~~

(5) The State Resiliency Officer shall employ additional staff as necessary to assist the State Resiliency Officer in carrying out the duties of the office.

(d) The board shall meet no less than once each calendar quarter at the time and place designated by the chair and the board shall work together with the State Resiliency Officer to fulfill the mission given to the State Resiliency Office to coordinate efforts for ~~emergency and~~ disaster planning, ~~response~~, recovery, and resiliency between government agencies, first responders and others.

The board will assist and advise the State Resiliency Officer in developing policies to accomplish, at a minimum, the following specific tasks in order to achieve these goals, and will assist the State Resiliency Officer in devising plans and developing procedures which will ensure that agencies and political subdivisions of the state carry out these following specific tasks:

(1) Establish mechanisms to coordinate disaster recovery and resiliency-related programs and activities among state agencies and to encourage intergovernmental as well as cross-sector coordination and collaboration;

(2) Evaluate the state's role in construction permitting process and identify opportunities to expedite the permitting process post-disaster and for selected types of mitigation and adaptation actions;

(3) Conduct a review of laws and regulations to identify those that create or add to risk, or interfere with the ability to reduce risk or to improve disaster recovery and resiliency;

(4) Conduct an inventory of relevant critical planned activity by state agencies to determine their proposed impact upon disaster recovery and resiliency;

(5) Make recommendations regarding practical steps that can be taken to improve efficiencies, and to pool and leverage resources to improve disaster recovery and resiliency;

(6) Identify, prioritize, and evaluate issues affecting implementation of mitigation and adaptation actions, including, but not limited to, the effect of ~~loss of land~~ increasing flood risk in context of zoning and other land use regulations, possible conflicts between public hazard mitigation/adaptation planning and private

property interests (e.g. buy-out programs, projects to increase flood storage), develop guidance for cities and towns, real estate professionals, property owners under existing law and regulations; and develop proposals for changes in laws, policies, and regulations, as needed;

(7) Ensure all counties and municipalities ~~have~~ are covered by up-to-date Hazard Mitigation Plans and Local Comprehensive Disaster Plans that are consistent with, and coordinated to, the state's Hazard Mitigation Plans ~~and~~, Comprehensive Disaster Plans, and the state's Flood Resiliency Plan; including, but not limited to, assisting them in developing planning guidance for cities and towns to complete and/or update Hazard Mitigation Plans; providing technical assistance to help counties and municipalities meet these standards; and provide notice to counties and municipalities of funding opportunities to implement projects outlined in their Hazard Mitigation Plans;

(8) Conduct risk assessments, including, but not limited to, examining state highway corridors and associated drainage systems for stormwater inundation, impacts of downed trees, effects on utilities, ~~etc.~~ and comparable facilities; assessment of known stormwater impacts between state highways and municipal drainage systems, options to eliminate or mitigate such impact; a housing vulnerability assessment for structures in riparian zones; a vulnerability assessment of critical infrastructure at the state and municipal levels including hospitals, schools, fire stations, and comparable facilities, and a vulnerability assessment of the state's historic and cultural resources;

(9) Establish working groups that will conduct assessments for varied sectors of the economy, such as small business, ports and river traffic, agriculture, manufacturing, and tourism; these assessments should address vulnerabilities and economic impacts, options to mitigate impacts, options to improve preparedness, response and recovery, and economic opportunities associated with design, engineering, technological and other skills and capabilities that can improve resilience;

(10) Establish emergency permitting procedures to expedite issuance of state permits following disasters, and develop guidance (model procedures) for political subdivisions to follow; and

(11) ~~Establish a model~~ Lead long-term recovery ~~plan~~ planning efforts on behalf of the state in the event of the proclamation of the existence of a state of emergency due to a natural hazards event, or upon a Presidential declaration of a major disaster under Section 406 of the Stafford Act. ~~that would be activated after catastrophic events~~

All decisions of the board shall be decided by a majority vote of the members.

(e) The State Resiliency Office shall provide adequate staff from that office to ensure the meetings of the board are facilitated, board meeting minutes are taken, records and correspondence kept, and that reports of the board are produced in a timely manner.

(f) Notwithstanding any other provisions of this code:

(1) The meetings of the board are not subject to the provisions of §6-9A-1 *et seq.* of this code.

(2) The following are exempt from public disclosure under the provisions of §29B-1-1 *et seq.* of this code:

(A) All deliberations of the board;

(B) The materials, in any medium, including hard copy and electronic, placed in the custody of the board as a result of any of its duties; and

(C) All records of the board, in the possession of the board, and generated by the board, due to their falling under several exceptions to public disclosure including, but not limited to, that for security or disaster recovery plans and risk assessments.

§29-31-2a. Definitions.

As used in this article:

"Board" means the West Virginia State Resiliency Office Board created by this article;

"Code" means the Code of West Virginia, 1931, as amended;

"Community facilities" means a specific work, or improvement within this state or a specific item of equipment or tangible personal property owned or operated by any political subdivision or nonprofit corporation and used within this state to provide any essential service to the general public;

"Disaster" means the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural, or terrorist, or man-made cause, including weapons of mass destruction, fire, flood, earthquake, wind, snow, storm, chemical or oil spill or other water or soil contamination, epidemic, air contamination, blight, drought, infestation or other public calamity requiring emergency action;

"Disaster recovery activities" means activities undertaken following a disaster to provide, or to participate in, the provision of long-term rehabilitation of infrastructure, housing, community facilities, and economic activity impacted by a disaster event;

"Flood Fund" means the West Virginia Flood Resiliency Trust Fund created by this article;

"Flood prevention or protection study" means the conduct of a hydraulic or hydrologic study of a flood plain with historic and predicted future floods, the assessment of current and projected future flood risk, and the development of strategies to prevent or mitigate damage from flash or riverine flooding;

"Flood resiliency" means efforts and activities intended to minimize damages during times of flooding resulting in reduced risk to people and infrastructure, and ensuring there is ample room for flooding and river adjustment to occur where the opportunity may exist;

"Low-income geographic area" means any locality, or community within a locality, that has a median household income

that is not greater than 80 percent of the local median household income, or any area in the state designated as a qualified opportunity zone by the U.S. Secretary of the Treasury via his delegation of authority to the Internal Revenue Service;

"Low-income household" means any household whose income does not exceed 80 percent of the local median household income;

"Nature-based solution" means sustainable planning, design, environmental management, and engineering practices that weave natural features or processes into the built environment to promote flood resiliency and preserve or enhance natural hydrologic function;

"Person" means any individual, corporation, voluntary organization or entity, partnership, firm, or other association, organization, or entity organized or existing under the laws of this or any other state or country;

"Political subdivision" means any county or municipal corporation in this state;

"Recovery Trust Fund" means the West Virginia Disaster Recovery Trust Fund created by this article; and,

"Stafford Act" means the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. Chapter 68).

§29-31-3. Authority of State Resiliency Office and State Resiliency Officer.

The State Resiliency Office will coordinate the state's disaster ~~response~~ recovery and resiliency missions and the State Resiliency Officer serves as the primary representative of the Governor in these matters. The State Resiliency Officer shall, upon the order and direction of the Governor, act on behalf of the Governor in the event of the proclamation of the existence of a state of emergency or state of preparedness due to a natural hazards event or ~~state of preparedness under the provisions of §15-5-6 of this code~~ upon a Presidential declaration of a major disaster under Section 406 of the Stafford Act. The State Resiliency Officer will assist and advise

the Governor on all disaster ~~response~~ recovery and resiliency issues and serve as a liaison between the Governor's office, and all other parties, whether state, federal, public, or private to further the purposes of this article. The State Resiliency Officer will:

(1) Serve as coordinator of all economic and community resiliency planning and implementation efforts, including, but not limited to, flood protection programs and activities in the state;

(2) Develop a new state Flood Resiliency Plan due to the Board no later than June 30, 2024;

~~(2)(3)~~ Coordinate an annual review of the state ~~flood protection plan~~ Flood Resiliency Plan and update the plan no less than ~~biannually~~ biennially, with updates due to the board no later than June 30 in even-numbered years;

~~(3)(4)~~ Recommend legislation to reduce or mitigate flood damage;

~~(4)(5)~~ Report to the Joint Legislative Committee on Flooding at least quarterly;

~~(5)(6)~~ Catalog, maintain, and monitor a listing of current and proposed capital expenditures to reduce or mitigate flood damage and other hazards, and other useful and desirable resiliency efforts;

~~(6)(7)~~ Coordinate planning of flood projects with federal agencies;

~~(7)(8)~~ Improve professional management of flood plains;

~~(8)(9)~~ Provide education and outreach on flooding issues to the citizens of this state;

~~(9)(10)~~ Establish a single website integrating all agency flood information;

~~(10)(11)~~ Monitor federal funds and initiatives that become available for disaster recovery and economic and community resiliency or other flood or hazard mitigation, and to direct expenditures on behalf of the Governor;

~~(11)~~(12) Pursue additional funds and resources to assist not only with long-term recovery efforts but also long-term community and statewide resiliency efforts;

~~(12)~~(13) Coordinate, integrate, and expand planning efforts in the state for hazard mitigation, long-term disaster recovery, and economic diversification;

~~(13)~~(14) Coordinate long-term disaster recovery efforts in response to disasters as they occur;

~~(14)~~(15) Establish and facilitate regular communication between federal, state, local, and private sector agencies, and organizations to further economic and disaster resilience;

~~(15)~~(16) Receive resources, monetary or otherwise, from any other governmental entity and disburse those resources to effectuate the purposes of this article;

~~(16)~~(17) Execute cooperative agreements, where appropriate, between the State Resiliency Office and the federal and/or state governments;

~~(17)~~(18) Contract, where appropriate, on behalf of the State Resiliency Office, with the federal government, its instrumentalities and agencies, any state, territory or the District of Columbia, and its agencies and instrumentalities, municipalities, foreign governments, public bodies, private corporations, partnerships, associations, and individuals;

~~(18)~~(19) Use funds administered by the State Resiliency Office for the maintenance, construction, or reconstruction of capital repair and replacement items as necessary to effectuate the purposes of this article;

~~(19)~~(20) Accept and use funds from the federal government, its instrumentalities and agencies, any state, territory or the District of Columbia, and its agencies and instrumentalities, municipalities, foreign governments, public bodies, private corporations, partnerships, associations, and individuals for the purposes of

disaster recovery, hazard mitigation, flood mitigation, flood prevention, and disaster response programs;

~~(20)~~(21) Hire necessary employees at an appropriate salary equivalent to a competitive wage rate;

~~(21)~~(22) Enroll appropriate employees in PERS, PEIA, and workers' compensation and unemployment programs, or their equivalents: *Provided*, That the State Resiliency Office, through the receipt of federal and/or state funds, pays the required employer contributions;

~~(22)~~(23) Develop a human resources division that will administer and manage its employees and receive state matching funds as necessary to ensure maximum federal funds are secured;

~~(23)~~(24) Have the ability to secure all other bonding, insurance, or other liability protections necessary for its employees to fulfill their duties and responsibilities;

~~(24)~~(25) Have the ability to draw upon other departments, divisions, agencies, and all other subdivisions of the state for research and input in fulfilling the requirements of this article, and its requests are to have priority over other such requests;

~~(25)~~(26) Participate in the interdepartmental transfer of permanent state employees, as if he or she were a department secretary, under the provisions of §5F-2-7 of this code.

~~(26)~~(27) Notwithstanding any other provision of this code to the contrary, acquire legal services that are necessary, including representation of the board, its employees, and officers before any court or administrative body from the office of the Attorney General, who shall provide such legal assistance and representation, and

~~(27)~~(28) Take all other actions necessary and proper to effectuate the purposes of this article.

The office shall have any other additional authority, duties, and responsibilities as prescribed by the Governor to effectuate the

purposes of this article. Due to the at-will employment relationship with the office, its employees may not avail themselves of the state grievance procedure as set forth in §6C-2-1 *et seq.* of this code.

§29-31-6. West Virginia Disaster Recovery Trust Fund.

(a) There is hereby created a special trust fund which shall be designated and known as the West Virginia Disaster Recovery Trust Fund to be administered by the State Resiliency Officer. The recovery fund shall consist of: (1) Any appropriations, grants, gifts, contributions, or revenues received by the recovery fund from any source, public or private; and (2) all income earned on moneys, properties, and assets held in the Recovery Fund. When any funds are received by the State Resiliency Officer from any source for the purpose of disaster recovery, they shall be paid into the Recovery Fund, and shall be disbursed and otherwise managed in the manner set forth in this article unless such a transfer is not allowable by law. The Recovery Fund shall be treated by the Auditor and Treasurer as a special revenue fund and not as part of the general revenues of the state.

(b) All moneys, properties, and assets acquired by the State of West Virginia in the Disaster Recovery Trust Fund shall be held by it in trust for the purposes of carrying out its powers and duties and shall be used and reused in accordance with the purposes and provisions of this article. Such moneys, properties, and assets shall at no time be commingled with other public funds except as authorized for investment under §29-31-8 of this code. Disbursements from the Recovery Fund shall be made only upon the written requisition of the the State Resiliency Officer as set forth in §29-31-7 and §29-31-8 of this code. If no need exists for immediate use or disbursement, moneys, properties, and assets in the Recovery Fund shall be invested or reinvested by the State Resiliency Officer as provided in this article.

§29-31-7. West Virginia Disaster Recovery Trust Fund disbursement.

Upon the proclamation of the existence of a state of emergency due to a natural hazards event under the provisions of §15-5-6 of

this code or upon a Presidential declaration of a major disaster under Section 406 of the Stafford Act, the State Resiliency Officer shall have the power to disburse funds from the Disaster Recovery Trust Fund created pursuant to §29-31-6 of this code to any person, political subdivision, or local organization for emergency services in such amounts and in such manner, and to take such other actions, as the State Resiliency Officer may determine is necessary or appropriate in order to provide assistance to any person, political subdivision, or local organization for recovering from the disaster, or otherwise involved in disaster recovery activities: *Provided*, That except as provided hereafter in this section, requisitions for payment shall not be made or authorized for payment by the Auditor without the express approval of the State Resiliency Officer: *Provided, however*, That all disbursements arising out of the events surrounding the aftermath of a disaster event giving rise to the relevant disbursements shall require the express approval of the State Resiliency Officer, which approval shall not be unduly withheld or delayed.

In the occurrence of a qualifying event granting the State Resiliency Officer the power to disburse funds from the Disaster Recovery Trust Fund, the following provisions and conditions shall be adhered to:

(1) Disbursements shall be prioritized to the benefit of low-income households and geographic areas, and not less than 50 percent of all funds disbursed through the Disaster Recovery Trust Fund following any particular disaster event shall be disbursed to the benefit of low-income geographic areas, low-income households, or to local organizations conducting disaster recovery activities to the benefit of low-income geographic areas or low-income households;

(2) Disbursements to the benefit of a political subdivision may only be allowed upon the verification to the State Resiliency Officer that the recipient political subdivision has adopted, or will adopt within 24 months, the following programs or measures or risk forfeiture of future funding opportunities:

(A) Town road and bridge standards consistent with or exceeding those listed under the most current version of standards published by the West Virginia Department of Transportation;

(B) A flood hazard bylaw, or an adopted interim flood hazard bylaw as an intermediary step to secure enrollment and participation in the National Flood Insurance Program (NFIP), if applicable;

(C) A local Hazard Mitigation Plan that meets the provisions of 44 CFR § 201.6 that has been approved by the local community and is approved or in the process of securing final approval by FEMA. The local mitigation plan may be part of a larger multijurisdictional or regional mitigation plan;

(D) Adoption of a local Emergency Operations Plan (EOP) in accordance with State standards; and

(E) Attainment of an active rate classification (class #1 through #9) under FEMA's Community Rating System (CRS) that includes activities that prohibit new structures in mapped flood hazard zones; and

(3) Disbursements may be further prioritized or conditioned at the discretion of the State Resiliency Officer and upon approval of the State Resiliency Office Board.

§29-31-8. Powers and duties related to the West Virginia Disaster Recovery Trust Fund.

The State Resiliency Officer is hereby granted, has and may exercise all powers necessary or appropriate to carry out and effectuate the purposes set forth in §29-31-7 of this code. The State Resiliency Officer has the power:

(1) To accept appropriations, gifts, grants, bequests, and devises from any source, public or private, for deposit into the Recovery Fund, and to use or dispose of the same to provide assistance to any person, political subdivision, or local organization for recovering from a disaster, or otherwise involved in disaster recovery activities;

(2) To make and execute contracts, leases, releases, and other instruments necessary or convenient for the exercise of its power;

(3) To make, and from time to time, amend, and repeal bylaws for the governance of its activities not inconsistent with the provisions of this article;

(4) To sue and be sued;

(5) To acquire, hold, and dispose of real and personal property;

(6) To enter into agreements or other transactions with any federal or state agency, political subdivision, or person;

(7) To provide for the deposit of any funds or assets of the West Virginia Disaster Recovery Trust Fund with the state Treasurer for investment pursuant to §12-6C-6 of this code;

(8) To procure insurance against any loss in connection with its property in such amounts, and from such insurers, as may be necessary or desirable;

(9) To provide financial assistance to state and local governmental entities for the nonfederal share for federal disaster assistance programs;

(10) To provide for financial assistance to homeowners and communities that are not eligible for Community Development Block Grant-Disaster Recovery and other federal funding assistance;

(11) To provide loans and grants to local governments in disaster areas that need immediate cash flow assistance;

(12) To provide grants to governmental entities and organizations exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code to repair or replace infrastructure or equipment damaged as a result of a natural disaster;

(13) To provide financial assistance for verifiable losses of agricultural commodities due to a natural disaster; and

(14) Do all acts necessary and proper to carry out the powers granted to the State Resiliency Office within its disaster recovery mission.

§29-31-9. Capitalization of the West Virginia Disaster Recovery Trust Fund.

(a) The West Virginia Disaster Recovery Trust Fund may be granted an initial one-time allocation of \$10 million in state general funds for the purposes outlined in this article.

(b) The State Resiliency Officer shall, with the concurrence of the State Auditor, present an expenditure report to the State Resiliency Office Board by no later than December 1 annually.

(c) Upon review and verification by the State Resiliency Office Board that all expenditures within the West Virginia Disaster Recovery Trust Fund expenditure report are valid and justified uses of Recovery Fund resources, the State Resiliency Office Board shall submit to the Governor by no later than December 31 annually a budget and may request to replenish the Recovery Fund up to its initial \$10 million capitalization.

§29-31-10. West Virginia Flood Resiliency Trust Fund.

(a) There is hereby created a special trust fund which shall be designated and known as the West Virginia Flood Resiliency Trust Fund to be administered by the State Resiliency Officer. The Flood Fund shall consist of: (1) Any appropriations, grants, gifts, contributions, or revenues received by the Flood Fund from any source, public or private; and (2) all income earned on moneys, properties, and assets held in the Flood Fund. When any funds are received by the State Resiliency Officer from any source for flood resiliency activities, they shall be paid into the Flood Fund, and shall be disbursed and otherwise managed in the manner set forth in this article. The Flood Fund shall be treated by the Auditor and Treasurer as a special revenue fund and not as part of the general revenues of the state.

(b) All moneys, properties, and assets acquired by the State of West Virginia in the Flood Fund shall be held by it in trust for the

purposes of carrying out its powers and duties and shall be used and reused in accordance with the purposes and provisions of this article. Such moneys, properties, and assets shall at no time be commingled with other public funds except as authorized for investment under §29-31-12 of this code. Disbursements from the Flood Fund shall be made only upon the the written requisition of the State Resiliency Officer as set forth in §29-31-11 and §29-31-12 of this code. If no need exists for immediate use or disbursement, moneys, properties, and assets in the Flood Fund shall be invested or reinvested by the State Resiliency Officer as provided in this article.

§29-31-11. West Virginia Flood Resiliency Trust Fund disbursement.

Upon the development of a new state Flood Resiliency Plan, the State Resiliency Officer shall have the power to disburse funds from the Flood Fund for the purposes of implementing the Flood Resiliency Plan to any person, political subdivision, or local organization in such amounts and in such manner, and to take such other actions, as the State Resiliency Officer may determine is necessary or appropriate and is outlined within the Flood Resiliency Plan. All assistance to any person, political subdivision, or local organization shall be for the purposes of building flood resiliency in the face of current and projected future flood disaster events: *Provided*, That except as provided hereafter in this section, requisitions for payment shall not be made or authorized for payment by the Auditor without the express approval of the State Resiliency Officer: *Provided, however*, That all disbursements shall require the express approval of the State Resiliency Officer, which approval shall be contingent on the proposed activity appearing as a valid proposed flood resiliency activity and prioritized for implementation within the most recent Flood Resiliency Plan as reviewed and approved by the State Resiliency Office Board.

Following the development and approval of a new state Flood Resiliency Plan, the State Resiliency Officer is granted the power to disburse funds from the Flood Resiliency Trust Fund. In

accordance with these powers, the following provisions and conditions shall be adhered to:

(1) Disbursements from the Flood Fund shall be used solely for the purposes of enhancing flood prevention or protection as required by this article. The State Resiliency Office shall manage the Flood Fund and may disburse from the Flood Fund its reasonable costs and expenses incurred in the management of the Flood Fund;

(2) Disbursements shall be prioritized to the benefit of low-income geographic areas, and not less than 50 percent of all funds disbursed through the Flood Resiliency Trust Fund shall be disbursed to the benefit of low-income geographic areas and low-income households;

(3) Disbursements shall be prioritized toward the implementation of nature-based solutions, and not less than 50 percent of all funds disbursed through the Flood Resiliency Trust Fund shall be disbursed to implement nature-based solutions. Of disbursements made to implement nature-based solutions, not less than 25 percent of these disbursements shall be utilized for the acquisition of single-family primary residences and multifamily residences in areas currently or projected to be subjected to significant flood impacts, assistance to residents relocating outside of the floodplain, and floodplain restoration activities on properties acquired through the Flood Fund;

(4) Disbursements to the benefit of a political subdivision may only be allowed upon the verification to the State Resiliency Officer that the recipient political subdivision has adopted, or will adopt within 24 months, the following programs or measures:

(A) Town road and bridge standards consistent with or exceeding those listed under the most current version of standards published by the West Virginia Department of Transportation;

(B) A flood hazard bylaw, or an adopted interim flood hazard bylaw as an intermediary step to secure enrollment and

participation in the National Flood Insurance Program (NFIP), if applicable;

(C) A local Hazard Mitigation Plan that meets the provisions of 44 CFR § 201.6 that has been approved by the local community, and is approved or in the process of securing final approval by FEMA. The local mitigation plan may be part of a larger multijurisdictional or regional mitigation plan;

(D) Adoption of a local Emergency Operations Plan (EOP) in accordance with state standards; and,

(E) Attainment of an active rate classification (class #1 through #9) under FEMA's Community Rating System (CRS) that includes activities that prohibit new structures in mapped flood hazard zones; and

(5) Prioritization and conditions for disbursements at the discretion of the State Resiliency Officer and upon approval of the State Resiliency Office Board.

§29-31-12. Powers and duties related to the West Virginia Flood Resiliency Trust Fund.

The State Resiliency Officer is hereby granted, has, and may exercise all powers necessary or appropriate to carry out and effectuate the purposes set forth in §29-31-11 of this code. The State Resiliency Officer has the power:

(1) To accept appropriations, gifts, grants, bequests, and devises from any source, public or private, for deposit into the Flood Fund, and to use or dispose of the same to provide assistance to any person, political subdivision, or local organization for flood resiliency, flood prevention, and flood protection activities;

(2) To make and execute contracts, leases, releases, and other instruments necessary or convenient for the exercise of its power;

(3) To make, and from time to time, amend, and repeal bylaws for the governance of its activities not inconsistent with the provisions of this article;

(4) To sue and be sued;

(5) To acquire, hold, and dispose of real and personal property;

(6) To enter into agreements or other transactions with any federal or state agency, political subdivision, or person;

(7) To provide for the deposit of any funds or assets of the West Virginia Flood Resiliency Trust Fund with the state Treasurer for investment pursuant to §12-6C-6 of this code;

(8) To procure insurance against any loss in connection with its property in such amounts, and from such insurers, as may be necessary or desirable;

(9) To procure services related to the development and updating of the state Flood Resiliency Plan;

(10) To provide loans or grants to political subdivisions and individual beneficiaries for the purpose of implementing activities proposed and outlined within the Flood Resiliency Plan;

(11) To provide loans or grants to governmental entities and organizations exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code for the purpose of implementing activities proposed and outlined within the Flood Resiliency Plan;

(12) To provide loans or grants to political subdivisions for the purpose of conducting flood prevention and protection studies in areas that are subject to recurrent flooding as confirmed by a locality-certified floodplain manager; and

(13) Do all acts necessary and proper to carry out the powers granted to the State Resiliency Office for flood resiliency activities.

§29-31-13. Capitalization of the West Virginia Flood Resiliency Trust Fund.

(a) The West Virginia Flood Resiliency Trust Fund may be granted an initial one-time allocation of \$40 million in state general funds for the purposes outlined in this article.

(b) The State Resiliency Officer shall, with the concurrence of the State Auditor, present an expenditure report to the State Resiliency Office Board by no later than December 1 annually.

(c) Upon review and verification by the State Resiliency Office Board that all expenditures within the West Virginia Flood Resiliency Trust Fund expenditure report are valid and justified uses of Flood Fund resources, the State Resiliency Office Board shall submit to the Governor by no later than December 31 annually a budget and may request to replenish the Flood Fund up to its initial \$40 million capitalization.

(d) Upon state receipt of Community Development Block Grant-Disaster Recovery funds in relation to a flood disaster event, and in order to provide the state with the flexibility required to provide assistance to any person, political subdivision, or local organization recovering from the flood disaster event, a minimum of six percent of those funds shall be dedicated for the purposes of Flood Resiliency Plan development and implementation activities to the extent that those purposes are in compliance with applicable federal laws and regulations governing such funds and compatible with the state's long-term recovery goals.

§29-31-14. Tax exemption.

The State Resiliency Officer shall not be required to pay any taxes and assessments to the state or any political subdivision of the state upon any of its moneys, properties, or assets or upon its obligations or other evidences of indebtedness pursuant to the provisions of this article, or upon any moneys, funds, revenues, or other income held or received into the West Virginia Disaster Recovery Trust Fund or the West Virginia Flood Resiliency Trust Fund.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 677—A Bill to amend and reenact §15-5-2 of the Code of West Virginia, 1931, as amended;

to repeal §15-5-4b, §15-5-4c, §15-5-24, §15-5-25, and §15-5-26, and of said code; to amend and reenact §29-31-1 and §29-31-2 of said code; to amend said code by adding thereto new sections, designated §29-31-2a; to amend and reenact §29-31-3 of said code; and to amend said code by adding thereto new sections, designated §29-31-6, §29-31-7, §29-31-8, §29-31-9, §29-31-10, §29-31-11, §29-31-12, §29-31-13 and §29-31-14, all relating to the Resiliency and Flood Protection Planning Act generally; modifying definitions; repealing, continuing, and moving provisions governing the West Virginia Disaster Recovery Trust Fund into the Act; revising provisions governing the State Resiliency Office, the State Resiliency Officer and the State Resiliency Board within the Act; expanding upon the qualifications, powers and duties of the State Resiliency Officer and the deputy State Resiliency Officer, including but not limited to requiring a vulnerability assessment of critical infrastructure at the state and municipal levels including hospitals, schools, fire stations, and comparable facilities; requiring leadership in state planning efforts "in the event of" states of emergency; and requiring development of new state Flood Resiliency Plan; providing for receipt and disbursement of funds from the West Virginia Disaster Recovery Trust Fund and the duties of the State Resiliency Officer in administering the same; creating the West Virginia Flood Resiliency Trust Fund; providing for receipt and disbursement of funds from the West Virginia Flood Resiliency Trust Fund and the duties of the State Resiliency Officer in administering the same; and providing tax exemption.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Committee Substitute for Senate Bill 677, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 677) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 677) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 735, Clarifying department responsible for administration of certain programs.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, section 3, lines 1 through 9, by striking §5B-1A-3 in its entirety;

On page 3, section 15, line 47, by changing the number "2024" to "2029";

On page 7, section 4, lines 3 through 4 by striking out all of subsection (b) and inserting in lieu thereof the following:

(b) The Governor shall appoint and set the salary of the director of the office who shall be responsible for hiring such assistants and clerical staff as may be necessary to carry out the responsibilities of the office. The initial appointment for the director shall be made by July 1, 2026. Funding for this position and to carry out the duties of the office shall be provided by appropriation of the Legislature.

(c) The director shall report quarterly to the energy and finance committees of the legislature on projects funded by the office. The report shall include the amount, the recipient and a description of each project funded.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 735—A Bill to amend and reenact §5B-2-15 of said code, to amend and reenact §5B-2A-3 and §5-2A-4 of said code; to amend and reenact §5B-8-1 of said code; to amend and reenact §11-13X-9 of said code; and to amend and reenact §31G-1-5 and §31G-1-14 of said code, all relating to clarifying the department responsible for the administration of certain programs; providing an extension on the date work is to be concluded; providing the Governor appoint and set the salary of the director of the office; providing that funding for the position and to carry out the duties of the office shall be as provided by appropriation of the Legislature; and providing requirements for quarterly reports.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Senate Bill 735, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 735) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 737, Emergency Medical Services Act.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page one, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

ARTICLE 4C. EMERGENCY MEDICAL SERVICES ACT.

§16-4C-25. Emergency Medical Services Salary Enhancement Fund.

(a) There is hereby created in the State Treasury a special revenue fund designated and known as the Emergency Medical

Services Salary Enhancement Fund which is an interest- and earnings-accumulating account. The fund is established to support supplementing the salaries of, and providing crisis response for, county emergency medical service personnel as that term is defined in §16-4C-3(g) of this code or a county designated or contracted emergency medical service provider and all moneys must be spent to support increasing salaries of emergency medical service workers and providing crisis response to encourage retention. The fund consists of moneys appropriated by the Legislature, grants, gifts, devises, and donations from any public or private source. All interest and other returns derived from the deposit and investment of moneys in the Emergency Medical Services Salary Enhancement Fund shall be credited to the fund. Any balance, including accrued interest and other returns, remaining in the fund at the end of each fiscal year shall not revert to the General Revenue Fund but shall remain in the fund and be expended as provided in this section. The Director of the West Virginia Office of Emergency Medical Services shall administer the fund.

(b) The Director of the Office of Emergency Medical Services shall propose legislative rules for promulgation and promulgate emergency rules pursuant to the provisions of §29A-3-15 of this code. These rules shall include a means of distributing any available funds to counties to accomplish the purpose of this section with an emphasis on the following factors:

(1) Counties who may demonstrate the most need;

(2) Counties that have a special levy for emergency medical services;

(3) Counties that have reached the maximum allowable rate on regular levies; and/or

(4) Counties that have a challenge recruiting and retaining emergency medical services personnel due to interstate competition.

(c) The Office of Emergency Medical Services shall prepare an annual report to the Legislative Oversight Commission on Health and Human Resources Accountability. The report shall provide:

(1) A county-by-county accounting of how the funds were distributed;

(2) An accounting by county of the number of emergency medical service workers receiving a salary enhancement; and

(3) Recommendations for continued funding.

The first report is due by July 1, 2024, and annually thereafter.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Senate Bill 737, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 737) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as

amended with its Senate amended title, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendments, as to

Eng. Com. Sub. for House Bill 2540, Travel Insurance Model Act.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the Senate amendments to the bill was reported by the Clerk:

On page 11, section 5, line 1, by striking "33-31-14" and inserting in lieu thereof "33-3-14".

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendment to the Senate amendments to the bill.

Engrossed Committee Substitute for House Bill 2540, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2540) passed with its Senate amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Pending announcement of meetings of standing committees of the Senate, including the Committee on Rules,

On motion of Senator Takubo, at 2:56 p.m., the Senate recessed until 4:30 p.m. today.

The Senate reconvened at 5:11 p.m.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the changed effective date, to take effect July 1, 2023, of

Eng. Com. Sub. for House Bill 2346, Declaring a shortage of qualified bus operators and allowing retired bus operators to accept employment.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 2436, Relating to the implementation of an acuity-based patient classification system.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 3203, Relating generally to West Virginia Real Estate License Act.

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for House Bill 3261, Relating to Social Workers Qualifications.

On motion of Senator Takubo, the Senate refused to recede from its amendments to the bill and requested the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses.

Whereupon, Senator Blair (Mr. President) appointed the following conferees on the part of the Senate:

Senators Trump, Takubo, and Plymale.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced that that body had agreed to the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses, as to

Eng. Com. Sub. for House Bill 3302, To recognize unborn child as distinct victim in a DUI causing death.

The message further announced the appointment of the following conferees on the part of the House of Delegates:

Delegates Kelly, Ward, and Garcia.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 3451, Updating the veteran preference ratings in state code for state employment.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, to take effect July 1, 2023, of

Eng. House Bill 3473, Creating a workgroup relating to Dig Once Policy.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 426, Banning use of certain products and platforms deemed unsafe or high risk on government systems.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 6B. CYBER SECURITY PROGRAM.

§5A-6B-4a. High-risk platforms, services, applications, programs, and products.

(a) The Legislature hereby finds and declares that it is in the best interest of the citizens of West Virginia and to national security to enact measures designed to safeguard against untrustworthy and high-risk technology and to block such technology from interfering with or damaging critical state networks and infrastructure, including election systems. The use of certain information and communication technologies and services can create opportunities for hostile actors to exploit vulnerabilities and take adverse action against the United States or allies, which could directly or indirectly affect the safety and security of West Virginia citizens, and such use also creates opportunities for adversaries to exploit vulnerabilities and take adverse action against state or local government networks and infrastructure within or connected to West Virginia. As the threat landscape evolves, West Virginia shall work in cooperation with the federal government to implement appropriate safeguards to defend government networks in West Virginia and in the United States from foreign technology threats.

(b) Notwithstanding the provision of §5A-6B-1(b) of this code, all state agencies, including without limitation agencies within the executive branch, all constitutional officers, local government entities as defined by §7-1-1 or §8-1-2 of this code, county boards

of education as defined by §18-1-1 of this code, and all state institutions of higher education as defined by §18B-1-2 of this code, shall enforce statewide standards developed by the Chief Information Security Officer regarding high-risk technology platforms, services, applications, programs, or products. Additionally, all government entities subject to this subsection must, consistent with those standards and any other applicable state or federal law, restrict, remove, ban or otherwise block access to high-risk technology platforms, services, applications, programs, or products on all government systems, services, networks, devices, or locations. For purposes of this subsection, high-risk technology platforms, services, applications, programs, or products are those designated as such in the Statewide Cybersecurity Standard published and maintained by the Chief Information Security Officer: *Provided*, That any standards developed by the Chief Information Security Officer regarding high-risk technology platforms, services, applications, programs, or products shall contain exceptions permitting, in appropriate circumstances, the use of those platforms, services, applications, programs, or products for law enforcement activities, national security interests and activities, security research, investigative efforts authorized by this code, and for other purposes related to actual or potential litigation involving the state or one of its agencies or officers: *Provided, however*, that the Chief Information Security Officer shall develop standards and requirements designed to mitigate the risk of any such authorized use of a high-risk platform, service, application, program, or product pursuant to the exceptions set forth in this section: *Provided, further* that law enforcement agencies of the state are hereby exempt from the provisions of this section if such use of high-risk technology platforms, services, applications, programs, or products is necessary in the performance of their duties.

(c) Agencies within the legislative and judicial branches are recommended to consult these statewide standards developed by the Chief Information Security Officer regarding high-risk technology platforms, services, applications, programs, or products as part of their best management practices.

(d) The Secretary of the Department of Administration may propose rules for legislative approval in accordance with the provisions of §29A-3-1 et seq. of this code and may also promulgate emergency rules pursuant to the provisions of §29A-3-15 of this code when necessary to facilitate

(1) completion of the duties imposed on the Chief Information Security Officer by this section, and

(2) enforcement of the standards referenced in this section.

(e) The Chief Information Security Officer will provide an annual report by June 1 of each year on threats posed by untrustworthy and high-risk platforms, services, applications, programs, or products, and the actions required to mitigate those threats to the Joint Interim Committee on Government Operations.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 426—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5A-6B-4a, relating to regulating, restricting, or banning high-risk technology platforms, services, applications, programs, or products on government networks, devices, and systems; adding legislative findings related to national security threats and threats to critical state government networks and infrastructure, including election systems, posed by untrustworthy and high-risk platforms, services, applications, programs, or products; authorizing the Chief Information Security Officer to identify high-risk platforms, services, applications, programs, and products and to develop statewide standards regulating their use on government networks, devices, and systems; requiring certain government entities to adopt and enforce those standards; recommending the legislative and judicial branches to adopt and enforce those standards; authorizing the promulgation of legislative and emergency rules to facilitate the purpose of this section; and requiring the Chief Information Security Officer

provide an annual report on threats posed by untrustworthy and high-risk platforms, services, applications, programs, or products, and the actions required to mitigate those threats to the Joint Interim Committee on Government Operations.

On motion of Senator Takubo, the following amendment to the House of Delegates amendments to the bill (Eng. Com. Sub. for S. B. 426) was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 6B. CYBER SECURITY PROGRAM.

§5A-6B-4a. High-risk platforms, services, applications, programs, and products.

(a) The Legislature hereby finds and declares that it is in the best interest of the citizens of West Virginia and to national security to enact measures designed to safeguard against untrustworthy and high-risk technology and to block such technology from interfering with or damaging critical state networks and infrastructure, including, without limitation, election systems. The use of certain information and communication technologies and services can create opportunities for hostile actors to exploit vulnerabilities and take adverse action against the United States or allies, which could directly or indirectly affect the safety and security of West Virginia citizens, and such use also creates opportunities for adversaries to exploit vulnerabilities and take adverse action against state or local government networks and infrastructure within or connected to West Virginia. As the threat landscape evolves, West Virginia shall work in cooperation with the federal government to implement appropriate safeguards to defend government networks in West Virginia and in the United States from technology threats posed by hostile actors.

(b) Notwithstanding the provision of §5A-6B-1(b) of this code, all state agencies and instrumentalities, including without limitation agencies within the executive, legislative, and judicial branches, all constitutional officers, local government entities as

defined by §7-1-1 or §8-1-2 of this code, county boards of education as defined by §18-1-1 of this code, and all state institutions of higher education as defined by §18B-1-2 of this code, shall enforce statewide standards developed by the Chief Information Security Officer regarding high-risk technology platforms, services, applications, programs, or products. Additionally, all government entities subject to this subsection must, consistent with those standards and any other applicable state or federal law, restrict, remove, ban or otherwise block access to high-risk technology platforms, services, applications, programs, or products on all government systems, services, networks, devices, or locations. For purposes of this subsection, high-risk technology platforms, services, applications, programs, or products are those designated as such in the Statewide Cybersecurity Standard published and maintained by the Chief Information Security Officer: *Provided*, That any standards developed by the Chief Information Security Officer regarding high-risk technology platforms, services, applications, programs, or products shall contain exceptions permitting, in appropriate circumstances, the use of those platforms, services, applications, programs, or products for law enforcement activities, national security interests and activities, security research, investigative efforts authorized by this code, and for other purposes related to actual or potential litigation involving the state or one of its agencies or officers: *Provided, however*, that the Chief Information Security Officer shall develop standards and requirements designed to mitigate the risk of the authorized use of a high-risk platform, service, application, program, or product pursuant to the exceptions set forth in this section: *Provided, further* that the Chief Information Security Officer shall, after consultation with the affected entities, exempt law enforcement agencies and other instrumentalities from the provisions of this section to the extent that the use of high-risk technology platforms, services, applications, programs, or products is determined to be necessary to performance of their official duties.

(C) The Secretary of the Department of Administration may propose rules for legislative approval in accordance with the provisions of §29A-3-1 *et seq.* of this code and may also

promulgate emergency rules pursuant to the provisions of §29A-3-15 of this code when necessary to facilitate:

(1) completion of the duties imposed on the Chief Information Security Officer by this section, and

(2) enforcement of the standards referenced in this section.

(d) The Chief Information Security Officer will provide an annual report by June 1 of each year on threats posed by untrustworthy and high-risk platforms, services, applications, programs, or products, and the actions required to mitigate those threats to the Joint Interim Committee on Government Operations.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Senate Bill 426, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 426) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect from passage,

and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 552, Relating to abortion.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, by striking everything after the enacting clause and inserting the following:

ARTICLE 2R. UNBORN CHILD PROTECTION ACT.

§16-2R-9. Severability.

~~If any provision of §16-2R-1 et seq. of this code is judicially determined to be unconstitutional, this entire article shall be of no force and effect and the provisions of §16-2F-1 et seq., §16-2I-1 et seq., §16-2M-1 et seq., §16-2O-1, §16-2P-1, §16-2Q-1, and §33-42-8 of this code shall become immediately effective.~~

Severability as provided in §2-2-10(b)(7) is applicable to this article: *Provided*, That if this entire article is judicially determined to be unconstitutional, then the provisions of §16-2F-1 et seq., §16-2I-1 et seq., §16-2M-1 et seq., §16-2O-1, §16-2P-1, §16-2Q-1, and §33-42-8 of this code shall become immediately effective: *Provided*, however, That if a provision or provisions of §16-2R-1 et seq. are judicially determined to be unconstitutional, then the provisions of §16-2F-9, §16-2I-9, §16-2M-7, §16-2O-1(e), §16-2P-1(d), §16-2Q-1(m), and §33-42-8(d) are not effective.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 552—A Bill to amend and reenact §16-2R-9 of the Code of West Virginia, 1931, as amended; relating to abortion; and revising severability clauses.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 552, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Caputo—1.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 552) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Caputo—1.

Absent: Jeffries—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 552) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 573, Relating to child support guidelines and Support Enforcement Commission.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, section 205, line 8, by striking the word "noncustodial";

On page 1, section 205, line 11 by striking the word "noncustodial";

On page 3, section 202, by inserting

§48-13-202. Application of expenses and credits in determining child support.

In determining the total child support obligation, the court shall:

(1) Add to the basic child support obligation any unreimbursed child health care expenses, work-related child care expenses and any other extraordinary expenses agreed to by the parents or ordered by the court; and

(2) Subtract any extraordinary credits agreed to by the parents or ordered by the court.

(3) Deduct from a parent's adjusted gross income the reasonable monthly amount of a student loan payment actually being paid to the lending institution that originally issued the loan by a parent for a student loan debt owed in his or her own name and for his or her own educational expenses; provided that the total

amount of the student loan payment deducted may not exceed 25% of the parent's total gross income determined before the deduction. The Family Court shall have discretion to exclude all or a portion of the student loan deduction if the parent with the student loan debt is in child support arrears, if the parent is not current or is in arrears on the student loan payment, if the student loan is being paid by a third party and not the parent, or if the child is not receiving or expected to receive a financial benefit from the education associated with the student loan expenses incurred. If the student loan deduction is awarded:

(a) The parent shall have a duty to immediately disclose to the Court, the BCSE, and any other party, any changes in the monthly amount of the student loan payment, including any payment deferrals or student loan forgiveness.

(b) The Court may require a parent to annually disclose to the Court, the BCSE, and any other party, a statement showing a history of student loan payments for the prior year.

(c) Failure to timely make the disclosures above may be a basis for the Court to modify child support to exclude the student loan deduction, including retroactively to the first of the month following any unreported change.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 573—A Bill to amend and reenact §48-1-205 of the Code of West Virginia, 1931, as amended; and to amend and reenact §48-13-202, §48-13-301, §48-13-302, §48-13-303, §48-13-403, §48-13-404, §48-13-501, and §48-13-502 of said code, all relating generally to the child support guidelines and the Support Enforcement Commission; allowing a deduction for student loan payments under specific circumstances, clarifying circumstances and factors for attributed income; updating monthly basic child support obligations to reflect 2022 financial data; updating income amount requiring manual

calculation to determine basic child support obligation; updating amount for the ability to pay calculation and self-support reserve; and amending the multiplier for extended shared parenting adjustment.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 573, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 573) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 733, Relating to wildlife licenses and stamps.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

By striking everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-42l. Class A-1 small arms hunting stamp.

~~Notwithstanding the provisions of section two, article seven, chapter sixty one of this code, a A Class A-1 stamp is a small arms hunting stamp. To be eligible to get a Class A-1 stamp, a person must be legally able to possess a firearm. If a person is otherwise qualified, Except for any person prohibited from possessing a firearm by state or federal law, ~~to~~ a Class A-1 stamp may be issued to a person ~~twenty-one~~ 18 years of age or older who is otherwise qualified and holds a valid resident or nonresident hunting license, or to a person who is a resident ~~sixty-five~~ 65 years of age or older; but a Class A-1 stamp shall never be issued to a person who has been convicted of a misdemeanor associated with the use of firearms or dangerous weapons or who has been convicted of a felony. A Class A-1 stamp entitles the licensee to hunt, as otherwise permitted by the provisions of this chapter, but only during small game and big game seasons as established annually by the Director, with either a revolver or pistol which has a barrel at least four inches in length. ~~Unless otherwise permitted by the Code of West Virginia, a Class A-1 stamp entitles the licensee to carry or have in his or her possession only one revolver or pistol when going to and from his or her home or residence and a place of hunting and while hunting:~~ *Provided*, That the Class A-1 stamp may not be valid unless the licensee has in his or her possession a valid resident or nonresident hunting license or is a resident ~~sixty-five~~ 65 years of age or older: *Provided*, however, ~~That at all times, when not actually hunting, the revolver or pistol shall be unloaded. While while~~ while hunting, the licensee shall carry the revolver or pistol in an unconcealed and easily visible place. Nothing in this section shall be construed to prohibit a person from carrying a firearm for self-defense who is not prohibited from possessing a firearm by state or federal law. The fee for the stamp is \$8. A lifetime Class A-1 stamp may be issued to anyone otherwise qualified and holding a valid Class A-L or, AB-L, E-L or EE-L license or to a resident ~~sixty-five~~ 65 years of age or older. The lifetime Class A-1~~

stamp will be issued in a form prescribed by the Director. The fee for a lifetime Class A-1 stamp is \$75. All fees collected for the issuance of the Class A-1 and lifetime Class A-1 stamps shall be deposited in the State Treasury and credited to the law-enforcement section of the Division of Natural Resources. The fees collected shall be paid out of the State Treasury on order of the Director and used solely for law-enforcement purposes. Any person ~~convicted of a misdemeanor associated with the use of firearms or dangerous weapons or convicted of a felony, or any person~~ who becomes legally unable to possess a firearm shall immediately surrender the stamp to the Division of Natural Resources. A holder of a Class A-1 or lifetime Class A-1 stamp is required to purchase the appropriate base license before participating in the activities specified in this section, except as noted.

ARTICLE 2B. WILDLIFE ENDOWMENT FUND.

20-2B-7. Lifetime hunting, fishing, and trapping licenses created.

(a) Pursuant to §20-2B-3 of this code, the director may issue the following lifetime hunting, fishing, and trapping licenses and for the lifetime of the licensee, the lifetime licenses serve in lieu of the equivalent annual license: Lifetime resident statewide hunting and trapping license; lifetime resident combination statewide hunting, fishing, and trapping license; lifetime resident statewide fishing license; and lifetime resident trout fishing license.

(b) The director shall propose a rule for legislative approval in accordance with §29A-3-1 et seq. of this code, setting fees for lifetime licenses ~~and shall have authority to promulgate emergency legislative rules necessary to make effective the provisions of this section by July 1, 2021.~~ The fees for adult lifetime licenses shall be 23 times the fee for the equivalent annual licenses or stamps. The rule shall provide that the fee for any resident who has not reached his-or her 15th birthday shall be:

(1) Forty percent of the adult fee set under rule for any resident who has not reached his or her first birthday;

(2) Fifty-five percent of the adult fee set under rule for any resident who is over one year old but has not reached his or her fifth birthday;

(3) Seventy-five percent of the adult fee set under rule for any resident who is over five years old but has not reached his or her 10th birthday; and

(4) Ninety percent of the adult fee set under rule for any resident who is over 10 years old but has not reached his or her 15th birthday.

The rule shall also provide that any resident who has not reached his or her 15th birthday and has been legally adopted shall be provided the same fee schedule, except the division shall use the date of entry of the order or decree of adoption as the licensee's date of birth for purposes of calculating the appropriate fee: Provided, That in addition to the provisions of this subsection for adopted children, foster parents may also purchase a lifetime license for their respective foster children under the same guidelines, except the division shall use the date of entry of the order placing the child in foster care as the licensee's date of birth for purposes of calculating the appropriate fee.

(c) Pursuant to §20-2B-3 of this code, the director may issue the following lifetime hunting, fishing, and trapping licenses and for the lifetime of the licensee, the lifetime licenses serve in lieu of the equivalent annual license: Lifetime nonresident statewide hunting and trapping license; lifetime; lifetime nonresident statewide fishing license; and lifetime nonresident bear hunting license.

(d) Pursuant to §20-2B-3 of this code, the director may issue the following lifetime hunting, fishing, and trapping stamps and for the lifetime of the licensee, the lifetime stamps serve in lieu of the equivalent annual stamp: Lifetime nonresident trout fishing stamp; lifetime nonresident archery deer hunting stamp; lifetime nonresident muzzleloading deer hunting stamp; lifetime nonresident turkey hunting stamp; and lifetime nonresident national forest hunting, fishing, and trapping stamp.

(e) The director shall propose a rule for legislative approval in accordance with §29A-3-1 et seq. of this code, setting fees for nonresident lifetime licenses and stamps and shall have authority to promulgate emergency legislative rules necessary to make effective the provisions of this section by July 1, 2023. The fees for adult nonresident lifetime licenses and stamps shall be 23 times the fee for the equivalent annual licenses or stamps. The rule shall provide that the fee for any nonresident who has not reached his or her 15th birthday shall be:

(1) Forty percent of the adult fee set under rule for any nonresident who has not reached his or her first birthday;

(2) Fifty-five percent of the adult fee set under rule for any nonresident who is over one year old but has not reached his or her fifth birthday;

(3) Seventy-five percent of the adult fee set under rule for any nonresident who is over five years old but has not reached his or her 10th birthday; and

(4) Ninety percent of the adult fee set under rule for any nonresident who is over 10 years old but has not reached his or her 15th birthday.

§20-2B-8. Privileges of lifetime licensees.

(a) Pursuant to ~~section seven of this article~~ §20-2B-7 of this code, resident lifetime licensees shall be entitled to the same privileges and subject to the same restrictions as resident licensees possessing the equivalent annual license with the following exceptions:

(1) Class A-L, AB-L, B-L and O-L licenses shall be valid for the lifetime of the licensee;

(2) A Class O-L lifetime resident trout fishing license shall be issued only to residents of the state and shall be valid only when accompanied by a Class AB-L, B, B-L, X or XJ license; and

(3) No additional fee shall be required of Class A-L, AB-L or B-L licensees for the conservation stamp required by ~~section nine of this article~~ §20-2B-9 of this code. No additional fee shall be required of Class A-L or AB-L licensees for the Class BG stamp required by ~~section forty-two-v, article two of this chapter~~ §20-2-42v of this code.

(b) Pursuant to §20-2B-7 of this code, nonresident lifetime licensees shall be entitled to the same privileges and subject to the same restrictions as nonresident licensees possessing the equivalent annual license with the following exceptions:

(1) Class E-L, EE-L, F-L and OO-L licenses shall be valid for the lifetime of the licensee; and

(2) No additional fee shall be required of Class E-L, EE-L, or F-L licensees for the nonresident conservation law-enforcement and sports education stamp required by §20-2B-10 of this code.

(3) A Class OO-L lifetime nonresident trout fishing license shall be issued only to nonresidents of the state and shall be valid only when accompanied by a Class F or F-L license; and

(4) A Class UU-L lifetime resident archery deer hunting stamp shall be issued only to nonresidents of the state and shall be valid only when accompanied by a Class E-L license; and

(5) A Class VV-L lifetime nonresident muzzleloading deer hunting stamp shall be issued only to nonresidents of the state and shall be valid only when accompanied by a Class E-L license; and

(6) A Class WW-L lifetime nonresident turkey hunting stamp shall be issued only to nonresidents of the state and shall be valid only when accompanied by a Class E-L license; and

(7) A Class I-L lifetime nonresident national forest hunting, trapping, and fishing stamp shall be issued only to nonresidents of the state and shall be valid only when accompanied by a Class E-L, EE-L, or F-L license.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Senate Bill 733, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 733) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendment, as to

Eng. House Bill 2967, Expediting License Applications for active military members and veterans, and their spouses.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendment to the bill were reported by the Clerk:

On page 4, section 30-1B-2, line 77, by inserting the word "duties" immediately following the word "official";

On page 8, section 30-1B-4, line 177, by striking the words "three and four" and inserting in lieu thereof "two and three";

On page 8, section 30-1B-4, line 185, by striking "§30-1B-3(a)(3) and §30-1B-(a)(4), or §30-1B-4(a)" and inserting in lieu thereof "§30-1B-2(a)(3), §30-1B-3(a)(3), or §30-1B-3(a)(4)";

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. House Bill 2967—A Bill to amend and reenact §30-1B-1, §30-1B-2, §30-1B-3, and §30-1B-4 of the Code of West Virginia, 1931, as amended; and to repeal §30-1B-5 and §30-1B-7 of said code, all relating to licensure to practice professions and occupations; stating findings; establishing standards for licensure of military-trained applicants; creating an exception for the practices of law, medicine, and osteopathic medicine; mandating boards act on applications from military-trained applicants not later than 15 days after receipt; providing for conditions for issuance of authorization to practice occupation or trade to military-trained applicants; prohibiting board from charging fee for initial authorization to practice; establishing standards for licensing spouses of current military members; creating an exception for the practices of law, medicine, and osteopathic medicine; mandating boards act on applications from spouses not later than 15 days after receipt; prohibiting boards from charging fee to spouse of military member for initial authorization to practice; and providing for temporary authorization to practice while application is pending.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendment to the bill.

Engrossed House Bill 2967, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio,

Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 2967) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, to take effect July 1, 2023, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendments, as to

Eng. Com. Sub. for House Bill 3084, Relating to revising provisions related to public charter schools.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the Senate amendments to the bill was reported by the Clerk:

By striking the title and inserting in lieu thereof a new title to read as follows:

Eng. Com. Sub. for House Bill 3084—A Bill to amend and reenact §18-5-48 of the Code of West Virginia, 1931, as amended; to amend and reenact §18-5G-1, §18-5G-2, §18-5G-3, §18-5G-4, §18-5G-5, §18-5G-7, §18-5G-12 and §18-5G-15 of said code; and to amend and reenact §18-9A-15 of said code; all relating to revising provisions related to public charter schools; providing public charter school access to funding from School Safety Fund;

modifying priorities for funds use; requiring rule on process for needs-based funding requests and requiring rules; removing prohibition on elected public official profiting from or receiving monetary consideration from public charter school; expressing legislative intent on comparable levels of funding for public charter school students; authorizing state institution of higher education as applicant; prohibiting imposition of requirements on public charter schools choosing to incorporate post-secondary, industry and workforce program that are not required of noncharter public schools; authorizing public charter schools to include before and after school programs in their education program; excluding public charter school programs from regulation as child care facility; authorizing public charter school students to participate on the same basis as other public school students in extracurricular athletic and academic interscholastic activities sponsored by noncharter public school serving attendance area if not sponsored by charter school; emphasizing that charter school determines certification and licensure for teachers and instructional staff employed by it; clarifying public charter schools are exempt from state board policies unless otherwise specifically provided; excluding requirement that charter school employees be certified or licensed as condition of employment and providing that charter school may require employees be certified or licensed as condition of employment but is not required to; requiring professional charter school board to consult with nationally recognized organizations along with the state board; providing for administering required state assessments in virtual setting; requiring state board to establish framework and procedures for interaction between public charter schools, public noncharter schools and county boards to facilitate cooperation and ensure prompt transfer of records; providing for invoicing of certain funding when student transfers from and to certain entities after the beginning of the school year; allowing member of charter school governing board to be employee of education service provider if services are provided by state institution of higher education; providing conditions for charter school governing board to be administrative unit of state institution of higher education and authorizing contract; authorizing professional charter school board to receive and expend gifts, grants and donations to carry out purposes of act, to

apply for federal funds to implement programs, and to make start-up grants to public charter schools; and requiring for state board rule on method for providing increased enrollment funding for public charter schools.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendment to the Senate amendments to the bill.

Engrossed Committee Substitute for House Bill 3084, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Caputo—1.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3084) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect July 1, 2023.

On this question, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Caputo—1.

Absent: Jeffries—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3084) takes effect July 1, 2023.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. House Bill 3443, Relating to a development or improvement on land subject to review by the State Historic Preservation Office.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

On further motion of Senator Takubo, the Senate acceded to the request of the House of Delegates and receded from its amendment to the bill.

Engrossed House Bill 3443, as amended by deletion, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Maroney—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 3443) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Filed Conference Committee Reports

The Clerk announced the following conference committee had been filed at 5:40 p.m. today:

Eng. Com. Sub. for House Bill 3302, To recognize unborn child as distinct victim in a DUI causing death.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 495, Providing correctional institutions and juvenile facilities video and audio records be confidential.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking everything after the enacting clause and in inserting in lieu thereof the following:

ARTICLE 4. CORRECTIONS MANAGEMENT.

§15A-4-8a. Facility video and security records confidential; exceptions.

~~(a) The contents of any correctional or juvenile facility video, incident report, or investigation report related to the safe and secure management of inmates and residents may be disclosed or released to the commissioner's agents, representatives, and designees, but such records are otherwise confidential and not subject to public disclosure or release except as set forth in this section.~~

~~(b) Notwithstanding any provision of this code to the contrary, the contents of any correctional or juvenile facility video, incident report, or investigation report related to the safe and secure management of inmates and residents may be disclosed or released to an appropriate law enforcement agency, when disclosure or release is necessary for the investigation, prevention, or prosecution of a crime or to safeguard the orderly operation of the correctional institution: *Provided*, That, with respect to records relating to juvenile residents, the law enforcement agency in receipt of any such records shall treat the records as confidential pursuant to the provisions set forth in §49-5-101(a) of this code.~~

~~(c) Disclosure or release may also be made in civil or administrative proceedings pursuant to an order of a court or an administrative tribunal with the entry of an appropriate protective order prohibiting the misuse and reproduction of disclosed or released records: *Provided*, That the disclosure or release of records from a juvenile facility required for an employee grievance shall be made strictly in accordance with the provisions of §49-5-101 of this code.~~

~~(d) The commissioner may authorize an attorney, licensed before the bar of this state and who is representing a person with a potential claim for personal injury or a violation of the United States Constitution or West Virginia Constitution allegedly caused by the division, to view facility video, incident reports, or investigation reports related to the safe and secure management of inmates and residents for purposes of determining the validity of a claim against the division, but such video, incident reports, or investigation reports related to the safe and secure management of inmates and residents shall not be released to the licensed attorney prior to institution of a suit or petition for pre-suit discovery in the appropriate forum and after the entry of an appropriate protective order prohibiting the misuse and reproduction of disclosed records.~~

~~(e) The confidentiality provisions of this section shall extend to any person receiving such records and may not be used for any unauthorized purpose except upon order of a court of record~~

(a) The contents of all records necessary for the safe and secure management of inmates and residents committed to state correctional and juvenile facilities are confidential and may only be disclosed or released:

(1) Pursuant to this section;

(2) As required by the provisions of §29B-1-1 et seq. of this code;

(3) In accordance with the discovery provisions of the West Virginia Rules of Civil Procedure or the West Virginia Rules of Criminal Procedure; or

(4) In accordance with the provisions of §49-5-101 of this code.

(b) As used in this section, "records necessary for the safe and secure management of inmates and residents" means:

(1) Video and audio recordings produced in a correctional or juvenile facility;

(2) Incident reports and attachments thereto;

(3) Investigation reports and any attachments thereto, including, but not limited to, witness statements; and

(4) Any document or recording generated within a facility containing information which would reasonably place the safety of an employee, inmate, or resident in jeopardy.

(c) Records protected pursuant to the provisions of this section may be disclosed:

(1) To the Secretary of the Department of Homeland Security, his or her designees, and the commissioner or his or her designees for official use;

(2) To law enforcement when release is determined by the commissioner or his or her designees to be necessary for the investigation, prevention, or prosecution of a crime or crimes;

(3) To the Juvenile Justice Commission and its designees acting in the course of their official duties; and

(4) Pursuant to a lawful order of a court of record or an administrative tribunal for use in a civil, criminal, or administrative matter: *Provided*, That the order shall contain a provision limiting disclosure or publication of the records to purposes necessary to the proceeding and prohibiting its unauthorized use and reproduction.

(5) The commissioner shall authorize an attorney, licensed to practice law in this state and who is representing a person with a potential claim for personal injury or a violation of the United States Constitution or West Virginia Constitution allegedly caused by the division, to view facility video, incident reports, or investigation reports related to the safe and secure management of inmates and residents for purposes of determining the validity of a claim against the division: *Provided*, That such video, incident reports, or investigation reports related to the safe and secure management of inmates and residents shall not be released to the licensed attorney prior to institution of a suit or petition for pre-suit discovery in the appropriate forum and after the entry of an appropriate protective order prohibiting the misuse and reproduction of disclosed records.

(d) The commissioner shall authorize an attorney, licensed to practice in this state and who is representing a person related by consanguinity or affinity to an inmate or resident who has suffered an alleged injury or death while in the custody of the division to view facility video, incident reports, or investigation reports related to the safe and secure management of inmates and residents under the conditions set forth in subdivision (5), subsection (c) of this section.

(e) The confidentiality provisions of this section extend to any person receiving such records and may not be used for any unauthorized purpose except upon order of a court of record or administrative tribunal.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 495—A Bill to amend and reenact §15A-4-8a of the Code of West Virginia, 1931, as amended, relating generally to correctional institutions and juvenile facilities; deeming certain video and audio recordings records and reports to be confidential; creating exceptions to confidentiality; requiring court or administrative tribunal orders directing disclosure to contain a provision limiting disclosure to the purposes necessary to the proceeding and prohibiting unauthorized use and publication; requiring the Commissioner of the Division of Corrections and Rehabilitation to permit the viewing of certain records to licensed attorneys under certain conditions; and defining terms.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 495, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 495) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 495) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, adoption as amended, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Senate Concurrent Resolution 24, Renaming Mount Olive Correctional Complex and Jail as Mike V. Coleman Maximum Security Complex.

On motion of Senator Takubo, the resolution was taken up for immediate consideration.

The following House of Delegates amendments to the resolution were reported by the Clerk:

On page 1, line 1, after the word, Jail, by striking, "the Mike V. Coleman Maximum Security Complex."; and inserting in lieu thereof the following: "the Mike V. Coleman Mount Olive Maximum Security Complex.";

And,

On page 3, line 13 by striking, "the Mike V. Coleman Maximum Security Complex;" and inserting in lieu thereof the

following: "the Mike V. Coleman Mount Olive Maximum Security Complex."

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the resolution.

The question being on the adoption of the resolution (S. C. R. 24), as amended, the same was put and prevailed.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for House Bill 3313, Restraining county commissions from imposing rules and regulations on farmers beyond what is already prescribed through state statute.

On motion of Senator Takubo, the Senate refused to recede from its amendments to the bill and requested the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses.

Whereupon, Senator Blair (Mr. President) appointed the following conferees on the part of the Senate:

Senators Hamilton, Woodrum, and Plymale.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced that that body had refused to recede from its amendments, and requested the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses, as to

Eng. Com. Sub. for Senate Bill 617, Relating to Intellectual and Development Disabilities Waiver Program Workforce Study.

The message further announced the appointment of the following conferees on the part of the House of Delegates:

Delegates Summers, Williams, and Hardy.

On motion of Senator Takubo, the Senate agreed to the appointment of a conference committee on the bill.

Whereupon, Senator Blair (Mr. President) appointed the following conferees on the part of the Senate:

Senators Maroney, Barrett, and Woelfel.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2883—A Bill supplementing and amending Chapter eleven, Acts of the Legislature, Regular Session, 2022, known as the budget bill, as amended, in Title II from the appropriations of public moneys out of federal moneys remaining unappropriated, to the Executive, Governor's Office, Coronavirus State Fiscal Recovery Fund, fund 8823, fiscal year 2023, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2023.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson,

Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

The bill was read a second time and ordered to third reading.

Engrossed Committee Substitute for House Bill 2883 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2883) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2883) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Executive Communications

Senator Blair (Mr. President) laid before the Senate the following communication from His Excellency, the Governor, submitting the annual probation and parole report, which was received:



Jim Justice
Governor of West Virginia

March 11, 2023


EXECUTIVE MESSAGE NO. 5
2023 REGULAR SESSION

The Honorable Craig Blair
President, Senate of West Virginia
State Capitol, Rm 228M
Charleston, West Virginia 25305

Dear Mr. President:

In accordance with the provisions of section 11, article 7 of the Constitution of the State of West Virginia, and section 16, article 1, chapter 5 of the Code of West Virginia, I hereby report that I granted no pardons or reprieves, nor commuted punishment to any person, nor remitted any fines or penalties, during the period of March 7, 2022 through March 11, 2023.

Very truly yours,


Jim Justice
Governor

cc: Lee Cassis, Senate of West Virginia
Division of Archives and History

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000

Senator Blair (Mr. President) next laid before the Senate the following communication from His Excellency, the Governor, regarding annual reports, which communication was received and filed with the Clerk:



Jim Justice
Governor of West Virginia

March 11, 2023

Executive Message 6
2023 Regular Session

The Honorable Craig Blair
President, West Virginia State Senate
State Capitol, Rm 229M
Charleston, West Virginia 25305

Dear Mr. President:

Pursuant to the provisions of section twenty, article one, chapter five of the Code of West Virginia, I hereby certify that the following annual reports have been received in the Office of the Governor:

Accountancy, West Virginia Board of; FY 2022 WV Board of Accountancy

Acupuncture, West Virginia Board; FY 2021-2022 WV Board of Acupuncture

Administration, West Virginia Department of; State Building Commission Fund May 2022

Administration, West Virginia Department of; State Building Commission Fund June 2022

Administration, West Virginia Department of; State Building Commission Fund July 2022

Administration, West Virginia Department of; State Building Commission Fund June 2022

Administration, West Virginia Department of; State Building Commission Fund August 2022

Administration, West Virginia Department of; State Building Commission Fund September 2022

Administration, West Virginia Department of; State Building Commission Fund October 2022

OFFICE OF THE GOVERNOR

Administration, West Virginia Department of; State Building Commission Fund
November 2022

Administration, West Virginia Department of; State Building Commission Fund
December 2022

Administration, West Virginia Department of; State Building Commission Fund January
2023

Alcohol Beverage Control Administration, West Virginia; WVABCA Annual Report FY
2022

Architects, West Virginia Board of; FY2022 Annual Report Board of Architects

Insurance Commissioner, West Virginia Office of the; 2023 PTSD Annual Report

Barbers & Cosmetologists, West Virginia Board of; ANNUAL REPORT

Broadband Enhancement Council, West Virginia; West Virginia Office of Broadband
and West Virginia Broadband Enhancement Council 2022 Annual Report

Catastrophic Illness Commission, James "Tiger" Morton; James "Tiger" Morton
Catastrophic Illness Commission Year 2022 Report

Commission on Special Investigations; 42nd Annual Report

Contractor Licensing Board West Virginia; Contractor Licensing Board Activity Report

Correctional Industries, West Virginia; West Virginia Correctional Industries Annual
Report

Corrections, West Virginia Division of; FY 22 Annual Report WVDCR

Counseling, West Virginia Board of; 2022 Annual Report

Deaf and Hard of Hearing, West Virginia Commission for the; 2021 Annual Report

Dentists & Dental Hygienists, Board of; Report of the Biennium for Fiscal Years 2021 &
2022

Division of Justice and Community Services, West Virginia; JUSTICE
REINVESTMENT INITIATIVE (S.B. 371)

Division of Justice and Community Services, West Virginia; Sexual Assault Forensic
Examination SAFE Commission

Division of Justice and Community Services, West Virginia; Recommendations for
Criminal Sentencing Law Reform for the State of West Virginia A Report of the
Sentencing Commission Subcommittee of the Governor's Committee on Crime,
Delinquency, and Correction to the West Virginia Legislature

OFFICE OF THE GOVERNOR

Division of Justice and Community Services, West Virginia; Law Enforcement Professional Standards (LEPS) Subcommittee/Program

Division of Justice and Community Services, West Virginia; Juvenile Justice Subcommittee

Division of Justice and Community Services, West Virginia; WEST VIRGINIA COMMUNITY CORRECTIONS ACT

Elkins Depot Welcome Center CVB; Elkins Depot Welcome Center CVB, Inc. 2021-2022 Annual Report

Environmental Protection, West Virginia Department of; Environmental Protection Advisory Council 2022 Annual Report

Environmental Protection, West Virginia Department of; 2022 Special Reclamation Fund Advisory Council Annual Report

Environmental Protection, West Virginia Department of; FY 2022 Annual UST Report for Fund 3325

Environmental Protection, West Virginia Department of; Annual OOG Report for Fund 3323 FY2022

Environmental Protection, West Virginia Department of; FY 2022 Annual Report of Aboveground Storage Tanks Fund

Environmental Protection, West Virginia Department of; FY2022 Annual Report for Fund 3016 (POW)

Environmental Protection, West Virginia Department of; Stream Restoration Fund 3349 Annual Report

Environmental Protection, West Virginia Department of; 2022 Annual Water Resources Report

Fire Marshal's Office, West Virginia State; FY 2022 Annual Report

Fleet Management Division, West Virginia; Fleet Management Division 2022 Annual Fleet Report

Forestry, West Virginia Division of; Outdoor Heritage Conservation Fund Annual Report

Forestry, West Virginia Division of; WVDOF Managed Timberland

Forestry, West Virginia Division of; WVDOF Logging Sediment Control Act

Funeral Service Examiners, West Virginia Board of; FY2012-FY2022 Annual Report

Geological and Economic Survey, West Virginia; West Virginia Geological & Economic Survey Annual Report

OFFICE OF THE GOVERNOR

Hatfield-McCoy Regional Recreation Authority; 2022 Financial and Compliance Report

Hatfield-McCoy Regional Recreation Authority; Hatfield McCoy Annual Audit

Health and Human Resources, West Virginia Department of; Office of Emergency Medical Services Annual Report 2022

Health and Human Resources, West Virginia Department of; West Virginia Office of Drug Control Policy 2022 Semi-Annual Report

Health and Human Resources, West Virginia Department of; Fatality and Mortality Review Team

Health and Human Resources, West Virginia Department of; Annual Child Care Report

Highways, West Virginia Division of; 2021 Complete Streets Advisory Board Annual Report

Human Rights Commission, West Virginia; Human Rights Commission Annual Report

Insurance Commissioner, West Virginia Office of the; West Virginia Office of Consumer Advocate Offices of the WV Insurance Commissioner 2022 Annual Report

Insurance Commissioner, West Virginia Office of the; 2022 State Agency Workers Compensation (SAWC) Annual Report

Insurance Commissioner, West Virginia Office of the; Occupational Pneumoconiosis Board 2021-2022 Annual Report

Insurance Commissioner, West Virginia Office of the; 2022 West Virginia Automobile Survey

Insurance Commissioner, West Virginia Office of the; 2022 PTSD Annual Report

Insurance Commissioner, West Virginia Office of the; 2022 Safety Initiatives Report

Investment Management Board, West Virginia; 2022 Annual Report

Landscape Architects, West Virginia Board of; Board of Landscape Architects FY 2022 Annual Report

Library Commission, West Virginia; 2022 Annual Report

Massage Therapy Licensure Board, West Virginia; Annual Report FY 2021-2022

Medical Imaging and Radiation Therapy Technology Board of Examiners, West Virginia; Annual Report FY-2022

Medicine, West Virginia Board of; West Virginia Board of Medicine Annual Report to the Legislature July 1, 2020, through June 30, 2022

Miners' Health, Safety and Training, West Virginia Office of; FY2022 Annual Report

OFFICE OF THE GOVERNOR

Motor Vehicles, West Virginia Division of; Motor Vehicle Test and Lock Program (Interlock) 2022

Motor Vehicles, West Virginia Division of; 2022 WV Motorcycle Safety Program

Motor Vehicles, West Virginia Division of; DMV Safety and Treatment Program 2022

Municipal Bond Commission, West Virginia; Fiscal Year 2022 Annual Report

Natural Resources, West Virginia Division of; West Virginia Division of Natural Resources 2021-2022 Annual Report

Nursing Home Administrators Licensing Board, West Virginia; 2022 Annual Report

Occupational Therapy, West Virginia Board of; Annual Report 2022

Osteopathic Medicine, West Virginia Board of; West Virginia Board of Osteopathic Medicine - Annual Report 2022

Personnel, West Virginia Division of; West Virginia Division of Personnel Annual Report 2022

Pharmacy, West Virginia Board of; WV Board of Pharmacy Annual Report

Professional Engineers, West Virginia Board of; FY2022 ANNUAL REPORT - WV Board of Registration for Professional Engineers

Professional Surveyors, West Virginia Board of; WV Board of Professional Surveyors 2022 Annual Report

Public Service Commission, West Virginia; Management Summary Report and the Electric and Natural Gas Utilities Supply-Demand Forecast for 2023-2032

Purchasing Division; West Virginia; Semi-Annual Report on All Commodities Sold to Eligible Organizations

Real Estate Appraiser Licensing and Certification Board, West Virginia; WV Real Estate Appraiser Board Annual Report 2021-2022

Real Estate Commission, West Virginia; FY2022 Annual Report

Sanitarians, West Virginia State Board of; Annual Report 2022

Social Work Examiners, West Virginia Board of; Biennial Report FY 2022

State Police, West Virginia; 2021-2022 Annual Report

State Privacy Office, West Virginia; 2022 Annual Report

Tax Department, West Virginia State; West Virginia Children with Autism Trust Board Annual Report

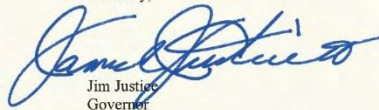
OFFICE OF THE GOVERNOR

Tax Department, West Virginia State; 2022 Annual Report of the Criminal Investigation Division and Special Audit Division

Tourism, West Virginia Department of; 2022 Annual Report

Water Development Authority; West Virginia; Water Development Authority Annual Report

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Justice", is written over a printed name and title.

Jim Justice
Governor

cc: Lee Cassis, Clerk, West Virginia State Senate
Division of Culture and History

The Clerk then presented the following communications from His Excellency, the Governor, regarding bills approved by him:



Jim Justice
Governor of West Virginia

March 11, 2023

The Honorable Lee Cassis, Clerk
West Virginia Senate
State Capitol
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. One Hundred Thirty-Six (136), which was presented to me on March 6, 2023.

Committee Substitute for Senate Bill No. Two Hundred Eight (208), which was presented to me on March 6, 2023.

Committee Substitute for Senate Bill No. Two Hundred Seventy (270), which was presented to me on March 6, 2023.

Senate Bill No. Two Hundred Seventy-Six (276), which was presented to me on March 6, 2023.

Committee Substitute for Senate Bill No. Three Hundred (300), which was presented to me on March 6, 2023.

Senate Bill No. Four Hundred Eighty-One (481), which was presented to me on March 6, 2023.

Senate Bill No. Five Hundred Fifty-Three (553), which was presented to me on March 6, 2023.

You will note that I have approved these bills on March 11, 2023.

Sincerely,

Jim Justice
Governor

JJ/mh

cc: The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia
March 11, 2023

The Honorable Stephen J. Harrison, Clerk
West Virginia House of Delegates
State Capitol
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, is the following bill:

Committee Substitute for House Bill No. Three Thousand Three Hundred Eight (3308), which was presented to me on March 6, 2023.

You will note that I have approved this bill on March 11, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis

The Senate proceeded to the fourth order of business.

Senator Trump, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Concurrent Resolution 26 (originating in the Committee on the Judiciary)—Requesting the Joint Committee on Government and Finance and the Joint Committee on the Judiciary to study the creation and implementation of an earned compliance credit program for parolees and probationers.

And reports the same back with the recommendation that it be adopted.

Respectfully submitted,

Charles S. Trump IV,
Chair.

On motion of Senator Takubo, the resolution (S. C. R. 26) contained in the foregoing report from the Committee on the Judiciary was then referred to the Committee on Rules.

On motion of Senator Takubo, at 5:51 p.m., the Senate recessed until 6:30 p.m. today.

The Senate reconvened at 7:07 p.m.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendments to, and the passage as amended with its Senate amended title, to take effect from passage, of

Eng. Com. Sub. for Com. Sub. for Senate Bill 273, Relating to allocation of child protective workers in counties based upon population of county.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment

to the House of Delegates amendments to, and the passage as amended with its House of Delegates amended title, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 361, Authorizing miscellaneous boards and agencies to promulgate legislative rules.

A message from the Clerk of the House of Delegates announced the replacement of Delegate Griffith with Delegate Williams on the committee of conference as to

Eng. Com. Sub. for Senate Bill 617, Relating to Intellectual and Development Disabilities Waiver Program Workforce Study.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, of

Eng. Com. Sub. for House Bill 2760, To allow CPR fire fighters to drive ambulances when both attendants are needed to administer patient care.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 2820, To provide HOPE Scholarship recipients with the ability to play sports.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 3018, Establishing that 18 is the age of consent and removing the ability of an underage person to obtaining a consent to marry through their parents, legal guardians, or by petition to the circuit court.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment, as amended by the House of Delegates, passage as amended with

its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendment, as to

Eng. Com. Sub. for House Bill 3190, Amending the definition of "minor".

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendment to the bill were reported by the Clerk:

On page 3, after section 32, after line 20, by inserting the following section relating to Chapter 61, article 8A:

ARTICLE 8A. PREPARATION, DISTRIBUTION OR EXHIBITION OF OBSCENE MATTER TO MINORS

§61-8A-1. Definitions.

When used in this article, the following words, and any variations thereof required by the context, shall have the meaning ascribed to them in this section:

(a) "Adult" means a person eighteen years of age or older.

(b) "Computer" means an electronic, magnetic, optical, electrochemical or other high-speed data processing device performing logical, arithmetic or storage functions and includes any data storage facility or communication facility directly related to or operating in conjunction with such device. As used in this article, computer includes file servers, mainframe systems, desktop personal computers, laptop personal computers, tablet personal computers, cellular telephones, game consoles and any electronic data storage device or equipment. The term "computer" includes any connected or directly related device, equipment or facility which enables the computer to store, retrieve or communicate computer programs, computer data or the results of computer operations to or from a person, another computer or another device,

but such term does not include an automated typewriter or typesetter, a portable hand-held calculator or other similar device.

(c) "Computer network" means the interconnection of hardware or wireless communication lines with a computer through remote terminals, or a complex consisting of two or more interconnected computers.

(d) "Display" means to show, exhibit or expose matter, in a manner visible to general or invited public, including minors. As used in this article, display shall include the placing or exhibiting of matter on or in a billboard, viewing screen, theater, marquee, newsstand, display rack, window, showcase, display case or similar public place.

(e) "Distribute" means to transfer possession, transport, transmit, sell or rent, whether with or without consideration.

(f) "Employee" means any individual who renders personal services in the course of a business, who receives compensation and who has no financial interest in the ownership or operation of the business other than his or her salary or wages.

(g) "Internet" means the international computer network of both federal and nonfederal interoperable packet switched data networks.

(h) "Knowledge of the character of the matter" means having awareness of or notice of the overall sexual content and character of matter as depicting, representing or describing obscene matter.

(I) "Matter" means any visual, audio, or physical item, article, production transmission, publication, exhibition, or live performance, or reproduction thereof, including any two- or three-dimensional visual or written material, film, picture, drawing, video, graphic, or computer generated or reproduced image; or any book, magazine, newspaper or other visual or written material; or any motion picture or other pictorial representation; or any statue or other figure; or any recording, transcription, or mechanical, chemical, or electrical reproduction; or any other articles, video laser disc, computer hardware and software, or computer generated

images or message recording, transcription, or object, or any public or commercial live exhibition performed for consideration or before an audience of one or more.

(j) "Minor" means an ~~unemancipated~~ person under eighteen years of age or a person representing himself or herself to be a minor. Any prosecution under this article relating to a victim who is representing himself or herself to be a minor shall be limited to investigations being conducted or overseen by law enforcement.

(k) "Obscene matter" means matter that:

(1) An average person, applying contemporary adult community standards, would find, taken as a whole, appeals to the prurient interest, is intended to appeal to the prurient interest, or is pandered to a prurient interest;

(2) An average person, applying community standards, would find depicts or describes, in a patently offensive way, sexually explicit conduct; and

(3) A reasonable person would find, taken as a whole, lacks serious literary, artistic, political or scientific value.

(l) "Parent" includes a biological or adoptive parent, legal guardian or legal custodian.

(m) "Person" means any adult, partnership, firm, association, corporation or other legal entity.

(n) "Sexually explicit conduct" means an ultimate sexual act, normal or perverted, actual or simulated, including sexual intercourse, sodomy, oral copulation, sexual bestiality, sexual sadism and masochism, masturbation, excretory functions and lewd exhibition of the genitals.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for House Bill 3190—A Bill to amend and reenact § 61-3C-14b of the Code of West Virginia, 1931, as amended, to further amend said code by adding thereto a new section, designated §61-8-32; to amend and reenact §61-8A-1; and to amend and reenact §61-14-1 of said code, all relating to criminal law generally; updating certain criminal code definitions; extending criminal liability to certain adults that use computers to solicit, entice, seduce, lure, or attempt to solicit, entice, seduce, or lure a minor, or a person representing himself or herself to be a minor, as a means to engage in specific enumerated illegal acts contained in the West Virginia Code; defining the term "minor"; expanding criminal liability to include adults who contact minors by means other than by computer and additionally engage in an overt act which is designed to put the adult in the physical presence of the minor, or a person representing himself or herself to be a minor and creating criminal penalties and fines therein.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendment to the bill.

Engrossed Committee Substitute for House Bill 3190, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Woodrum, and Blair (Mr. President)—30.

The nays were: None.

Absent: Jeffries, Trump, Weld, and Woelfel—4.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3190) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, to take effect from passage, of

Eng. Com. Sub. for House Bill 3191, Relating to certain facilities operated by the state government to obtain a license.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. Com. Sub. for House Bill 3306, Relating to the organizational structure of the Office of Drug Control Policy.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendments to the bill were reported by the Clerk:

On page 5, section 2, line 76, subparagraph (i), after the word "issues," by inserting a period and striking the words "The taskforce will also examine the situation of a resident who was transported from any location within or without the state of West Virginia and is discharged, evicted, or otherwise removed from a recovery residence, and whether or not a recovery residence should provide transportation to the location from which the resident was initially transported, at the expense of the recovery residence. The taskforce will additionally examine, the situation of a resident who may be discharged, evicted, or otherwise removed prior to the expiration of the time period for which he or she has previously paid rent or any other fee for residency or service, in the context of requiring the recovery residence to promptly report relevant information regarding the circumstances for each early discharge, eviction, or removal of a resident to the Department of Health and

Human Resources' Bureau for Behavioral Health. The taskforce will further examine whether or not residents of a recovery residence should be granted any minimal tenancy rights or otherwise be considered a worthy recipient for relief from a magistrate court arising from their discharge, eviction, or removal from a recovery residence.";

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for House Bill 3306—A Bill to amend and reenact §16-1-13 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-5T-2 and §16-5T-4 of said code; and to amend said code by adding thereto a new section, designated §16-5T-7 of said code; all relating to the department; creating a special revenue account; providing for the appointing of the director of the Office of Drug Control Policy; requiring the creation of a task force; setting forth composition of the taskforce; setting forth areas to be examined by taskforce; requiring reporting; establishing deadlines for reports; continuing data dashboard; adding variables to items that must be collected; amending information technology platform; setting forth items that must be displayed on dashboard; providing for enforcement; providing for imposition of civil monetary penalties for violation of reporting requirements.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendments to the bill.

Engrossed Committee Substitute for House Bill 3306, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Jeffries, Trump, and Weld—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3306) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 3360, Creating an office of the Inspector General within the Department of Homeland Security.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 3439, To limit the civil liability of child placing agencies that obtain an insurance policy in an amount not less than \$1 million per incident.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 3482, To create the Coal Fired Grid Stabilization and Security Act of 2023.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. Com. Sub. for House Bill 2008, Requiring local entities to enforce immigration laws.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendments to the bill were reported by the Clerk:

On page 4, by redesignating section number and section heading "§15-15-3. Mandatory agreements for housing persons subject to immigration detainees" as "§15-5-4. Mandatory agreements for housing persons subject to immigration detainees", and by renumbering the remaining sections accordingly;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for House Bill 2008—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto one new article containing nine new sections, designated §15-15-1, §15-15-2, §15-15-3, §15-15-4, §15-15-5, §15-15-6, §15-15-7, §15-15-8, and §15-15-9, all relating to prohibiting subdivisions and local entities from adopting policies that prohibit or materially restrict cooperation with federal entities enforcing immigration law; requiring state entities, local entities and law enforcement agencies to cooperate with the enforcement of immigration laws; providing for definitions; requiring that entities and agencies not prohibit the enforcement of immigration laws or cooperation with other governmental agencies to enforce immigration laws; providing for complaint procedures; providing for mandatory duties regarding immigration detainees; providing for actions to ensure compliance; providing that the failure to satisfy the duties imposed by this enactment constitutes neglect of duty and malfeasance in office and exposes elected officials to removal from office as provided by law; providing for mandatory agreements regarding the housing of persons subject to immigration detainees; providing for the Attorney General to defend good-faith

compliance under certain circumstances; providing Whistle-Blower protections to individuals who report violations; and prohibiting discrimination on the basis of protected classes.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendments to the bill.

Engrossed Committee Substitute for House Bill 2008, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Caputo—1.

Absent: Jeffries and Weld—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2008) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for House Bill 3315, Relating generally to readiness enhancement and commission bonuses.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

On further motion of Senator Takubo, the Senate acceded to the request of the House of Delegates and receded from its amendments to the bill.

Engrossed Committee Substitute for House Bill 3315, as amended by deletion, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Weld—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3315) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

At the request of Senator Takubo, and by unanimous consent, the Senate reconsidered its action by which in earlier proceedings today it adopted Senator Takubo's motion that the Senate concur in the House of Delegates amendments, as amended (*shown in the Senate Journal of today, pages 2752 to 2754, inclusive*), as to

Eng. Senate Bill 740, Relating to compensation and expense reimbursement for members of Legislature.

The vote thereon having been reconsidered,

The question again being on the adoption of Senator Takubo's motion that the Senate concur in the House of Delegates amendments, as amended, to the bill.

Thereafter, at the request of Senator Takubo, and by unanimous consent, his foregoing motion was withdrawn.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill (*shown in the Senate Journal of today, pages 2752 and 2753*).

Engrossed Senate Bill 740, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Stover, Swope, Takubo, Tarr, Taylor, Trump, Woelfel, Woodrum, and Blair (Mr. President)—25.

The nays were: Chapman, Karnes, Martin, Maynard, Phillips, Smith, and Stuart—7.

Absent: Jeffries and Weld—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 740) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced that that body had agreed to the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses, as to

Eng. Com. Sub. for House Bill 3261, Relating to Social Workers Qualifications.

The message further announced the appointment of the following conferees on the part of the House of Delegates:

Delegates Phillips, McGeehan, and Young.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended with its Senate amended title, and requested the

concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. Com. Sub. for House Bill 3332, Creating judicial circuits and assigning the number of circuit judges in each circuit to be elected in the 2024 election.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendments to the bill were reported by the Clerk:

On page 32, section 6, line 8, by striking the sentence beginning with "The secretary-clerk" through line 19 ending with the word "code"; and, page 33, section 6, line 30, by striking the number "\$36,000"; and, page 33, section 6, line 30, by striking the sentence beginning with "Provided, That on" through line 34 ending with the word "code"; and, page 34, line 53, by striking subsection "(g)".

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendments to the bill.

Engrossed Committee Substitute for House Bill 3332, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Tarr—1.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3332) passed with its Senate amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Filed Conference Committee Reports

The Clerk announced the following conference committee report had been filed at 7:25 p.m. tonight:

Eng. Com. Sub. for Senate Bill 617, Relating to Intellectual and Development Disabilities Waiver Program Workforce Study.

(Senator Woodrum in the Chair.)

The Clerk announced the following conference committee report had been filed at 7:49 p.m. tonight:

Eng. Com. Sub. for House Bill 3261, Relating to Social Workers Qualifications.

(Senator Blair, Mr. President, in the Chair.)

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. Com. Sub. for House Bill 2026, Authorizing municipalities with police or firefighter employees in PERS to elect to become participating employer in Municipal Police Officer and Firefighter Retirement System for a limited time.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendments to the bill were reported by the Clerk:

On page 1, section 33a, line 4, by striking "§8-22A-8(a) and inserting in lieu thereof "§8-22A-28(a)"; and

On page 4, following section 33a, by striking the remainder of the bill.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for House Bill 2026—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8-22A-33a, relating to additional opportunity for municipal police officers or firefighters to transfer into the Municipal Police Officers and Firefighters Retirement System; providing conditions upon which municipal police officers or firefighters may transfer into Municipal Police Officers and Firefighters Retirement System; providing for transfer of assets pertaining to municipal police officers or firefighters; requiring certain computations to be made by the Consolidated Public Retirement Board; requiring certain payments; and terminating liability of the Public Employees Retirement System.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendments to the bill.

Engrossed Committee Substitute for House Bill 2026, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com.

Sub. for H. B. 2026) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. House Bill 3552, Relating to per diem jail costs.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendments to the bill were reported by the Clerk:

On page 6, section 16, line 124 through 137, by striking subsection (l) in its entirety and renumbering the remainder of the section accordingly;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. House Bill 3552—A Bill to amend and reenact §15A-3-16 of the Code of West Virginia, 1931, as amended, relating to per diem jail costs; providing authority for counties to seek reimbursement from certain municipalities for certain per diem costs; providing for the payment of housing and maintenance of inmates; setting a per day, per inmate base rate for payments; establishing a means of calculating fees; providing for a reduced rate in certain circumstances; providing for an enhanced rate in certain circumstances; providing for recalculation every decennial; requiring publication on the agency webpage; and establishing an effective date.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendments to the bill.

Engrossed House Bill 3552, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3552) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

At the request of Senator Smith, unanimous consent being granted, the Senate returned to the second order of business and the introduction of guests.

Pending announcement of a meeting of the Committee on Rules,

On motion of Senator Takubo, at 8:04 p.m., the Senate recessed until 8:30 p.m. tonight.

The Senate reconvened at 9:15 p.m.

At the request of Senator Takubo, and by unanimous consent, the Senate reconsidered the vote by which in earlier proceedings today it refused to concur in the House of Delegates amendments (*shown in the Senate Journal of today, pages 2748 to 2752, inclusive*), as to

Eng. Senate Bill 739, Relating to moratorium on carbon capture agreements.

The vote thereon having been reconsidered,

The question again being on the adoption of Senator Takubo's motion that the Senate refuse to concur in the House of Delegates amendments to the bill.

At the request of Senator Takubo, and by unanimous consent, his foregoing motion was withdrawn.

Thereafter, on motion of Senator Takubo, the following amendments to the House of Delegates amendments to the bill were reported by the Clerk, considered simultaneously, and adopted:

On page 3, section 4b, after line 63, by inserting a new subsection, designated subsection (h), to read as follows:

(h) For a period of 60 days from the effective date of the legislation passed during the regular session of the Legislature, 2023, establishing this article, it shall be unlawful and prohibited for any contract or agreement to be entered into which includes any provision for the selling, leasing, letting, or otherwise transferring any property rights for property situate in this state relating to any carbon storage, carbon capture, carbon sequestration, or similar methods of offset for economic or other gain.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 739—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-12-4b, relating to carbon offset agreements affecting real property interests; requiring parties to current and new carbon offset agreements to register with the West Virginia Tax Department; providing for registration requirements and identifying certain information to be submitted to the Tax

Department; providing for business registration certificates; defining terms, including carbon offset agreements and greenhouse gases; providing exceptions for underground sequestration and methane flaring; requiring reports of specified information by the Tax Department to the Legislature and Executive; authorizing generalized disclosure of information by the Tax Commissioner for said reports; specifying application of West Virginia Tax Procedure and Administration Act and West Virginia Tax Crimes and Penalties Act; declaration of a moratorium for 60 days on entering into contracts or agreements selling, leasing, letting, or otherwise transferring property rights relating to any carbon storage, carbon capture, carbon sequestration, or similar agreements, in order to give the Legislature time to deliberate and pass laws as may be determined to be necessary to prevent or mitigate substantial economic harm to West Virginia citizens and authorizing promulgation of rules by the Tax Department.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Senate Bill 739, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 739) passed with its Senate amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Jeffries—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 739) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced the adoption by that body and requested the concurrence of the Senate in the adoption of the following resolutions:

House Concurrent Resolution 52—Requesting that the Joint Committee on Government and Finance study the financial effects of raising the threshold from \$25,000 to \$50,000 for the requirement of bids for municipal, public service district, county, and state public works projects.

House Concurrent Resolution 78—Proclaiming the extension of a state of emergency in our correctional institutions.

House Concurrent Resolution 80—Requesting the Joint Committee on Government and Finance to study pediatric cancer in Appalachia and to provide directive language asking for a report on this issue in the Appalachian region.

House Concurrent Resolution 82—Proclaiming the month of February to be designated annually as West Virginia Cancer Prevention Month.

At the request of Senator Takubo, and by unanimous consent, reference of the resolutions to a committee was dispensed with, and they were taken up for immediate consideration and considered simultaneously.

The question being on the adoption of the resolutions (H. C. R. 52, 78, 80, and 82), the same was put and prevailed.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

The Senate again proceeded to the fourth order of business.

Senator Blair (Mr. President), from the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration

Senate Concurrent Resolution 18, Requesting Joint Committee on Government and Finance study increasing availability of prescription nonopioid medications.

Senate Concurrent Resolution 19, Requesting Joint Committee on Government Organization study operations of Division of Personnel.

Senate Concurrent Resolution 20, Requesting Joint Committee on Judiciary study operations of WV BRIM.

And,

Senate Concurrent Resolution 22, Requesting study on need for awarding attorney's fees and recovering damages in civil tort actions.

And reports the same back with the recommendation that they each be adopted.

Respectfully submitted,

Craig Blair,
Chair ex officio.

At the request of Senator Takubo, unanimous consent being granted, the resolutions (S. C. R. 18, 19, 20, and 22) contained in the preceding report from the Committee on Rules were taken up for immediate consideration and considered simultaneously.

The question being on the adoption of the resolutions, the same was put and prevailed.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Senator Blair (Mr. President), from the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration

Senate Concurrent Resolution 26, Requesting study on creation and implementation of earned compliance credit program for parolees and probationers.

And reports the same back with the recommendation that it be adopted.

Respectfully submitted,

Craig Blair,
Chair ex officio.

At the request of Senator Takubo, unanimous consent being granted, the resolution (S. C. R. 26) contained in the preceding report from the Committee on Rules was taken up for immediate consideration.

The question being on the adoption of the resolution, the same was put and prevailed.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

At the request of Senator Takubo, unanimous consent being granted, the Senate returned to the second order of business and the introduction of guests.

The Senate again proceeded to the fourth order of business.

Senator Blair (Mr. President), from the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration

Senate Concurrent Resolution 27 (originating in the Committee on Rules)—Requesting that the Joint Committee on the Judiciary commission a study on requiring the use of E-Verify for all employers, both public and private, and any employer with a public contract that is paid for using West Virginia taxpayers' dollars.

And,

Senate Concurrent Resolution 28 (originating in the Committee on Rules)—Requesting that the Joint Committee on Government and Finance study whether legislation is needed to address privacy in the social care and health-related social needs space.

And reports the same back with the recommendation that they each be adopted.

Respectfully submitted,

Craig Blair,
Chair ex officio.

At the request of Senator Takubo, unanimous consent being granted, the resolutions (S. C. R. 27 and 28) contained in the preceding report from the Committee on Rules were each taken up for immediate consideration.

The question being on the adoption of the resolutions, the same was put and prevailed.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Senator Maroney, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Com. Sub. for Senate Bill 617, Relating to Intellectual and Development Disabilities Waiver Program Workforce Study.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendments of the House to Engrossed Committee Substitute for Senate Bill 617 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

ARTICLE 5W. REGULATION OF BEHAVIORAL HEALTH.

§16-5W-1. Reporting.

(a) The Office of the Inspector General shall send to county prosecutors any findings that may be subject to criminal prosecution in cases of abuse and neglect with IDD. The Office of the Inspector General shall send to the P&A the findings of any cases involving instances of substantiated abuse or neglect involving a person with a developmental disability.

(b) An annual report shall be submitted to the Legislative Oversight Commission on Health and Human Resources Accountability including:

(1) All instances where abuse and neglect cases involving IDD at any location has been substantiated by the Office of the Inspector General.

(2) The county or region where the substantiated abuse or neglect occurred;

(2) The descriptive category of the abuse and neglect;

(3) The type of setting where the abuse and neglect occurred;

(4) Whether the abuse and neglect information was turned over to the county prosecutor and law enforcement;

(5) The name of the provider, if the provider is involved, who is charged with the care of the individual; and

(6) The age range and gender of the individual.

(c) In instances where abuse and/or neglect leads to the death of an individual, the department shall send a letter, within 30 days after the findings where substantiated, to the Senate President, the Speaker of the House, and the chairs of LOCHHRA outlining the information above about the case.

§16-5W-2. Independent Mental Health Ombudsman.

(a) (1) The Office of the Inspector General shall continue an independent mental health ombudsman;

(2) The duties of the mental health ombudsman shall include, but are not limited to, the following:

(A) Advocating for the well-being, treatment, safety, and rights of consumers of mental health care facilities or psychiatric hospital;

(B) Participating in any procedure to investigate, and resolve complaints filed on behalf of a consumer of a mental health care facility or psychiatric hospital, relating to action, inaction, or decisions of providers of mental and behavioral health, of public agencies, or social service agencies, which may adversely affect the health, safety, welfare, and rights of a consumer of a mental health care facility or psychiatric hospital; and

(C) Monitoring the development and implementation of federal, state, and local legislation, regulations, and policies with respect to mental and behavioral health care and services;

(3) The mental health ombudsman shall participate in ongoing training programs related to his or her duties or responsibilities;

(4)(A) Information relating to any investigation of a complaint that contains the identity of the complainant or consumer shall remain confidential except:

(i) Where imminent risk of serious harm is communicated directly to the mental health ombudsman or his or her staff; or

(ii) Where disclosure is necessary to the Office of Health Facility Licensure and Certification in order for such office to determine the appropriateness of initiating an investigation to determine facility compliance with applicable rules of licensure, certification, or both;

(B) The mental health ombudsman shall maintain confidentiality with respect to all matters including the identities of complainants, witnesses, or others from whom information is acquired, except insofar as disclosures may be necessary to enable the mental health care ombudsman to carry out duties of the office or to support recommendations;

(C) All information, records, and reports received by or developed by the mental health ombudsman program which relate to a consumer of a mental health care facility or psychiatric hospital, including written material identifying a consumer are confidential, and are not subject to the provisions of §29-1-1, *et seq.* of this code, and may not be disclosed or released by the mental health ombudsman program, except under the circumstances enumerated in this section;

(D) Nothing in this section prohibits the preparation and submission by the mental health ombudsman of statistical data and reports, as required to implement the provisions of this section or any applicable federal law, exclusive of any material that identifies any consumer or complainant; and

(E) The Inspector General shall have access to the records and files of the mental health ombudsman program to verify its effectiveness and quality.

§16-5W-3. Intellectual and Developmental Disabilities Waiver Program workforce study.

(a) By July 1, 2023, the Legislative Oversight Commission on Health and Human Resources Accountability shall conduct a workforce study pertaining to the Intellectual and Developmental

Disabilities Waiver Program (IDDW Program). The study shall use data and statistics generally relied upon by reasonably prudent individuals, and shall determine/address the following:

(1) The categories of personnel offering services as part of the IDDW Program;

(2) The mean hourly pay rate for each such category of personnel, broken down by West Virginia County where service is provided to patients;

(3) The mean hourly pay rate for each such category of personnel offering services as part of programs equivalent to the IDDW Program in surrounding states.

(4) A comparison of the hourly pay rates identified in subdivisions 2 and 3 of this section, broken down by category of personnel; and

(5) Any other factor the commission reasonably deems relevant to the issues.

(b) Within the report the commission shall make recommendations as to the appropriateness of the current mean hourly pay rate for each category of IDDW Program personnel, as well as any potential pay rate increases necessary to ensure that the IDDW Programs can successfully recruit and retain qualified personnel.

(c) The commission shall issue the report by January 1, 2024.

§16-5W-4. Annual capitation rate review.

(a) The Bureau of Medicaid Services shall conduct an annual study reviewing the adequacy and appropriateness of the reimbursement rates to providers in the IDDW Program. The bureau shall also include a recommendation for any adjustment deemed appropriate, including, but not limited to, annual inflationary costs, costs arising from amendments to existing contracts, costs relating to recruiting and retaining personnel, and any other costs necessitating additional payments to IDDW

providers. The bureau may require, and contracted providers shall provide financial data to the bureau to assist in the study. Without limiting the generality of the foregoing in conducting this study, the bureau shall review and compare equivalent programs both in and out of state in order to determine appropriate rates.

(b) Upon completion of the study, BMS shall provide the report to the Joint Committee of Finance beginning July 1, 2024, and annually thereafter, on its findings, conclusions, and recommendations, together with drafts of any legislation necessary to effectuate its recommendations.

CHAPTER 27. MENTALLY ILL PERSONS.

~~ARTICLE 8. MAINTENANCE OF MENTALLY ILL OR MENTALLY RETARDED PATIENTS.~~

§27-8-2b. Local mental health programs — Separate account for receiving and expending gifts, bequests, donations, fees and miscellaneous income.

[Repealed.]

§27-8-3. Care of patients in boarding homes.

[Repealed.]

~~ARTICLE 16. STERILIZATION OF MENTAL DEFECTIVES~~

And,

That both houses recede from their respective positions as to the title of the bill and agree to the same as follows:

Eng. Com. Sub. for Senate Bill 617—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated, §16-5W-1, §16-5W-2, §16-5W-3, and §16-5W-4; and to repeal §27-8-2b and §27-8-3 of said code; all relating to behavioral health services; establishing a mental health ombudsman; providing authority to the ombudsman; providing an exemption of consumer information from the Freedom of Information Act; requiring reporting; requiring a workforce study;

outlining program data required to be included in the study; requiring recommendations for hourly pay; creating an annual capitation review; repealing antiquated code; and repealing antiquated terminology.

Respectfully submitted,

Michael J. Maroney (*Chair*), Jason Barrett, Michael A. Woelfel, *Conferees on the part of the Senate*.

Amy Summers (*Chair*), John Hardy, John Williams, *Conferees on the part of the House of Delegates*.

On motions of Senator Maroney, severally made, the report of the committee of conference was taken up for immediate consideration and adopted.

Engrossed Committee Substitute for Senate Bill 617, as amended by the conference report, was then put upon its passage.

On the passage of the bill, as amended, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Woelfel—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 617) passed with its conference amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, and requested

the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. Com. Sub. for House Bill 2007, Prohibiting certain medical practices.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendments to the bill were reported by the Clerk:

On page 1, line 14, by striking the word, "alteration" and inserting the word, "transition";

On page 2, line 33, by striking the word, "alteration" and inserting the word, "transition";

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for House Bill 2007—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-3-20; and to amend said code by adding thereto a new section, designated §30-14-17, all relating to prohibiting certain medical practices; defining terms; prohibiting irreversible gender reassignment surgery to a minor; prohibiting the providing of gender altering medication to a minor; providing exceptions; establishing an internal effective date.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendments to the bill.

Engrossed Committee Substitute for House Bill 2007, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips,

Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woodrum, and Blair (Mr. President)—30.

The nays were: Caputo and Plymale—2.

Absent: Jeffries and Woelfel—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2007) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendment to the House of Delegates amendments and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for Senate Bill 426, Banning use of certain products and platforms deemed unsafe or high risk on government systems.

On motion of Senator Takubo, the Senate refused to recede from its amendment to the House amendments to the bill and requested the House of Delegates to reconsider its position.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

On motion of Senator Takubo, at 10:17 p.m., the Senate recessed until 10:30 p.m. tonight.

The Senate reconvened at 11:04 p.m.

A message from the Clerk of the House of Delegates announced that that body had receded from its amendments to, and the passage as amended by deletion, of

Eng. Com. Sub. for Senate Bill 187, Making it felony offense for school employee or volunteer to engage in sexual contact with students.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendments to, and the passage as amended with its Senate amended title, to take effect January 1, 2024, of

Eng. Com. Sub. for Senate Bill 577, Reducing copay cap on insulin and devices and permitting purchase of testing equipment without prescription.

A message from the Clerk of the House of Delegates announced that that body had receded from its amendments to, and the passage as amended by deletion, of

Eng. Senate Bill 625, Requiring certain transcripts to be accepted as record of student's performance for placement in micro school programs.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, to take effect from passage, of

Eng. Com. Sub. for House Bill 2900, Relating to the Deputy Sheriff Retirement System.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, to take effect from passage, of

Eng. Com. Sub. for House Bill 3040, Supplementing and amending appropriations to the Department of Administration, Office of the Secretary.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as

amended with its House of Delegates amended title, to take effect January 1, 2024, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. Com. Sub. for House Bill 3153, Relating to distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendments to the bill were reported by the Clerk:

On page 2, following section 7, by striking the remainder of the bill and inserting in lieu thereof the following:

CHAPTER 33. INSURANCE.

ARTICLE 3. LICENSING, FEES, AND TAXATION OF INSURERS.

§33-3-14d. Additional fire and casualty insurance premium tax; allocation of proceeds; effective date.

(a) (1) For the purpose of providing additional revenue for municipal policemen's and firemen's pension and relief funds and the Teachers Retirement System Reserve Fund and for volunteer and part-volunteer fire companies and departments, there is hereby levied and imposed an additional premium tax equal to one percent of taxable premiums for fire insurance and casualty insurance policies. For purposes of this section, casualty insurance does not include insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transaction or insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction while the debtor is disabled as defined in the policy.

(2) All moneys collected from this additional tax shall be received by the commissioner and paid by him or her into a special

account in the State Treasury, designated the Municipal Pensions and Protection Fund, ~~to be allocated as follows: *Provided, That on or after January 1, 2010, the commissioner shall pay*~~

(A) Ten percent of the amount collected ~~to~~ shall be deposited in the Teachers Retirement System Reserve Fund created in §18-7A-18 of this code;

(B) Twenty-five percent of the amount collected ~~to~~ shall be deposited in the Fire Protection Fund created in section 33 of this article for allocation distribution by the State Treasurer to volunteer and part-volunteer fire companies and departments according to the requirements of §33-3-33 of this code; and

~~65% of the amount collected to the Municipal Pensions and Protection Fund: *Provided, however, That upon notification by the Municipal Pensions Oversight Board pursuant to the provisions of §8-22-18b of this code, on or after January 1, 2010, or as soon thereafter as the Municipal Pensions Oversight Board is prepared to receive the funds,*~~

(C) Sixty-five percent of the amount collected by the commissioner shall be deposited in the Municipal Pensions Security Fund created in §8-22-18b of this code the net proceeds of this tax after appropriation thereof by the Legislature is to be distributed in accordance with the provisions of this section, except for distribution from proceeds pursuant to §8-22-18a(d) of this code.

(b) *Municipal Pensions Security Fund allocation and distribution* —

(1) Before August 1 of each year, the treasurer of each municipality in which a municipal policemen's or firemen's pension and relief fund is established shall report to the ~~State Treasurer~~ Municipal Pensions Oversight Board the average monthly number of members who worked at least 100 hours per month and the average monthly number of retired members of municipal policemen's or firemen's pension and relief fund or the Municipal Police Officers and Firefighters Retirement System

during the preceding fiscal year. *Provided*, ~~That beginning in the year 2010 and continuing thereafter, the report shall be made to the oversight board created in §8-22-18a of this code. These reports received by the oversight board shall be provided~~ The reports received by the Municipal Pensions Oversight Board shall be provided annually to the State Treasurer by September 1.

(2) ~~Before September 1 of each calendar year, the State Treasurer, or the Municipal Pensions Oversight Board once in operation, shall allocate and authorize for distribution the revenues in the Municipal Pensions and Protection Fund which were collected during the preceding calendar year for the purposes set forth in this section. Before September 1 of each calendar year, and after the Municipal Pensions Oversight Board has notified the Treasurer and commissioner pursuant to §8-22-18b of this code, the~~ The Municipal Pensions Oversight Board shall allocate and authorize for distribution the revenues in the Municipal Pensions Security Fund which were collected during the preceding calendar year for the purposes set forth in this section. In any year the actuarial report required by §8-22-20 of this code indicates no actuarial deficiency in the municipal policemen's or firemen's pension and relief fund and that no pensions funding revenue bonds of the building commission of such municipality remain outstanding, no revenues may be allocated from ~~the Municipal Pensions and Protection Fund or the Municipal Pensions Security Fund~~ to that fund. The revenues from the Municipal Pensions ~~and Protection~~ Security Fund shall then be allocated to all other pension and relief funds which have an actuarial deficiency. Pension funding revenue bonds include bonds of a municipality's building commission the net proceeds of which were used to fund either or both of a municipality's policemen's or firemen's pension and relief fund or bonds issued to refinance such bonds.

(3) ~~The Municipal Pensions Oversight Board shall annually review the investment performance of each municipal policemen's or firemen's pension and relief fund. If the municipal pension and relief fund's board fails for three consecutive years to comply with the investment provisions established by §8-22-22a of this code, the oversight board may require the municipal policemen's or~~

~~firemen's pension and relief fund to invest with the Investment Management Board to continue to receive its allocation of funds from the premium tax. If the municipal pension and relief fund fails to move its investments to the Investment Management Fund within the 18-month drawdown period, provided in §8-22-19(e) of this code, the revenues shall be reallocated to all other municipal policemen's or firemen's pension and relief funds that have drawn down one hundred percent of their allocations.~~

~~(4) The moneys, and the interest earned thereon, in the Municipal Pensions and Protection Fund allocated to volunteer and part volunteer fire companies and departments shall be allocated and distributed quarterly to the volunteer fire companies and departments. Before each distribution date, the State Fire Marshal shall report to the State Treasurer the names and addresses of all volunteer and part volunteer fire companies and departments within the state which meet the eligibility requirements established in §8-15-8a of this code.~~

~~(e) (1) Each municipal pension and relief fund shall have allocated and authorized for distribution a pro rata share of the revenues \$8,709,689.42 allocated to municipal policemen's and firemen's pension and relief funds based on the corresponding municipality's average monthly number of police officers and firefighters who worked at least one hundred hours per month during the preceding fiscal year. On and after July 1, 1997, from the growth in any moneys collected pursuant to the tax imposed by this section any amount of the collections of the tax imposed by this section in excess of \$8,709,689.42 and interest thereon, there shall be allocated and authorized for distribution to each municipal policemen's or firemen's pension and relief fund, a pro rata share of the revenues allocated to municipal policemen's and firemen's pension and relief funds based on the corresponding municipality's average number of police officers and firefighters who are members of a municipal policemen's or firemen's pension and relief fund or the Municipal Police Officers and Firefighters Retirement System and who worked at least 100 hours per month during the preceding fiscal year and average monthly number of retired police officers and firefighters during the preceding fiscal year. For the~~

~~purposes of this subsection, the growth in moneys collected from the tax collected pursuant to this section is determined by subtracting the amount of the tax collected during the fiscal year ending June 30, 1996, from the tax collected during the fiscal year for which the allocation is being made and interest thereon. All moneys received by municipal pension and relief funds under this section may be expended only for those purposes described in §8-22-16 through §8-22-28a of this code. Notwithstanding the foregoing provision of this subdivision, if a municipality has outstanding pension funding revenue bonds and continues to pay the normal cost of its policemen's and firemen's pension and relief funds, then the allocable share of revenues to be allocated which would otherwise have been allocated to a municipal policemen's or firemen's pension and relief fund shall instead be allocated to the trustee of any outstanding pension funding revenue bonds.~~

~~(2) Each volunteer fire company or department shall receive an equal share of the revenues allocated for volunteer and part-volunteer fire companies and departments.~~

~~(3) In addition to the share allocated and distributed in accordance with subdivision (1) of this subsection, each municipal fire department composed of full time paid members and volunteers and part-volunteer fire companies and departments shall receive a share equal to the share distributed to volunteer fire companies under subdivision (2) of this subsection reduced by an amount equal to the share multiplied by the ratio of the number of full-time paid fire department members who are also members of a municipal firemen's pension and relief fund or the Municipal Police Officers and Firefighters Retirement System to the total number of members of the fire department. (4) If a municipality has outstanding pension funding revenue bonds and continues to pay the normal cost of its policemen's and firemen's pension and relief funds, then the share that would otherwise be payable to the municipality's firemen's pension and relief fund pursuant to this subsection shall be paid to the trustee of such outstanding pension funding revenue bonds.~~

~~(d)~~ (5) The allocation and distribution of revenues provided in this section are subject to the provisions of §8-22-20, §8-15-8a, and §8-15-8b of ~~said chapter~~ this code.

(c) Based upon the findings of an audit by the Treasurer, the Legislature hereby finds and declares that during the period of 1982 through April 27, 2012, allocations from the Municipal Pensions and Protection Fund were miscalculated and errors were made in amounts transferred, resulting in overpayments and underpayments to the relief and pension funds and to the Teachers Retirement System, and that the relief and pension funds and the Teachers Retirement System were not at fault for any of the overpayments and underpayments. The Legislature hereby further finds and declares that any attempt by the Municipal Pension Oversight Board or other entity to recover any of the overpayments would be unjust and create economic hardship for the entities that received overpayments. No entity, including, without limitation, the Municipal Pension Oversight Board, may seek to recover from a relief or pension fund, the Teachers Retirement System or the state any overpayments received from the Municipal Pensions and Protection Fund and the overpayments are not subject to recovery, offset or litigation. Pursuant to the audit by the Treasurer, the amount of \$3,631,846.55 is determined owed to specific relief and pension funds through the period of April 27, 2012. The Treasurer is hereby authorized to transfer the amount of \$3,631,846.55 from the Unclaimed Property Trust Fund to the Municipal Pensions and Protection Fund, which is hereby reopened for the sole purpose of the transfer and remittances pursuant to this subsection, and to use the amount transferred to remit the amounts due to the pension and relief funds. The payment of \$3,631,846.55 to the pension and relief funds is complete satisfaction of any amounts due and no entity, including, without limitation, the Municipal Pension Oversight Board and any pension or relief fund, may seek to recover any further amounts.

(d) The Municipal Pensions Oversight Board shall annually review the investment performance of each municipal policemen's or firemen's pension and relief fund. If a municipal pension and relief fund's board fails for three consecutive years to comply with

the investment provisions established by §8-22-22a of this code, the oversight board may require the municipal policemen's or firemen's pension and relief fund to invest with the Investment Management Board to continue to receive its allocation of funds from the premium tax. If the municipal pension and relief fund fails to move its investments to the Investment Management Fund within the 18-month drawdown period provided in §8-22-19(e) of this code, the revenues shall be reallocated to all other municipal policemen's or firemen's pension and relief funds that have drawn down 100 percent of their allocations.

§33-3-33. Surcharge on fire and casualty insurance policies to benefit volunteer and part-volunteer fire departments and emergency medical services providers; ~~Public Employees Insurance Agency and municipal pension plans; special fund created~~; Fire Protection Fund; allocation of proceeds. effective date.

(a) For the purposes of this section:

(1) "Full-time paid members" means the members of a fire department who are compensated to provide services to the department on a full-time basis and are also members of a municipal firemen's pension and relief fund or the Municipal Police Officers and Firefighters Retirement System.

(2) The "policy surcharge" refers to the surcharge on certain insurance policies imposed by subsection (b) of this section.

(3) "Volunteer fire departments" or "departments" includes volunteer and part-volunteer fire departments and companies, as described in §18-15-1 *et seq.* of this code.

(b) (1) For the purpose of providing additional revenue for volunteer fire departments, part-volunteer fire departments and certain retired teachers and the teachers retirement reserve fund, there is hereby authorized and imposed on and after July 1, 1992, on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to one

percent of the taxable premium for each such policy. After June 30, 2005, the surcharge shall be imposed as specified in subdivisions (2), ~~(3)~~ and ~~(3)~~ (4) of this subsection.

(2) After June 30, 2005, through December 31, 2005, for the purpose of providing additional revenue for volunteer fire departments, part-volunteer fire departments and to provide additional revenue to the Public Employees Insurance Agency and municipal pension plans, there is hereby authorized and imposed on and after July 1, 2005, on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to one percent of the taxable premium for each such policy.

(3) After December 31, 2005, through December 31, 2023, for the purpose of providing additional revenue for volunteer fire departments and part-volunteer fire departments, there is hereby authorized and imposed on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to 0.55% of the taxable premium for each such policy.

(4) After December 31, 2023, for the purpose of providing additional revenue for volunteer fire departments and emergency medical services providers, there is hereby authorized and imposed on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to one percent of the taxable premium for each such policy. The policy surcharge is separate from and in addition to the tax imposed by §33-3-14d of this code.

~~(4)~~ (c) For purposes of this section, casualty insurance ~~may~~ does not include insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transaction or insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction while the debtor is disabled as defined in the policy. The policy surcharge ~~may~~ is

not be subject to premium taxes, agent commissions, or any other assessment against premiums.

~~(b)~~ (d) The policy surcharge imposed by this section shall be collected and remitted to the commissioner by the insurer, or in the case of surplus lines coverage, by the surplus lines licensee, or if the policy is issued by a risk retention group, by the risk retention group. The amount required to be collected under this section shall be remitted to the commissioner on a quarterly basis on or before the 25th day of the month succeeding the end of the quarter in which they are collected, except for the fourth quarter for which the surcharge shall be remitted on or before March 1 of the succeeding year. All money from the policy surcharge shall be collected by the commissioner, who shall disburse 77.5 percent of the money received from the surcharge into the Fire Protection Fund for distribution as provided in subsection (f) of this section. The commissioner shall disburse 22.5 percent of the money received from the surcharge into the Emergency Medical Services Equipment and Training Fund established in §16-4C-24 of this code for disbursement in accordance with the provisions of that section.

(e) (e) Any person failing or refusing to collect and remit to the commissioner any policy surcharge and whose surcharge payments are not postmarked by the due dates for quarterly filing is liable for a civil penalty of up to \$100 for each day of delinquency, to be assessed by the commissioner. The commissioner may suspend the insurer, broker, or risk retention group until all surcharge payments and penalties are remitted in full to the commissioner.

~~(d)~~ (f) *Fire Protection Fund allocation and distribution.* —

(1) ~~All money from the policy surcharge shall be collected by the Commissioner who shall disburse the money received from the surcharge into a special account in the state Treasury, designated the Fire Protection Fund. The State Treasurer's Office shall distribute the net proceeds of this portion of the tax the portion of the policy surcharge deposited into the Fire Protection Fund pursuant to §33-3-33 of this code, the amount deposited into the Fire Protection Fund pursuant to §29-3E-7 of this code, the amount~~

deposited into the Fire Protection Fund pursuant to §33-3-14d of this code, and the amount deposited into the Fire Protection Fund pursuant to §33-12C-7 of this code, and the interest thereon on a quarterly basis, after appropriation by the Legislature. shall be distributed quarterly The distributions shall occur on the first day of the months of January, April, July, and October to each eligible volunteer fire company or department, on an equal share basis by the state Treasurer. After June 30, 2005, the money received from the surcharge shall be distributed as specified in subdivisions (2) and (3) of this subsection.

(2)(A) After June 30, 2005, through December 31, 2005, all money from the policy surcharge shall be collected by the Commissioner who shall disburse one half of the money received from the surcharge into the Fire Protection Fund for distribution as provided in subdivision (1) of this subsection.

(B) The remaining portion of moneys collected shall be transferred into the fund in the state Treasury of the Public Employees Insurance Agency into which are deposited the proportionate shares made by agencies of this state of the Public Employees Insurance Agency costs of those agencies, until November 1, 2005. After the October 31, 2005, through December 31, 2005, the remain portion shall be transferred to the special account in the state Treasury, known as the Municipal Pensions and Protection Fund.

(3) After December 31, 2005, all money from the policy surcharge shall be collected by the Commissioner who shall disburse all of the money received from the surcharge into the Fire Protection Fund for distribution as provided in subdivision (1) of this subsection.

(4) Before each distribution date to volunteer fire ~~companies or~~ departments, the State Fire Marshal shall report to the State Treasurer:

(A) The names and addresses of all volunteer ~~and part-~~ volunteer fire ~~companies and~~ departments within the state which

~~meet~~ met the eligibility requirements established in §8-15-8a of this code during the preceding quarter; and

(B) The number of volunteer firefighters and the number of full-time paid members providing services to each volunteer and part-volunteer department during the preceding quarter.

(5) Each eligible volunteer fire department shall receive an equal share of the amount of proceeds to be distributed each quarter: *Provided*, That each part-volunteer department's share will be reduced by a percentage amount equal to the percentage of the members of the fire department who are full-time paid members of the department, according to the report described in subdivision (4) of this subsection.

~~(e)~~ (g) The allocation, distribution, and use of revenues provided in the Fire Protection Fund are subject to the provisions of §8-15-8a and §8-15-8b of this code.

ARTICLE 12C. SURPLUS LINE.

§33-12C-7. Surplus lines tax.

(a) In addition to the full amount of gross premiums charged by the insurer for the insurance, every person licensed pursuant to §33-12C-8 of this code shall collect and pay to the commissioner a sum equal to 4.55 percent of the gross premiums and gross fees charged, less any return premiums, for surplus lines insurance provided by the licensee pursuant to the license; *Provided*, That after December 31, 2023, the sum collected by the licensee pursuant to this subsection shall be equal to 5 percent of the gross premiums and gross fees charged, less any return premiums. Where the insurance covers properties, risks, or exposures located or to be performed both in and out of this state and this state is the insured's home state, the sum payable shall be computed on that portion of the gross premiums allocated to this state, plus an amount equal to the portion of the gross premiums allocated to other states or territories on the basis of the tax rates and fees applicable to properties, risks or exposures located or to be performed outside of this state, and less the amount of gross premiums allocated to this

state and returned to the insured due to cancellation of policy: *Provided*, That the surcharge imposed by ~~section thirty-three, article three of this chapter~~ §33-3-33 of this code on surplus lines policies shall no longer be effective with respect to premium attributable to coverage under such policies for periods after June 30, 2011: *Provided, however*, That 12 percent of taxes collected under this subsection with respect to premium attributable to coverage under such policies after June 30, 2011, shall be disbursed and distributed in accordance with subsection ~~(d)~~ (f), section thirty-three, article three of this chapter and 88 per cent in accordance with subdivision (2), subsection (f) of this section: *Provided further*, That beginning January 1, 2024, 16 percent of taxes collected under this subsection with respect to premium attributable to coverage under such policies, shall be disbursed and distributed in accordance with §33-3-33 of this code, 4 percent of taxes collected under this subsection shall be disbursed into the Emergency Medical Services Equipment and Training Fund established in §16-4C-24 of this code for distribution in accordance with the provisions of that section, and 80 percent of the taxes collected under this subsection shall be disbursed in accordance with subdivision (2), subsection (f) of this section. The tax on any portion of the premium unearned at termination of insurance having been credited by the state to the licensee shall be returned to the policyholder directly by the surplus lines licensee or through the producing broker, if any.

(b) The individual insurance producer may not:

(1) Pay directly or indirectly the tax or any portion thereof, either as an inducement to the policyholder to purchase the insurance or for any other reason; or

(2) Rebate all or part of the tax or the surplus lines licensee's commission, either as an inducement to the policyholder to purchase the insurance or for any reason.

(c) The surplus lines licensee may charge the prospective policyholder a fee for the cost of underwriting, issuing, processing, inspecting, service, or auditing the policy for placement with the surplus lines insurer if:

(1) The service is required by the surplus lines insurer;

(2) The service is actually provided by the individual insurance producer or the cost of the service is actually incurred by the surplus lines licensee; and

(3) The provision or cost of the service is reasonable, documented, and verifiable.

(d) The surplus lines licensee shall make a clear and conspicuous written disclosure to the policyholder of:

(1) The total amount of premium for the policy;

(2) Any fee charged;

(3) The total amount of any fee charged; and

(4) The total amount of tax on the premium and fee.

(e) The clear and conspicuous written disclosure required by ~~subdivision (4) of this subsection~~ (d) of this section is subject to the record maintenance requirements of §33-12C-8 of this code.

(f)(1) This tax is imposed for the purpose of providing additional revenue for municipal policemen's and firemen's pension and relief funds and additional revenue for volunteer and part-volunteer fire companies and departments. This tax is required to be paid and remitted, on a calendar year basis and in quarterly estimated installments due and payable on or before the 25th day of the month succeeding the close of the quarter in which they accrued, except for the fourth quarter, in respect of which taxes shall be due and payable and final computation of actual total liability for the prior calendar year shall be made, less credit for the three quarterly estimated payments prior made, and filed with the annual return to be made on or before March 1 of the succeeding year. Provisions of this chapter relating to the levy, imposition, and collection of the regular premium tax are applicable to the levy, imposition, and collection of this tax to the extent that the provisions are not in conflict with this section.

(2) Except as provided in subsection (a) of this section, all taxes remitted to the commissioner pursuant to subdivision (1) of this subsection shall be paid by him or her into a special account in the State Treasury, designated Municipal Pensions and Protection Fund, or pursuant to §8-22-18b of this code, the Municipal Pensions Security Fund, and after appropriation by the Legislature, shall be distributed in accordance with ~~the provisions of subsection (c), section fourteen d, article three of this chapter~~ §33-3-14d of this code. The surplus lines licensee shall return to the policyholder the tax on any unearned portion of the premium returned to the policyholder because of cancellation of policy.

(g) In determining the amount of gross premiums taxable in this state for a placement of surplus lines insurance covering properties, risks, or exposures only partially located or to be performed in this state, the tax due shall be computed on the portions of the premiums which are attributable to properties, risks, or exposures located or to be performed in this state and which relates to the kinds of insurance being placed as determined by reference to an appropriate allocation table.

(1) If a policy covers more than one classification:

(A) For any portion of the coverage identified by a classification on the allocation schedule, the tax shall be computed by using the allocation schedule for the corresponding portion of the premium;

(B) For any portion of the coverage not identified by a classification on the allocation schedule, the tax shall be computed by using an alternative equitable method of allocation for the property or risk;

(C) For any portion of the coverage where the premium is indivisible, the tax shall be computed by using the method of allocation which pertains to the classification describing the predominant coverage.

(2) If the information provided by the surplus lines licensee is insufficient to substantiate the method of allocation used by the

surplus lines licensee, or if the commissioner determines that the licensee's method is incorrect, the commissioner shall determine the equitable and appropriate amount of tax due to this state as follows:

(A) By use of the allocation schedule where the risk is appropriately identified in the schedule;

(B) Where the allocation schedule does not identify a classification appropriate to the coverage, the commissioner may give significant weight to documented evidence of the underwriting bases and other criteria used by the insurer. The commissioner may also consider other available information to the extent sufficient and relevant, including the percentage of the insured's physical assets in this state, the percentage of the insured's sales in this state, the percentage of income or resources derived from this state, and the amount of premium tax paid to another jurisdiction for the policy.

(h) The commissioner is authorized to participate in a clearinghouse established through NIMA or in a similar allocation procedure for the purpose of collecting and disbursing to signatory states any funds collected pursuant to this section that are allocable to properties, risks, or exposures located or to be performed outside of this state: *Provided*, That twelve per cent of any moneys received from a clearinghouse or through a similar allocation procedure is are subject to the provisions of subsection ~~(d)~~ (f), section thirty-three, article three of this chapter and 88 percent of such moneys ~~is~~ are subject to the provisions of subdivision (2), subsection (f) of this section: *Provided, however*, That beginning January 1, 2024, 16 percent of any moneys received from a clearinghouse or through a similar allocation procedure is are subject to the provisions of §33-3-33 of this code, four percent of such moneys are subject to the provisions of §16-4C-24 of this code, and 80 percent of such moneys is are subject to the provisions of subdivision (2), subsection (f) of this section: *Provided, further*, That to the extent other states where portions of the properties, risks, or exposures reside have failed to enter into NIMA or a similar allocation procedure with this state, the net premium tax collected shall be retained by this state and shall be disbursed and

distributed in the same manner as moneys received through a clearinghouse or similar allocation procedure.

(i) Collection of tax.

If the tax owed by a surplus lines licensee under this section has been collected and is not paid within the time prescribed, the same shall be recoverable in a suit brought by the commissioner against the surplus lines licensee. The commissioner may charge interest for any unpaid tax, fee, financial assessment or penalty, or portion thereof: *Provided*, That interest may not be charged on interest. Interest shall be calculated using the annual rates which are established by the Tax Commissioner pursuant to §11-10-17a of this code and shall accrue daily.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for House Bill 3153—A Bill to amend and reenact §29-3E-7 of the Code of West Virginia, 1931, as amended; to amend and reenact §33-3-14d and §33-3-33 of said code; and to amend and reenact §33-12C-7 of said code, all relating to distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers; defining terms; providing method of allocation and distribution for proceeds of fireworks safety fee deposited in Fire Protection Fund; eliminating obsolete language; increasing surcharge on fire and casualty policies; providing method of allocation of policy surcharge; requiring the State Fire Marshal provide certain information to the State Treasurer; increasing tax on surplus lines policies; providing method of allocation of surplus lines policy tax; and clarifying requirements for distribution of funds in Fire Protection Fund.

Senator Takubo moved that the Senate refuse to concur in the foregoing House amendments to the bill (Eng. Com. Sub. for H. B. 3153) with the exception of the House amendment providing for

an internal effective date for the policy surcharge increase of .45 percent to begin January 1, 2024.

Following discussion,

The question being on the adoption of Senator Takubo's aforestated motion, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 3153, as amended by the Senate and the House of Delegates, in part, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Boley and Jeffries—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3153) passed with its Senate amended title.

Senator Takubo moved that the bill take effect January 1, 2024.

On this question, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Boley and Jeffries—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3153) takes effect January 1, 2024.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

At the request of Senator Takubo, unanimous consent being granted, Senators Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, and Woodrum offered the following resolution from the floor:

Senate Resolution 50—Strongly urging West Virginia's congressional delegation to support legislative measures to improve federal enforcement of safety standards for railroads in West Virginia, following a series of train derailments directly impacting the health and safety of West Virginia citizens.

At the request of Senator Takubo, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Senator Blair (Mr. President), from the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration

Eng. House Bill 3199, Relating to removing the requirement that an ectopic pregnancy be reported.

Now on third reading, with the right to amend, having been referred to the Committee on Rules on March 2, 2023;

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Craig Blair,
Chair ex officio.

At the request of Senator Takubo, unanimous consent being granted, the bill (Eng. H. B. 3199) contained in the preceding report from the Committee on Rules was taken up for immediate consideration and read a third time.

There being no amendments offered,

Engrossed House Bill 3199 was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Stover, Swope, Takubo, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—23.

The nays were: Chapman, Karnes, Martin, Maynard, Rucker, Smith, Stuart, and Taylor—8.

Absent: Boley, Jeffries, and Tarr—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 3199) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Stover, Swope, Takubo, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—23.

The nays were: Chapman, Karnes, Martin, Maynard, Rucker, Smith, Stuart, and Taylor—8.

Absent: Boley, Jeffries, and Tarr—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 3199) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

At the request of Senator Takubo, unanimous consent being granted, the Senate reconsidered its action by which in prior proceedings tonight it refused to concur in the House amendments with the exception of the amendment providing for an internal effective date for the policy surcharge increase of .45 percent to begin January 1, 2024 (*shown in the Senate Journal of today, pages 3047 to 3063, inclusive*), as to

Eng. Com. Sub. for House Bill 3153, Relating to distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers.

The vote thereon having been reconsidered,

The question again being on the adoption of Senator Takubo's motion that the Senate refuse to concur in the House amendments to the bill with the exception of the amendment providing for an internal effective date for the policy surcharge increase of .45 percent to begin January 1, 2024.

At the request of Senator Takubo, and by unanimous consent, his foregoing motion was withdrawn.

Thereafter, on motion of Senator Takubo, the Senate refused to concur in the House amendments to Engrossed Committee Substitute for House Bill 3153 (*shown in the Senate journal of today, pages 3047 to 3062, inclusive*) and requested the House of Delegates to recede therefrom.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced the adoption by that body of the committee of conference report, passage as amended by the conference report with its conference amended title, and requested the concurrence of the Senate in the adoption thereof, as to

Eng. Com. Sub. for House Bill 3261, Relating to Social Workers Qualifications.

Whereupon, Senator Trump, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Com. Sub. for House Bill 3261, Relating to Social Workers Qualifications.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendment of the Senate to Engrossed Committee Substitute for House Bill 3261 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses as follows:

That both houses recede from their respective positions as to the amendment of the Senate on pages 3 through 4, by striking out all of section 110a, and that the Senate and House agree to an amendment as follows:

CHAPTER 49. CHILD WELFARE.

ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.

§49-2-110a Bureau of Social Service authority to hire and employ workers who are not social workers in geographical areas of critical shortage.

(a) The Legislature hereby finds that there is a crisis in West Virginia in certain geographical regions of the state, that is caused by an absence of people employed by the Department of Health and Human Resources as child protective services workers, youth case workers, and support staff for these positions.

(b) Notwithstanding any other provisions of this code to the contrary, the Bureau of Social Services, pursuant to the provisions of this section, may establish a pilot program to employ persons who do not hold a social worker's license and persons who are not on the social work register to work for the bureau as child

protective services workers, youth case workers and support staff, in geographical areas of critical shortage of this state.

(c) For purposes of this pilot program and this section, "geographical areas of critical shortage" means the counties comprising the 14th judicial circuit and the 23rd judicial circuit as of the effective date of the amendments to the section enacted during the 2023 regular session of the Legislature.

(d) Workers hired by the bureau under this section to work in geographical areas of critical shortage may be employed by the bureau and work in said geographical areas as child protective services workers, youth service workers, case managers, clerical staff and in other related positions for the bureau. Wherever possible, workers hired pursuant to this section shall be supervised by a licensed social worker.

(e) The provisions of this section shall operate independently of, and in addition to, any other provisions of law or policy that allow persons to be employed in these jobs, and the provisions of this section do not eliminate any other provisions of law that permit persons to be employed in the jobs described in this section.

(f) In order for a person to be eligible for employment under this section, he or she shall:

(1) Be at least 18 years of age.

(2)(A) Have an associate's degree or higher in social work, human services, sociology, psychology, or social services from an accredited college, university, community and technical college, community college or junior college; or

(B) Be an honorably retired law enforcement officer or be an honorably retired parole officer or honorably retired federal or state probation officer.

(3) Provide to the bureau three letters of recommendation from persons not related to the applicant.

(4) Not be an alcohol or drug abuser, as these terms are defined in §27-1A-11 of this code: Provided, That an applicant in an active recovery process, which may, in the discretion of the bureau, be evidenced by participation in an acknowledged substance abuse treatment and/or recovery program, may be considered;

(5) Satisfy the requirements of the West Virginia Clearance for Access Registry and Employment Screening Act, §16-49-1 et seq. of this code; and

(6) Satisfy the requirements provided in §30-1-24 of this code.

(C) Meet any other requirements established by the bureau.

(g) The bureau shall provide training to any and all persons hired and employed hereunder, as the bureau deems appropriate.

(h) The provisions of this section authorizing the hiring of persons shall sunset, expire, and be of no force and effect on or after the 31st day of December 2026, but shall not serve to require the termination of persons hired pursuant to this section.

And,

That both houses recede from their respective positions as to the title of the bill and agree to the same as follows:

Eng. Com. Sub. for House Bill 3261—A Bill to amend and reenact §30-30-16 of the Code of West Virginia, 1931, as amended; and to further amend said code by adding thereto a new section, designated §49-2-110a all relating to social work and child welfare generally; directing that provisional social workers who are laid off or ill during the four year provisional licensure period may request the West Virginia Board of Social Work allow a reasonable interruption in service and allow additional time to complete the licensure requirements; declaring a crisis exists in certain parts of the state due to an absence of child protective services, youth services workers, youth case workers and support staff; defining affected geographical areas; establishing a three year pilot program in two judicial circuits; designating the 14th and 23rd judicial

circuits as the pilot program judicial circuits; authorizing the hiring of persons not on the

[CLERK'S NOTE: Text shown is as submitted at Clerk's desk.]

Respectfully submitted,

Chris Phillips (*Chair*), Pat McGeehan, Kayla Young,
Conferees on the part of the House of Delegates.

Charles S. Trump IV (*Chair*), Tom Takubo, Robert H. Plymale, *Conferees on the part of the Senate.*

Senator Trump, Senate cochair of the committee of conference, was recognized to explain the report.

Thereafter, on motion of Senator Trump, the report was taken up for immediate consideration and adopted.

Engrossed Committee Substitute for House Bill 3261, as amended by the conference report, was then put upon its passage.

On the passage of the bill, as amended, the yeas were: Azinger, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—30.

The nays were: Chapman—1.

Absent: Barrett, Boley, and Jeffries—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3261) passed with its conference amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the adoption by that body of the committee of

conference report, passage as amended by the conference report with its conference amended title, and requested the concurrence of the Senate in the adoption thereof, as to

Eng. Com. Sub. for House Bill 3302, To recognize unborn child as distinct victim in a DUI causing death.

Whereupon, Senator Deeds, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Com. Sub. for House Bill 3302, To recognize unborn child as distinct victim in a DUI causing death.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendment of the Senate to Engrossed Committee Substitute for House Bill 3302 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses as follows:

That the Senate recede from its amendment striking everything after the enacting clause;

And,

That both houses recede from their respective positions as to the title of the bill and agree to a new title to read as follows:

Eng. Com. Sub. for House Bill 3302—A Bill to amend and reenact §17C-5-2 of the Code of West Virginia, 1931, as amended, and to amend and reenact §61-2-30 of said code; all relating to including an embryo or fetus as a distinct unborn victim for certain driving under the influence of alcohol or drugs offenses; including an embryo or fetus as a distinct unborn victim for the offenses of driving under the influence of alcohol or drugs causing death and driving under the influence of alcohol or drugs causing serious bodily injury; clarifying that a pregnant woman and the embryo or fetus she is carrying in the womb constitute separate and distinct victims as applied to the offenses of driving under the influence of alcohol or drugs causing death and driving under the influence of

alcohol or drugs causing serious bodily injury; and establishing criminal penalties. *PREAMBLE: THIS LAW SHALL BE KNOWN AS LIAM'S LAW*

Respectfully submitted,

David Kelly (*Chair*), Bryan Ward, Joey Garcia, *Conferees on the part of the House of Delegates.*

Vince S. Deeds (*Chair*), Bill Hamilton, Michael A. Woelfel, *Conferees on the part of the Senate.*

On motions of Senator Deeds, severally made, the report of the committee of conference was taken up for immediate consideration and adopted.

Engrossed Committee Substitute for House Bill 3302, as amended by the conference report, was then put upon its passage.

On the passage of the bill, as amended, the yeas were: Azinger, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Barrett, Boley, and Jeffries—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3302) passed with its conference amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, and requested

the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. Com. Sub. for House Bill 3135, To modify the salaries of the Governor and Constitutional officers beginning January 1, 2025.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendments to the bill were reported by the Clerk:

On page one, following line seventeen, by striking out subsections (c) and (d) in their entirety and inserting in lieu thereof new subsections (c) and (d) to read as follows:

(c) Notwithstanding the provisions of subsection (a) or subsection (b) of this section, beginning calendar year 2025, and beginning in the calendar year of each fourth year thereafter, the salary of the Governor shall be set by the Salary Table For Locality Pay Area of Rest of U.S. as published by the United States Office of Personnel Management. The salary of the Governor shall be equal to the amount set as Grade 15, Step 10 on the Salary Table For Locality Pay Area of Rest of U.S. at the beginning of that calendar year and shall not be increased or diminished for the duration of the four year term of office beginning in that calendar year.

(d) Notwithstanding the provisions of subsection (a) or subsection (b) of this section, beginning calendar year 2025, and beginning in the calendar year of each fourth year thereafter, the salary of the Attorney General, Auditor, Secretary of State, Commissioner of Agriculture, and the Treasurer shall be set by the Salary Table General Schedule Increase as published by the United States Office of Personnel Management. The salary of the Attorney General, Auditor, Secretary of State, Commissioner of Agriculture, and the Treasurer shall be equal to the amount set as Grade 15, Step 4 on the Salary Table General Schedule Increase at the beginning of that calendar year and shall not be increased or diminished for

the duration of the four year terms of each of those offices beginning in that calendar year.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for House Bill 3135—A Bill to amend and reenact §6-7-2 of the Code of West Virginia, 1931, as amended, relating to compensation of designated constitutional officers, including for the Governor, Attorney General, Auditor, Secretary of State, Commissioner of Agriculture, and State Treasurer, beginning in the calendar year 2025, and beginning in the calendar year of each fourth year thereafter; providing for a means to calculate salaries of constitutional officers based upon certain federal salary tables; and providing for a salary modification when modifications are made to those salary tables at the beginning of each calendar year in which those officers' terms begin.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendments to the bill.

Engrossed Committee Substitute for House Bill 3135, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Caputo, Clements, Deeds, Hamilton, Hunt, Maroney, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Stover, Swope, Takubo, Tarr, Taylor, Trump, Woelfel, Woodrum, and Blair (Mr. President)—24.

The nays were: Chapman, Grady, Karnes, Martin, Maynard, Smith, Stuart, and Weld—8.

Absent: Boley and Jeffries—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com.

Sub. for H. B. 3135) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. Com. Sub. for House Bill 3035, Relating generally to high-quality education programs and school operations.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendments to the bill were reported by the Clerk:

On page 1, section 10, line 5, after the word "reading" by inserting the word "and mathematics";

And

On page 2, section 10, line 43, after the word, "aides", by inserting the word "paraprofessionals";

And

On page 2, section 10, line 44, after the word, "teacher", by striking out the words "or aides" and inserting a comma and the words "aides, or paraprofessionals";

And

On page 2, section 10, line 63, after the word "parent(s)" by inserting the word "or guardians";

And

On page 3, section 10, line 91, after the word "reading" by inserting the word "or mathematics";

And

On page 4, section, 10, lines 102-103, after the words "assistant teachers" by striking out the words "and aides" and inserting a comma and the words "aides and paraprofessionals";

And

On page 4, section 10, line 105, after the word "teacher" by striking out the words "or aid" and inserting a comma and the words "aides or paraprofessionals";

And

On page 7, section 10, line 173, by striking out the words "and aides" and inserting in lieu thereof "aides and paraprofessionals";

And

On page 7, section 10, line 176, after the word "teacher", by striking out the words "or aide" and inserting a comma and the words "aide or professional";

On page 7, section 10, line 179, after the word "aides" by inserting the word "paraprofessionals";

And

On page 8, section 10, line 203, after the word "arts" by inserting the word "or mathematics";

And

On pages 10-11, section 18a, lines 9-13, by striking out subdivision (2) in its entirety, and inserting in lieu thereof the following:

(2) For first, second, and third grades, not more than 25 pupils for each teacher and one early childhood classroom assistant

teacher, aide or paraprofessional in classrooms with more than 12 pupils: *Provided*, That the early childhood classroom assistant teacher/aide/paraprofessional requirement for classrooms with more than 12 pupils shall be effective beginning the 2023-2024 school year, for first grade classrooms; shall be effective beginning the 2024-2025 school year, for second grade classrooms; and shall be effective beginning the 2025-2026 school year, for third grade classrooms; *Provided however*: That if all grade level classrooms are already being served by an early childhood classroom assistant teacher/aide/paraprofessional by the school year required, the county board has the discretion to add the assistant teachers/aides/paraprofessionals in first, second and third grade classrooms of the greatest need beginning July 1, 2023 and completing full implementation by July 1, 2026 ; and

On page 10, section 18a, line 16, after the word "teacher" by striking out the words "or aide" and inserting a comma and the words "aide or paraprofessional";

And

On page 10, section 18a, line 21, after the word "teachers" by striking out the words "and aides" and inserting a comma and the words "aides and paraprofessionals";

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for House Bill 3035—A Bill to amend and reenact §18-2E-10 of the Code of West Virginia, 1931, as amended; to amend and reenact §18-5-18a of said code; to amend and reenact §18-9A-5 of said code; and to amend and reenact §18-20-10 of said code, all relating to enhancing academic achievement of students including those with learning disabilities; establishing the Third Grade Success Act; replacing transformative system of support for early literacy with multi-tiered system of support for early literacy and numeracy in kindergarten through grade three; revising findings; defining "science of reading"; revising

inclusions in West Virginia Board of Education rules required to effectuate Third Grade Success Act section; requiring each county board to adopt high-quality instructional materials; specifying data to be used to inform the classroom teacher's recommendation on grade level retention; requiring county boards of education to provide in-service training for early childhood classroom assistant teachers, aides, paraprofessionals, classroom teachers, and in certain instances, interventionists in grades kindergarten through three; updating deadlines for West Virginia Board of Education multi-tiered system of support for early literacy and numeracy reports; modifying provisions pertaining to funding for Third Grade Success Act section; requiring retention in the third grade in certain circumstances; specifying exceptions to third grade retention requirement; adding maximum early childhood classroom assistant teacher or aide-pupil ratio for kindergarten; adding maximum early childhood classroom assistant teacher, paraprofessional, or aide-pupil ratio for grades one through three; requiring ratios to be by grade level with flexibility once grade level requirement is met for full implementation by 2026; allowing county boards to employ an interventionist instead of an early childhood assistant teacher, paraprofessional or aide; removing requirement for survey of districts on class overcrowding and report to the Legislative Oversight Commission on Education Accountability a tailored plan for reducing class overcrowding; phasing in increased ratios of service personnel per 1,000 students for the purpose of determining the basic foundation allowance for service personnel; revising findings pertaining to standards to guide the preparation, certification, and professional development for teachers of reading and related literacy skills and appropriate measures for recognizing characteristics of dyslexia and dyscalculia; replacing responsibilities of the West Virginia Board of Education pertaining to specific learning disabilities, including dyslexia and dyscalculia, with duties of the state board and the local education agencies; requiring state board rule to implement section pertaining to dyslexia and dyscalculia; stating minimum inclusions for rule; requiring report of certain information to the Legislative Oversight Commission on Education Accountability.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendments to the bill.

Engrossed Committee Substitute for House Bill 3035, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Boley and Jeffries—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3035) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for House Bill 3354, To authorize municipalities to combine operations with other municipalities and counties to provide governmental services.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

On further motion of Senator Takubo, the Senate acceded to the request of the House of Delegates and receded from its amendments to the bill.

Engrossed Committee Substitute for House Bill 3354, as amended by deletion, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Boley, Grady, and Jeffries—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 3354) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the adoption of the committee of conference report, passage as amended by the conference report with its conference amended title, of

Eng. Com. Sub. for Senate Bill 617, Relating to Intellectual and Development Disabilities Waiver Program Workforce Study.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the adoption of

Com. Sub. for Senate Concurrent Resolution 11, US Army SGT Brian Christopher Karim Memorial Road.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the adoption of

Senate Concurrent Resolution 14, Supporting Medal of Valor nominees recommended by First Responders Honor Board.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the adoption, as amended, of

House Concurrent Resolution 10, Shelby "Cubby" Foster and Robert "Robbie" Collins Memorial Road.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the adoption, as amended, of

House Concurrent Resolution 23, U.S. Army SGT Theron Turner Memorial Bridge.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the adoption, as amended, of

House Concurrent Resolution 33, Lt. Col. Mitchell M. Mickel Memorial Bridge.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the adoption, as amended, of

House Concurrent Resolution 42, U. S. Army SSG William Joseph "Will" Thompson Memorial Bridge.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the adoption, as amended, of

House Concurrent Resolution 61, U.S. Army Sgt. John Edsel Edens Memorial Road.

The Senate proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senator was removed as a co-sponsor of the following bill on March 11, 2023:

Senate Bill 483: Senator Nelson.

(Senator Swope in the Chair.)

At the request of Senator Takubo, unanimous consent being granted, the Clerk was authorized to notify the House of Delegates and Governor that the Senate has completed its labors and is ready to adjourn *sine die*.

At the further request of Senator Takubo, and by unanimous consent, the Clerk of the Senate was directed to submit communications, after bills have been examined, found truly enrolled, authenticated with signatures, and presented to His Excellency, the Governor, for his action, bills passed but not presented to him prior to adjournment of the regular sixty-day session of the Legislature, showing the date such bills so enrolled were presented to the Governor; said communications to be included in the final Journal, together with Governor's action on said bills.

In accordance with the foregoing unanimous consent request, the following communications were reported by the Clerk:

The Senate of West Virginia
Charleston

LEE C. ASSIS
CLERK OF THE SENATE



SENATE CHAMBER, ROOM M-211
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305-0800
304.787.7600

March 13, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

S. B. 99, Relating to meetings among county boards of education;

Com. Sub. for S. B. 356, Authorizing DOT to promulgate legislative rules;

Com. Sub. for S. B. 451, Relating to Teachers Retirement System and Teachers' Defined Contribution Retirement System;

S. B. 452, Relating to Emergency Medical Services Retirement System;

S. B. 457, Removing certain activities Alcohol Beverage Control Commission licensee is prohibited to permit on private club premises;

S. B. 487, Extending additional modification reducing federal adjusted gross income;

Com. Sub. for S. B. 558, Prohibiting law-enforcement agencies from posting booking photographs of certain criminal defendants on social media;

S. B. 597, Allowing Workforce WV to hire classified service exempt employees;

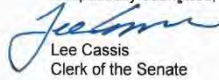
Com. Sub. for S. B. 688, Allowing BOE to hire retired teachers to assist with tutoring;

And,

Com. Sub. for S. B. 730, Expanding authority of Legislative Oversight Commission on Health and Human Resources Accountability.

These bills are presented to you on this day, March 13, 2023.

Respectfully submitted,



Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates



West Virginia House of Delegates
OFFICE OF THE CLERK
BUILDING 1, SUITE 212
1900 KANAWHA BLVD., EAST
CHARLESTON 25305

STEPHEN J. HARRISON
CLERK OF THE HOUSE

(304) 340-3200
STEVE.HARRISON@WVHOUSE.GOV

March 13, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 3113, Requiring high school students to complete course of study in personal finance;

And,

H. B. 3428, Relating to the West Virginia Business Ready Sites Program.

These bills are presented to you on this day, March 13, 2023.

Respectfully submitted,

A handwritten signature in blue ink that reads "Steve Harrison".

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M-211
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, W.V. 25305-0800
304-357-7800

March 15, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

Com. Sub. for S. B. 294, Clarifying amount of deputy sheriff annual salary increase;

And,

S. B. 678, Adding appropriations to DHHR, Division of Human Services.

These bills are presented to you on this day, March 15, 2023.

Respectfully submitted,

Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates



West Virginia House of Delegates
OFFICE OF THE CLERK
BUILDING 1, SUITE 212
1900 KANAWHA BLVD., EAST
CHARLESTON 25305

STEPHEN J. HARRISON
CLERK OF THE HOUSE

(304) 340-3200
STEVE.HARRISON@WVHOUSE.GOV

March 15, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bill, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, has been examined and found truly enrolled:

Com. Sub. for H. B. 2024, Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution.

This bill is presented to you on this day, March 15, 2023.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Steve Harrison".

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate



West Virginia House of Delegates
OFFICE OF THE CLERK
BUILDING 1, SUITE 212
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CHARLESTON 25305

STEPHEN J. HARRISON
CLERK OF THE HOUSE

(304) 340-3200
STEVE.HARRISON@WVHOUSE.GOV

March 15, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2883, Making a supplemental appropriation from the Coronavirus State Fiscal Recovery Fund;

H. B. 2904, Supplementing and amending appropriations to the Department of Commerce, Office of the Secretary;

H. B. 2906, Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, from the balance of moneys remaining as an unappropriated balance in Lottery Net Profits;

H. B. 2907, Supplementing and amending appropriations to the Department of Administration, Division of General Services;

Com. Sub. for H. B. 2908, Supplementing and amending appropriations to the Department of Commerce, Division of Forestry;

Com. Sub. for H. B. 2910, Making a supplementary appropriation to the Department of Administration, Public Defender Services;

Com. Sub. for H. B. 2911, Supplementing and amending appropriations to the Department of Homeland Security, Division of Administrative Services;

H. B. 2913, Supplementing and amending appropriations to the DHHR, Consolidated Medical Services Fund;

Com. Sub. for H. B. 2914, Supplementing and amending appropriations to the Governor's Office - Civil Contingent Fund;

H. B. 2915, Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, from the balance of moneys remaining as an unappropriated balance in the State Excess Lottery Revenue Fund;

And,

Com. Sub. for H. B. 2928, Supplementing and amending appropriations to DHHR, Division of Health.

These bills are presented to you on this day, March 15, 2023.

Respectfully submitted,

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate



West Virginia House of Delegates
OFFICE OF THE CLERK
BUILDING 1, SUITE 212
1900 KANAWHA BLVD., EAST
CHARLESTON 25305

STEPHEN J. HARRISON
CLERK OF THE HOUSE

(304) 340-3200
STEPHEN.HARRISON@WVHOUSE.GOV

March 15, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice:

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled.

H. B. 3039. Making a supplementary appropriation to Adjutant General - State Militia.

Com. Sub. for H. B. 3040. Supplementing and amending appropriations to the Department of Administration, Office of the Secretary;

H. B. 3065. Supplementing appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities - Aeronautics Commission;

H. B. 3066. Supplementing and amending appropriations to the Department of Education, State Board of Education - State Aid to Schools.

H. B. 3067. Supplementing and amending appropriations to Department of Transportation, Division of Multimodal Transportation Facilities - Public Transit;

H. B. 3073. Supplementing and amending appropriations to Adjutant General - State Militia.

Com. Sub. for H. B. 3074. Supplementing appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities;

H. B. 3108. Supplementing and amending appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities - State Rail Authority;

H. B. 3109. Supplementing and amending appropriations to the State Board of Education - State Department of Education;

And,

H. B. 3396. Supplementing, amending, and increasing existing items of appropriation from the State Road Fund to the Department of Transportation, Division of Highways.

These bills are presented to you on this day, March 15, 2023.

Respectfully submitted,


Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate



West Virginia House of Delegates
OFFICE OF THE CLERK
BUILDING 1, SUITE 212
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CHARLESTON 25305

STEPHEN J. HARRISON
CLERK OF THE HOUSE

(304) 340-3200
STEVE.HARRISON@WVHOUSE.GOV

March 15, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bill, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, has been examined and found truly enrolled:

Com. Sub. for H. B. 3302. To recognize unborn child as distinct victim in a DUI causing death.

This bill is presented to you on this day, March 15, 2023.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Steve Harrison".

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate



West Virginia House of Delegates
OFFICE OF THE CLERK
BUILDING 1, SUITE 212
1900 KANAWHA BLVD., EAST
CHARLESTON 25305

STEPHEN J. HARRISON
CLERK OF THE HOUSE

(304) 340-3200
STEVE.HARRISON@VHHOUSE.GOV

March 15, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

H. B. 3307, Establishing the West Virginia-Ireland Trade Commission;

Com. Sub. for H. B. 3317, Relating to removing specific continuing education requirements;

Com. Sub. for H. B. 3337, Prohibiting additional drug and alcohol treatment facilities and services in a certain county;

And,

H. B. 3444, Relating to the creation of the West Virginia Semiquincentennial Commission and Fund.

These bills are presented to you on this day, March 15, 2023.

Respectfully submitted,

A handwritten signature in cursive script that reads "Steve Harrison".

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate



West Virginia House of Delegates

OFFICE OF THE CLERK
BUILDING 1, SUITE 212
1900 KANAWHA BLVD., EAST
CHARLESTON 25305

STEPHEN J. HARRISON
CLERK OF THE HOUSE

(304) 340-3200
STEVE.HARRISON@WHOUSE.GOV

March 15, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

H. B. 3509, Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission – Consumer Advocate Fund;

H. B. 3510, Making a supplementary appropriation to the Department of Administration, Office of Technology – Chief Technology Officer Administration Fund;

H. B. 3511, Making a supplementary appropriation to the Department of Education, State Board of Education – School Lunch Program;

H. B. 3517, Making a supplementary appropriation to the Division of Human Services – Child Care and Development;

H. B. 3518, Making a supplementary appropriation to the Department of Agriculture;

H. B. 3524, Making a supplementary appropriation to the Department of Agriculture – West Virginia Spay Neuter Assistance Fund;

H. B. 3526, Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission;

H. B. 3529, Making a supplementary appropriation to the Department of Commerce, State Board of Rehabilitation – Division of Rehabilitation Services;

H. B. 3542, Expiring funds to the Department of Administration, Board of Risk and Insurance Management, Public Entity Insurance Trust Fund;

H. B. 3553, Supplementing and amending appropriations to Department of Health and Human Resources;

H. B. 3557, Making a supplementary appropriation to the Department of Veterans' Assistance;

And,

H. B. 3563, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services.

These bills are presented to you on this day, March 15, 2023.

Respectfully submitted,

Stephen J. Harrison
Clerk of the House of Delegates

C. The Honorable Lee Cassis
Clerk of the Senate



West Virginia House of Delegates
OFFICE OF THE CLERK
BUILDING 1, SUITE 212
1900 KANAWHA BLVD., EAST
CHARLESTON 25305

STEPHEN J. HARRISON
CLERK OF THE HOUSE

(304) 340-3200
STEVE.HARRISON@WVHOUSE.GOV

March 15, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

H. B. 3512, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services;

H. B. 3513, Making a supplementary appropriation to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority;

H. B. 3514, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Birth-to-Three Fund;

H. B. 3515, Making a supplementary appropriation to the Department of Veterans' Assistance, Veterans' Facilities Support Fund;

H. B. 3516, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Safe Drinking Water Treatment;

And,

H. B. 3564, Making a supplementary appropriation to the Division of Human Services - Energy Assistance.

These bills are presented to you on this day, March 15, 2023.

Respectfully submitted,

A handwritten signature in cursive script that reads "Steve Harrison".

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate

The Senate of West Virginia
Charleston

LET CLERKS
CLERK OF THE SENATE



SEVEN FATHOMS, ROOM 3021
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305-1000
304-327-7900

March 16, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

- Com. Sub. for Com. Sub. for S. B. 47**, Creating Charter Schools Stimulus Fund;
- Com. Sub. for S. B. 121**, Creating Student Journalist Press Freedom Protection Act;
- Com. Sub. for S. B. 191**, Relating to liability for payment of court costs as condition of pretrial diversion agreement;
- Com. Sub. for S. B. 200**, Allowing leashed dogs to track wounded elk, turkey, and wild boar when hunting;
- Com. Sub. for S. B. 220**, Industrial Hemp Development Act;
- Com. Sub. for S. B. 247**, Making administrative appeals and judicial review of board action subject to provisions of Administrative Procedures Act;
- Com. Sub. for S. B. 258**, Eliminating ceiling on fair market value of consumer goods and permitting dealer to require security deposit;
- Com. Sub. for S. B. 271**, Modifying approval process requirements for First Responders Honor Board;
- Com. Sub. for S. B. 298**, Relating to non-federally declared emergencies and non-states of emergency;
- Com. Sub. for S. B. 302**, Relating to Law Enforcement Safety Act;
- Com. Sub. for S. B. 409**, Authorizing Department of Commerce to promulgate legislative rules;

Com. Sub. for S. B. 631, Updating administration, funding, and requirements for federal elections held in WV;

Com. Sub. for S. B. 665, Amending licensure requirements for massage therapist;

S. B. 674, Providing statutory recognition and appointment of board members for WV First Foundation;

And,

S. B. 734, Requiring adoption of cloud computing services by state agencies.

These bills are presented to you on this day, March 16, 2023.

Respectfully submitted,



Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

L. J. CASSE
CLERK OF THE SENATE



SENATE CHAMBER, ROOM M-211
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305-0800
304-337-7900

March 16, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

- S. B. 146**, Modifying regulations of peer-to-peer car sharing program;
- S. B. 149**, Exempting certain organizations from property taxation;
- Com. Sub. for S. B. 151**, Levying tax on pass-through entity's income;
- S. B. 244**, Making rosters of individuals who obtain professional, occupational, and trade licenses, registrations, and certificates available to public;
- Com. Sub. for S. B. 345**, Authorizing Department of Revenue to promulgate legislative rules;
- S. B. 465**, Increasing limit on moneys placed in county's rainy day fund;
- Com. Sub. for S. B. 478**, Relating to Jumpstart Savings Program;
- Com. Sub. for S. B. 613**, Relating generally to certificates of need;

And,

- Com. Sub. for S. B. 649**, Authorizing Berkeley County Council to change its name to Berkeley County Commission.

These bills are presented to you on this day, March 16, 2023.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lee Cassis".

Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL BUILDING
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WY 25305-0800
304-557-7800

March 16, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

Com. Sub. for Com. Sub. for S. B. 187, Making it felony offense for school employee or volunteer to engage in sexual contact with students;

S. B. 533, Relating to limitations on motor vehicle used by nonprofit cooperative recycling associations;

S. B. 544, Increasing power purchase agreement cap;

And,

Com. Sub. for S. B. 548, Clarifying what parties can redeem delinquent property and limiting those entitled to bid.

These bills are presented to you on this day, March 16, 2023.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lee Cassis".

Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



SENATE CAPITAL, ROOM M-211
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305-4800
304-357-7800

March 16, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

S. B. 443, Directing payment of estate administration fee to State Auditor;

S. B. 444, Transferring moneys in WV Future Fund to General Revenue Fund;

Com. Sub. for S. B. 469, Providing funding for CPR instruction to high school students;

S. B. 508, Clarifying reporting and disclosure requirements for grassroots lobbying expenditures;

Com. Sub. for S. B. 516, Relating to requirements for disclosure of donor contributions;

Com. Sub. for S. B. 523, Clarifying purpose and use of Economic Development Project Fund;

Com. Sub. for S. B. 527, Allowing family members of military personnel access to discharge records;

Com. Sub. for S. B. 546, Adding and removing certain compounds from controlled substance list;

Com. Sub. for S. B. 568, Relating to Dangerousness Assessment Advisory Board;

And,

Com. Sub. for S. B. 579, Providing payment to vendors who provided services to state.

These bills are presented to you on this day, March 16, 2023.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lee Cassis", written in a cursive style.

Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

LETTERS
FROM THE SENATE



SENATE CHAMBER, ROOM ME211
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25303-0800
304-337-7600

March 16, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

Com. Sub. for Com. Sub. for S. B. 561, Relating to administration of WV Drinking Water Treatment Revolving Fund Act;

Com. Sub. for S. B. 577, Reducing copay cap on insulin and devices and permitting purchase of testing equipment without prescription;

Com. Sub. for S. B. 617, Relating to Intellectual and Development Disabilities Waiver Program Workforce Study;

S. B. 625, Requiring certain transcripts to be accepted as record of student's performance for placement in micro school programs;

S. B. 733, Relating to wildlife licenses and stamps;

S. B. 737, Emergency Medical Services Act;

And,

S. B. 740, Relating to compensation and expense reimbursement for members of Legislature.

These bills are presented to you on this day, March 16, 2023.

Respectfully submitted, .



Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates



West Virginia House of Delegates
OFFICE OF THE CLERK
BUILDING 1, SUITE 212
1900 KANAWHA BLVD., EAST
CHARLESTON 25305

STEPHEN J. HARRISON
CLERK OF THE HOUSE

(304) 340-3200
STEVE.HARRISON@WHHOUSE.GOV

March 16, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2754, Relating to immunizations performed in a pharmacy;

H. B. 3299, Relating to Natural Resource Police Officer Retirement;

Com. Sub. for H. B. 3148, Relating to financing municipal policemen's and firemen's pension and relief funds;

H. B. 2827, Make public charter schools eligible for Safe Schools Funds;

Com. Sub. for H. B. 2860, To dispose of old AFFF foam accumulated by fire departments;

And,

H. B. 3328, Authorizing the Hatfield-McCoy Regional Recreation Authority to contract to build and maintain trails on privately owned property.

These bills are presented to you on this day, March 16, 2023.

Respectfully submitted,

A handwritten signature in blue ink that reads "Steve Harrison".

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate



West Virginia House of Delegates

OFFICE OF THE CLERK
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March 16, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2759, Relating to updating the health care provider tax;

Com. Sub. for H. B. 2817, Relating to Public Service Commission jurisdiction over alternative fuel for motor vehicles;

Com. Sub. for H. B. 2848, Water and Sewer Operator licensing reciprocity;

Com. Sub. for H. B. 2870, Correcting a reference relating to siting certificates for certain electric generating facilities;

Com. Sub. for H. B. 3012, To encourage economic development regarding rare earth elements and critical minerals, as defined, by providing temporary severance tax relief;

Com. Sub. for H. B. 3044, Relating to the annual fee for limited video lottery terminal permits;

H. B. 3244, Relating to Municipal Pensions Oversight Board proposing legislative rules;

And,

H. B. 3387, Extending the moratorium on the authorization of new convention and visitors bureaus for an additional two years.

These bills are presented to you on this day, March 16, 2023.

Respectfully submitted,

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate

The Senate of West Virginia
Charleston

LEE C. ASKS
CLERK OF THE SENATE



State Capitol, Room 3011
1900 Kanawha Boulevard, East
Charleston, WV 25305-0000
304-557-7800

March 17, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

- S. B. 240**, Requiring state board of examination or registration proceedings to be open to public inspection;
- Com. Sub. for Com. Sub. for S. B. 273**, Relating to allocation of child protective workers in counties based upon population of county;
- Com. Sub. for S. B. 361**, Authorizing miscellaneous boards and agencies to promulgate legislative rules;
- Com. Sub. for S. B. 422**, Requiring public schools to publish curriculum online at beginning of each new school year;
- S. B. 446**, Removing methanol and methanol fuel from definition of special fuel;
- Com. Sub. for S. B. 461**, Relating to WV public employees grievance procedure;
- Com. Sub. for S. B. 468**, Continuing Cabwaylingo State Forest Trail System;
- S. B. 488**, Aligning state and federal accreditation rules;
- Com. Sub. for S. B. 573**, Relating to child support guidelines and Support Enforcement Commission;
- Com. Sub. for S. B. 232**, Creating study group to make recommendations regarding diversion of persons with disabilities from criminal justice system;
- Com. Sub. for S. B. 495**, Providing correctional institutions and juvenile facilities video and audio records be confidential;

LEE C. ASKS, CLERK OF THE SENATE

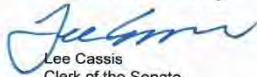
Com. Sub. for Com. Sub. for S. B. 522, Allocating percentage of county excise taxes for funding improvements to election administration;

And,

Com. Sub. for S. B. 534, Relating to nonintoxicating beer, nonintoxicating craft beer, cider, wine, and liquor license requirements.

These bills are presented to you on this day, March 17, 2023.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lee Cassis", is written over a faint circular stamp.

Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

LILL CASSE
CLERK OF THE SENATE



500 Capitol Room A 211
1900 Kanawha Boulevard East
Charleston, WV 25305-0800
304.557.7600

March 17, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

Com. Sub. for Com. Sub. for S. B. 543, Authorizing rule-making changes to terms, procedures and reporting duties in higher education;

Com. Sub. for S. B. 552, Relating to abortion;

S. B. 608, Correcting list of items which are considered deadly weapons;

Com. Sub. for S. B. 633, Requiring prompt appearances for persons detained on capiases;

Com. Sub. for S. B. 647, Relating to substantiation of abuse and neglect allegations;

Com. Sub. for S. B. 661, Clarifying preferential recall rights for employees sustaining compensable injury;

Com. Sub. for S. B. 667, Requiring periodic performance audits of WV Secondary School Activities Commission;

Com. Sub. for S. B. 677, Clarifying role and responsibilities of State Resiliency Officer;

And,

LILLCASSE@WVSENATE.GOV

S. B. 735, Clarifying department responsible for administration of certain programs.

These bills are presented to you on this day, March 17, 2023.

Respectfully submitted,



Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates



West Virginia House of Delegates
OFFICE OF THE CLERK
BUILDING 1, SUITE 212
1900 KANAWHA BLVD., EAST
CHARLESTON 25305

STEPHEN J. HARRISON
CLERK OF THE HOUSE

(304) 340-3200
STEVE.HARRISON@WVHOUSE.GOV

March 20, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2005, Establishing the dual enrollment pilot program to be administered by the Higher Education Policy Commission and the Council for Community and Technical College Education in conjunction with the State Board of Education.;

Com. Sub. for H. B. 2218, Distracted Driving Act;

Com. Sub. for H. B. 2605, Relating to Good Samaritan law;

Com. Sub. for H. B. 2757, Relating to expanding institutional eligibility for the WV Invests Grant Program;

Com. Sub. for H. B. 2760, To allow CPR fire fighters to drive ambulances when both attendants are needed to administer patient care;

Com. Sub. for H. B. 2862, Relating generally to requirements for shareholder voting by the West Virginia Investment Management Board and the Board of Treasury Investments;

Com. Sub. for H. B. 2900, Relating to the Deputy Sheriff Retirement System;

And,

Com. Sub. for H. B. 3303, Clarifying and expanding the powers and duties of the director of the Coalfield Community Development Office.

These bills are presented to you on this day, March 20, 2023.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Steve Harrison".

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate



West Virginia House of Delegates
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STEVE.HARRISON@WVHOUSE.GOV

March 20, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2026, Authorizing municipalities with police or firefighter employees in PERS to elect to become participating employer in Municipal Police Officer and Firefighter Retirement System for a limited time;

H. B. 2283, Relating to authorized expenditures of revenues from certain state funds for fire departments;

H. B. 2310, Provide the Division of Motor Vehicles authority to develop an "Antique Fleet" program so that multiple antique motor vehicles may utilize a single registration plate;

Com. Sub. for H. B. 2540, Travel Insurance Model Act;

H. B. 2607, Clarify that vehicles with a capacity larger than 10 passengers may be used to transport students provided that no more than 10 passengers may be transported at one time;

And,

H. B. 3146, Establishing in West Virginia Code, the contents of the Uniform Public Meetings During Emergencies Act.

These bills are presented to you on this day, March 20, 2023.

Respectfully submitted,

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate

**West Virginia House of Delegates**

OFFICE OF THE CLERK
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March 20, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2221, Relating to bankruptcy;

Com. Sub. for H. B. 2509, Creating the Uniform Premarital Agreement Act;

Com. Sub. for H. B. 2569, Establishing the Motorsport Responsibility Act;

Com. Sub. for H. B. 3013, Relating to authorizing the Jefferson County Commission to levy a special district excise tax;

H. B. 3448, Relating generally to probation officer field training;

And,

Com. Sub. for H. B. 3479, Creating requirements for use of unmanned aerial vehicles.

These bills are presented to you on this day, March 20, 2023.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Steve Harrison".

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate

**West Virginia House of Delegates**

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March 20, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2346, Declaring a shortage of qualified bus operators and allowing retired bus operators to accept employment;

Com. Sub. for H. B. 3035, Relating generally to high-quality education programs and school operations;

Com. Sub. for H. B. 3270, To amend the deliberate intent statute to limit noneconomic damages to \$500,000;

And,

Com. Sub. for H. B. 3271, Relating to increasing monitoring of special education classrooms.

These bills are presented to you on this day, March 20, 2023.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Steve Harrison".

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate

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March 20, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2917, Relating to allowing retired state employees who meet the minimum qualifications necessary, to render post-retirement employment with the Department of Health and Human Resources;

H. B. 3451, Updating the veteran preference ratings in state code for state employment;

And,

H. B. 3500, Allowing consumer lenders to permit employees to conduct certain business at locations other than the licensee's designated office.

These bills are presented to you on this day, March 20, 2023.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Steve Harrison", written over a faint, larger signature.

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate



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March 20, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2993, Relating to rural emergency hospital licensure;

Com. Sub. for H. B. 3114, Deny severance pay to employees of DOT for failure or refusal of drug testing;

Com. Sub. for H. B. 3211, Relating to authorizing service credit for unused accrued annual or sick leave days for use in determining retirement benefits in the Municipal Police Officer and Firefighter Retirement System;

Com. Sub. for H. B. 3233, Relating generally to uniform and equipment allowances for the National Guard;

H. B. 3286, Relating to an additional modification decreasing federal taxable income;

Com. Sub. for H. B. 3369, Creating a School Safety Unit within the Division of Protective Services;

And,

H. B. 3547, Increasing the number of personal leave days that county board of education employees may use.

These bills are presented to you on this day, March 20, 2023.

Respectfully submitted,

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate

**West Virginia House of Delegates**

OFFICE OF THE CLERK
BUILDING 1, SUITE 212
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CHARLESTON 25305

STEPHEN J. HARRISON
CLERK OF THE HOUSE

(304) 340-3200
STEVE.HARRISON@WVHOUSE.GOV

March 20, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bill, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, has been examined and found truly enrolled:

Com. Sub. for H. B. 3482, To create the Coal Fired Grid Stabilization and Security Act of 2023.

This bill is presented to you on this day, March 20, 2023.

Respectfully submitted,

A handwritten signature in blue ink that reads "Steve Harrison".

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate



West Virginia House of Delegates
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STEPHEN J. HARRISON
CLERK OF THE HOUSE

(304) 340-3200
STEVE.HARRISON@WVHOUSE.SDV

March 21, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2380, Relating to School Building Authority;

Com. Sub. for H. B. 2515, Require agencies to develop and maintain an inventory of available services for single parents wanting to obtain degrees, secure training or reenter the workforce;

Com. Sub. for H. B. 2640, Authorizing certain agencies of the Department of Environmental Protection to promulgate legislative rules;

Com. Sub. for H. B. 3092, Relating to in-state food service permit reciprocity;

And,

~~H. B. 3499~~, To permit joint tenancy with rights of survivorship when transfer on death deeds specify a joint tenancy with right of survivorship.

These bills are presented to you on this day, March 21, 2023.

Respectfully submitted,

A handwritten signature in cursive script that reads "Steve Harrison".

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate

**West Virginia House of Delegates**

OFFICE OF THE CLERK
BUILDING 1, SUITE 212
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STEPHEN J. HARRISON
CLERK OF THE HOUSE

(304) 340-3200
STEVE.HARRISON@WVHOUSE.GOV

March 22, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2002, Relating to providing support for families;

Com. Sub. for H. B. 2004, Prevent the use of payment card processing systems for surveillance of Second Amendment activity and discriminatory conduct;

Com. Sub. for H. B. 2007, Prohibiting certain medical practices;

Com. Sub. for H. B. 2008, Requiring local entities to enforce immigration laws;

Com. Sub. for H. B. 2648, Authorizing certain agencies and boards of the DHHR to promulgate a legislative rule;

Com. Sub. for H. B. 2820, To provide HOPE Scholarship recipients with the ability to play sports;

And,

Com. Sub. for H. B. 2821, Relating to taxation of gambling and lottery winnings.

These bills are presented to you on this day, March 22, 2023.

Respectfully submitted,

A handwritten signature in blue ink that reads "Steve Harrison".

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate

**West Virginia House of Delegates**

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STEVE.HARRISON@WVHOUSE.GOV

March 22, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 3084, Relating to revising provisions related to public charter schools;

Com. Sub. for H. B. 3168, Ensuring investment in WV Tourism is competitive with other states and accessible long term;

Com. Sub. for H. B. 3190, Amending the definition of "minor";

Com. Sub. for H. B. 3224, Adding West Virginia Junior College to the list of eligible institutions that accept PROMISE scholarship recipients;

Com. Sub. for H. B. 3311, Relating to wine alcohol by volume as compared to beer;

Com. Sub. for H. B. 3332, Creating judicial circuits and assigning the number of circuit judges in each circuit to be elected in the 2024 election;

And,

Com. Sub. for H. B. 3450, Relating generally to racetrack video lottery and the Licensed Racetrack Modernization Fund.

These bills are presented to you on this day, March 22, 2023.

Respectfully submitted,

A handwritten signature in blue ink that reads "Steve Harrison".

Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate

**West Virginia House of Delegates**

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CHARLESTON 25305

STEPHEN J. HARRISON
CLERK OF THE HOUSE

(304) 340-3200
STEVE.HARRISON@WVHOUSE.GOV

March 27, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 2016, Relating to confidential childcare records;

H. B. 2955, Relating to the establishment and operation of regional water, wastewater and stormwater authorities;

Rev. Com. Sub. for H. B. 3110, Relating to funding the Office of Oil and Gas in the Department of Environmental Protection;

Com. Sub. for H. B. 3191, Relating to certain facilities operated by the state government to obtain a license;

H. B. 3203, Relating generally to West Virginia Real Estate License Act;

Com. Sub. for H. B. 3261, Relating to Social Workers Qualifications;

Com. Sub. for H. B. 3306, Relating to the organizational structure of the Office of Drug Control Policy;

Com. Sub. for H. B. 3344, To pay certain moral obligations of the state;

Com. Sub. for H. B. 3354, To authorize municipalities to combine operations with other municipalities and counties to provide governmental services;

Com. Sub. for H. B. 3398, Relating to the establishment of the West Virginia Memorial to Fallen Heroes of the Global War on Terrorism;

H. B. 3432, Relating to statutory construction;

H. B. 3439, To limit the civil liability of child placing agencies that obtain an insurance policy in an amount not less than \$1 million per incident;

And,

H. B. 3552, Relating to per diem jail costs.

These bills are presented to you on this day, March 27, 2023.

Respectfully submitted,



Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate

**West Virginia House of Delegates**

OFFICE OF THE CLERK
BUILDING 1, SUITE 212
1900 KANAWHA BLVD. EAST
CHARLESTON 25305

STEPHEN J. HARRISON
CLERK OF THE HOUSE

(304) 340-3200
STEVE.HARRISON@WVHOUSE.GOV

March 27, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

- Com. Sub. for H. B. 2436**, Relating to the implementation of an acuity-based patient classification system;
- Com. Sub. for H. B. 2621**, Relating generally to bail bondsman;
- Com. Sub. for H. B. 2814**, To create a Hydrogen power task force;
- Com. Sub. for H. B. 2865**, To clarify that the PSC may enter an order requiring corrective measures up to and including an acquisition of a distressed or failing utility;
- H. B. 2875**, Clarifying that Circuit Court Judges have the ability/authority to waive the requirement that a party pass a home study performed by the DHHR;
- Com. Sub. for H. B. 2890**, Modifying student discipline;
- H. B. 2967**, Expediting License Applications for active military members and veterans, and their spouses;
- Com. Sub. for H. B. 3018**, Establishing that 18 is the age of consent and removing the ability of an underage person to obtaining a consent to marry through their parents, legal guardians, or by petition to the circuit court;
- Com. Sub. for H. B. 3036**, Increasing the number of districts and the limit on approved costs under the BUILD WV Act;
- Com. Sub. for H. B. 3077**, Relating to making the use of the multi-state real time tracking system permanent;

Com. Sub. for H. B. 3135, To modify the salaries of the Governor and Constitutional officers beginning January 1, 2025;

H. B. 3141, Relating to the practice of dentistry;

Com. Sub. for H. B. 3147, To create the Upper Ohio Valley Trail Network;

H. B. 3156, Raising the compensation rates of panel attorneys;

H. B. 3166, To permit a hospital to hold a patient experiencing a psychiatric emergency for up to 72 hours;

Com. Sub. for H. B. 3189, The PFAS Protection Act;

H. B. 3199, Relating to removing the requirement that an ectopic pregnancy be reported;

Com. Sub. for H. B. 3214, To create the Road Optimization & Assessment Data (ROAD) Pilot Project;

Com. Sub. for H. B. 3265, Remove statutory mandates that the sheriff of a county shall serve process or is responsible for cost of service or arrest by another law enforcement agency;

Com. Sub. for H. B. 3315, Relating generally to readiness enhancement and commission bonuses;

H. B. 3360, Creating an office of the Inspector General within the Department of Homeland Security ;

Com. Sub. for H. B. 3370, Creating loan program for certain properties and developments on U. S. Army Corps of Engineers land, state parks and resorts;

H. B. 3371, Relating to federal funds for land-grant institutions;

H. B. 3441, Revising the training requirements for members of the Higher Education Policy Commission, Council for Community and Technical College Education and the institutional governing boards;

H. B. 3443, Relating to a development or improvement on land subject to review by the State Historic Preservation Office ;

H. B. 3473, Creating a workgroup relating to Dig Once Policy;

H. B. 3555, Relating to student purchase and refunds of course material;

H. B. 3559, Relating to defining a newborn safety device;

And,

H. B. 3560, Relating to expanding the definitions of land and recreational purposes.

These bills are presented to you on this day, March 27, 2023.

Respectfully submitted,



Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate

Executive Communications

Under authorization of Senate approval therefor in prior proceedings today, to include in this day's Journal communications showing the Governor's action on enrolled bills presented to him in post-session reports, the following are inserted hereinafter:

The Clerk then presented the following communications from His Excellency, the Governor, regarding bills approved by him:



Jim Justice
Governor of West Virginia

March 13, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Two Hundred Thirty-Seven (237), which was presented to me on March 9, 2023.

Committee Substitute for Senate Bill No. Four Hundred Ninety (490), which was presented to me on March 8, 2023.

You will note that I have approved these bills on March 13, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 15, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, is the following bill:

Senate Bill No. Two Hundred Ninety-Four (294), which was presented to me on March 15, 2023.

You will note that I have approved this bill on March 15, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 15, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Three Thousand Three Hundred Two (3302), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Two Hundred Eighteen (3218), which was presented to me on March 7, 2023.

You will note that I have approved these bills on March 15, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 16, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Six Hundred Seventy-Eight (678), which was presented to me on March 15, 2023.

Senate Bill No. Five Hundred Ten (510), which was presented to me on March 8, 2023.

Committee Substitute for House Bill No. Two Thousand Eight Hundred Eighty-Three (2883), which was presented to me on March 15, 2023.

House Bill No. Two Thousand Nine Hundred Four (2904), which was presented to me on March 15, 2023.

House Bill No. Two Thousand Nine Hundred Six (2906), which was presented to me on March 15, 2023.

House Bill No. Two Thousand Nine Hundred Seven (2907), which was presented to me on March 15, 2023.

You will note that I have approved these bills on March 16, 2023.

Sincerely,

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 16, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, is the following bill:

Committee Substitute for House Bill No. Two Thousand Twenty-Four (2024), which was presented to me on March 15, 2023.

You will note that I have approved this bill on March 16, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 16, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Two Thousand Nine Hundred Eight (2908), which was presented to me on March 15, 2023.

Committee Substitute for House Bill No. Two Thousand Nine Hundred Ten (2910), which was presented to me on March 15, 2023.

Committee Substitute for House Bill No. Two Thousand Nine Hundred Eleven (2911), which was presented to me on March 15, 2023.

House Bill No. Two Thousand Nine Hundred Thirteen (2913), which was presented to me on March 15, 2023.

Committee Substitute for House Bill No. Two Thousand Nine Hundred Fourteen (2914), which was presented to me on March 15, 2023.

House Bill No. Two Thousand Nine Hundred Fifteen (2915), which was presented to me on March 15, 2023.

You will note that I have approved these bills on March 16, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 16, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Two Thousand Nine Hundred Twenty-Eight (2928), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Thirty-Nine (3039), which was presented to me on March 15, 2023.

Committee Substitute for House Bill No. Three Thousand Forty (3040), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Sixty-Five (3065), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Sixty-Six (3066), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Sixty-Seven (3067), which was presented to me on March 15, 2023.

You will note that I have approved these bills on March 16, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 16, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Three Thousand Seventy-Three (3073), which was presented to me on March 15, 2023.

Committee Substitute for House Bill No. Three Thousand Seventy-Four (3074), which was presented to me on March 15, 2023.

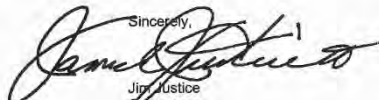
House Bill No. Three Thousand One Hundred Eight (3108), which was presented to me on March 15, 2023.

House Bill No. Three Thousand One Hundred Nine (3109), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Three Hundred Ninety-Six (3396), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Five Hundred Nine (3509), which was presented to me on March 15, 2023.

You will note that I have approved these bills on March 16, 2023.

Sincerely,

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 16, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Three Thousand Five Hundred Ten (3510), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Five Hundred Eleven (3511), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Five Hundred Twelve (3512), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Five Hundred Thirteen (3513), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Five Hundred Fourteen (3514), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Five Hundred Fifteen (3515), which was presented to me on March 15, 2023.

You will note that I have approved these bills on March 16, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 16, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Three Thousand Five Hundred Sixteen (3516), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Five Hundred Seventeen (3517), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Five Hundred Eighteen (3518), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Five Hundred Nineteen (3519), which was presented to me on March 8, 2023.

House Bill No. Three Thousand Five Hundred Twenty (3520), which was presented to me on March 8, 2023.

House Bill No. Three Thousand Five Hundred Twenty-One (3521), which was presented to me on March 8, 2023.

You will note that I have approved these bills on March 16, 2023.

Sincerely,

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 16, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Three Thousand Five Hundred Twenty-Two (3522), which was presented to me on March 8, 2023.

House Bill No. Three Thousand Five Hundred Twenty-Three (3523), which was presented to me on March 8, 2023.

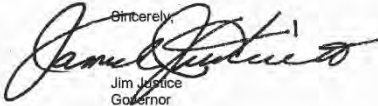
House Bill No. Three Thousand Five Hundred Twenty-Four (3524), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Five Hundred Twenty-Six (3526), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Five Hundred Twenty-Seven (3527), which was presented to me on March 8, 2023.

House Bill No. Three Thousand Five Hundred Twenty-Eight (3528), which was presented to me on March 8, 2023.

You will note that I have approved these bills on March 16, 2023.

Sincerely,

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 16, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Three Thousand Five Hundred Twenty-Nine (3529), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Five Hundred Forty-Two (3542), which was presented to me on March 15, 2023.

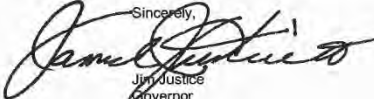
House Bill No. Three Thousand Five Hundred Fifty-Three (3553), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Five Hundred Fifty-Seven (3557), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Five Hundred Sixty-Three (3563), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Five Hundred Sixty-Four (3564), which was presented to me on March 15, 2023.

You will note that I have approved these bills on March 16, 2023.

Sincerely,

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 17, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

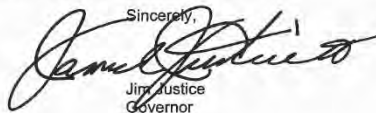
Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Committee Substitute for Senate Bill No. Two Hundred Sixty-Eight (268), which was presented to me on March 7, 2023.

Committee Substitute for Senate Bill No. Four Hundred Twenty-Three (423), which was presented to me on March 7, 2023.

House Bill No. Three Thousand Three Hundred Seven (3307), which was presented to me on March 15, 2023.

You will note that I have approved these bills on March 17, 2023.

Sincerely,

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 21, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Four Hundred Twenty-Two (422), which was presented to me on March 17, 2023.

Committee Substitute for House Bill No. Two Thousand Five (2005), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Three Thousand Thirty-Five (3035), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Three Thousand Three Hundred Sixty-Nine (3369), which was presented to me on March 20, 2023.

You will note that I have approved these bills on March 21, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 22, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Five Hundred Twenty-Six (526), which was presented to me on March 8, 2023.

Senate Bill No. Six Hundred Seventy-Four (674), which was presented to me on March 16, 2023.

Committee Substitute for House Bill No. Three Thousand Three Hundred Three (3303), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Three Thousand Four Hundred Eighty-Two (3482), which was presented to me on March 20, 2023.

You will note that I have approved these bills on March 22, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 23, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Fifty-One (51), which was presented to me on March 10, 2023.

Committee Substitute for Senate Bill No. One Hundred Twenty-One (121), which was presented to me on March 16, 2023.

Senate Bill No. One Hundred Forty-Two (142), which was presented to me on March 9, 2023.

Committee Substitute for Senate Bill No. Two Hundred Five (205), which was presented to me on March 10, 2023.

Committee Substitute for Senate Bill No. Two Hundred Twenty (220), which was presented to me on March 16, 2023.

You will note that I have approved these bills on March 23, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 23, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Two Hundred Forty-Four (244), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Two Hundred Forty-Seven (247), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Two Hundred Fifty-Eight (258), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Two Hundred Sixty-Seven (267), which was presented to me on March 10, 2023.

Committee Substitute for Senate Bill No. Two Hundred Seventy-One (271), which was presented to me on March 16, 2023.

You will note that I have approved these bills on March 23, 2023.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 23, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Two Hundred Ninety-Eight (298), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Three Hundred Two (302), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Three Hundred Thirty-Five (335), which was presented to me on March 9, 2023.

Committee Substitute for Senate Bill No. Three Hundred Forty-Five (345), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Three Hundred Fifty-Six (356), which was presented to me on March 13, 2023.

You will note that I have approved these bills on March 23, 2023.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 23, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Four Hundred Nine (409), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Four Hundred Thirty-Nine (439), which was presented to me on March 9, 2023.

Senate Bill No. Four Hundred Forty-Three (443), which was presented to me on March 16, 2023.

Senate Bill No. Four Hundred Forty-Four (444), which was presented to me on March 16, 2023.

Senate Bill No. Four Hundred Forty-Nine (449), which was presented to me on March 9, 2023.

You will note that I have approved these bills on March 23, 2023.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 23, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Four Hundred Fifty (450), which was presented to me on March 9, 2023.

Committee Substitute for Senate Bill No. Four Hundred Fifty-One (451), which was presented to me on March 13, 2023.

Senate Bill No. Four Hundred Fifty-Two (452), which was presented to me on March 13, 2023.

Committee Substitute for Senate Bill No. Four Hundred Fifty-Three (453), which was presented to me on March 9, 2023.

Committee Substitute for Senate Bill No. Four Hundred Fifty-Five (455), which was presented to me on March 9, 2023.

You will note that I have approved these bills on March 23, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 23, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Four Hundred Fifty-Seven (457), which was presented to me on March 13, 2023.

Senate Bill No. Four Hundred Fifty-Eight (458), which was presented to me on March 9, 2023.

Committee Substitute for Senate Bill No. Four Hundred Sixty-Three (463), which was presented to me on March 10, 2023.

Senate Bill No. Four Hundred Sixty-Five (465), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Four Hundred Sixty-Nine (469), which was presented to me on March 16, 2023.

Committee Substitute for Committee Substitute for Senate Bill No. Five Hundred Sixty-One (561), which was presented to me on March 16, 2023.

You will note that I have approved these bills on March 23, 2023.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 23, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Five Hundred Seventy-Seven (577), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Six Hundred Seventeen (617), which was presented to me on March 16, 2023.

Senate Bill No. Six Hundred Twenty-Five (625), which was presented to me on March 16, 2023.

Senate Bill No. Seven Hundred Thirty-Three (733), which was presented to me on March 16, 2023.

Senate Bill No. Seven Hundred Thirty-Seven (737), which was presented to me on March 16, 2023.

Senate Bill No. Seven Hundred Forty (740), which was presented to me on March 16, 2023.

You will note that I have approved these bills on March 23, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 23, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Two Thousand Seven Hundred Fifty-Four (2754), which was presented to me on March 16, 2023.

Committee Substitute for House Bill No. Two Thousand Seven Hundred Fifty-Nine (2759), which was presented to me on March 16, 2023.

House Bill No. Two Thousand Eight Hundred Thirty-Nine (2839), which was presented to me on March 9, 2023.

Committee Substitute for House Bill No. Two Thousand Eight Hundred Forty-Eight (2848), which was presented to me on March 16, 2023.

Committee Substitute for House Bill No. Two Thousand Eight Hundred Sixty (2860), which was presented to me on March 16, 2023.

You will note that I have approved these bills on March 23, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 23, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Two Thousand Eight Hundred Seventy (2870), which was presented to me on March 16, 2023.

Committee Substitute for House Bill No. Three Thousand Forty-Four (3044), which was presented to me on March 16, 2023.

Committee Substitute for House Bill No. Three Thousand One Hundred Thirteen (3113), which was presented to me on March 13, 2023.

Committee Substitute for House Bill No. Three Thousand One Hundred Forty-Eight (3148), which was presented to me on March 16, 2023.

House Bill No. Three Thousand Two Hundred Fifteen (3215), which was presented to me on March 9, 2023.

You will note that I have approved these bills on March 23, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 23, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Three Thousand Two Hundred Forty-Four (3244), which was presented to me on March 16, 2023.

House Bill No. Three Thousand Two Hundred Ninety-Nine (3299), which was presented to me on March 16, 2023.

Committee Substitute for House Bill No. Three Thousand Three Hundred Seventeen (3317), which was presented to me on March 15, 2023.

House Bill No. Three Thousand Three Hundred Twenty-Eight (3328), which was presented to me on March 16, 2023.

Committee Substitute for House Bill No. Three Thousand Three Hundred Thirty-Seven (3337), which was presented to me on March 15, 2023.

You will note that I have approved these bills on March 23, 2023.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 23, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Three Thousand Three Hundred Sixty-Four (3364), which was presented to me on March 9, 2023.

House Bill No. Three Thousand Three Hundred Eighty-Seven (3387), which was presented to me on March 16, 2023.

House Bill No. Three Thousand Three Hundred Ninety-One (3391), which was presented to me on March 9, 2023.

House Bill No. Three Thousand Four Hundred Twenty-Eight (3428), which was presented to me on March 13, 2023.

House Bill No. Three Thousand Four Hundred Forty-Four (3444), which was presented to me on March 15, 2023.

You will note that I have approved these bills on March 23, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 28, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. One Hundred Forty-Six (146), which was presented to me on March 16, 2023.

Senate Bill No. One Hundred Forty-Nine (149), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. One Hundred Fifty-One (151), which was presented to me on March 16, 2023.

Committee Substitute for Committee Substitute for Senate Bill No. One Hundred Eighty-Seven (187), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. One Hundred Eighty-Eight (188), which was presented to me on March 8, 2023.

You will note that I have approved these bills on March 28, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 28, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. One Hundred Ninety-One (191), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Two Hundred (200), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Four Hundred Thirty (430), which was presented to me on March 8, 2023.

Committee Substitute for Senate Bill No. Five Hundred Seventy-Nine (579), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Six Hundred Thirteen (613), which was presented to me on March 16, 2023.

You will note that I have approved these bills on March 28, 2023.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 28, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Two Thousand Two (2002), which was presented to me on March 22, 2023.

Committee Substitute for House Bill No. Two Thousand Two Hundred Eighteen (2218), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Two Thousand Four Hundred Thirty-Six (2436), which was presented to me on March 27, 2023.

Committee Substitute for House Bill No. Two Thousand Six Hundred Twenty-One (2621), which was presented March 27, 2023.

Committee Substitute for House Bill No. Two Thousand Eight Hundred Fourteen (2814), which was presented to me on March 27, 2023.

You will note that I have approved these bills on March 28, 2023.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 28, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Two Thousand Eight Hundred Seventeen (2817), which was presented to me on March 16, 2023.

Committee Substitute for House Bill No. Two Thousand Eight Hundred Sixty-Two (2862), which was presented to me on March 20, 2023.

House Bill No. Two Thousand Eight Hundred Seventy-Five (2875), which was presented to me on March 27, 2023.

Committee Substitute for House Bill No. Two Thousand Eight Hundred Ninety (2890), which was presented to me on March 27, 2023.

House Bill No. Two Thousand Nine Hundred Fifty-Five (2955), which was presented to me on March 27, 2023.

You will note that I have approved these bills on March 28, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 28, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Two Thousand Nine Hundred Sixty-Seven (2967), which was presented to me on March 27, 2023.

Committee Substitute for House Bill No. Three Thousand Eighteen (3018), which was presented to me on March 27, 2023.

Committee Substitute for House Bill No. Three Thousand Seventy-Seven (3077), which was presented to me on March 27, 2023.

Committee Substitute for House Bill No. Three Thousand One Hundred Thirty-Five (3135), which was presented on March 27, 2023.

House Bill No. Three Thousand One Hundred Forty-One (3141), which was presented to me on March 27, 2023.

You will note that I have approved these bills on March 28, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 28, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Three Thousand One Hundred Forty-Seven (3147), which was presented to me on March 27, 2023.

House Bill No. Three Thousand One Hundred Fifty-Six (3156), which was presented to me on March 27, 2023.

House Bill No. Three Thousand One Hundred Sixty-Six (3166), which was presented to me on March 27, 2023.

Committee Substitute for House Bill No. Three Thousand One Hundred Eighty-Nine (3189), which was presented to me on March 27, 2023.

Committee Substitute for House Bill No. Three Thousand One Hundred Ninety-One (3191), which was presented to me on March 27, 2023.

You will note that I have approved these bills on March 28, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 28, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Three Thousand Two Hundred Three (3203), which was presented to me on March 27, 2023.

Committee Substitute for House Bill No. Three Thousand Two Hundred Fourteen (3214), which was presented to me on March 27, 2023.

Committee Substitute for House Bill No. Three Thousand Two Hundred Sixty-One (3261), which was presented to me on March 27, 2023.

Committee Substitute for House Bill No. Three Thousand Two Hundred Sixty-Five (3265), which was presented to me on March 27, 2023.

Committee Substitute for House Bill No. Three Thousand Three Hundred Six (3306), which was presented to me on March 27, 2023.

You will note that I have approved these bills on March 28, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 28, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Three Thousand Three Hundred Fifteen (3315), which was presented to me on March 27, 2023.

Committee Substitute for House Bill No. Three Thousand Three Hundred Forty-Four (3344), which was presented to me on March 27, 2023.

Committee Substitute for House Bill No. Three Thousand Three Hundred Ninety-Eight (3398), which was presented to me on March 27, 2023.

House Bill No. Three Thousand Four Hundred Thirty-Nine (3439), which was presented to me on March 27, 2023.

House Bill No. Three Thousand Four Hundred Forty-One (3441), which was presented to me on March 27, 2023.

You will note that I have approved these bills on March 28, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 28, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Three Thousand Four Hundred Forty-Three (3443), which was presented to me on March 27, 2023.

House Bill No. Three Thousand Four Hundred Seventy-Three (3473), which was presented to me on March 27, 2023.

House Bill No. Three Thousand Five Hundred Fifty-Nine (3559), which was presented to me on March 27, 2023.

House Bill No. Three Thousand Five Hundred Sixty (3560), which was presented to me on March 27, 2023.

You will note that I have approved these bills on March 28, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Committee Substitute for Senate Bill No. Forty-Seven (47), which was presented to me on March 16, 2023.

Senate Bill No. Ninety-Nine (99), which was presented to me on March 13, 2023.

Senate Bill No. One Hundred Thirty-One (131), which was presented to me on March 8, 2023.

Committee Substitute for Senate Bill No. Two Hundred Thirty-Two (232), which was presented to me on March 17, 2023.

Senate Bill No. Two Hundred Forty (240), which was presented to me on March 17, 2023.

Senate Bill No. Two Hundred Forty-Six (246), which was presented to me on March 8, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Committee Substitute for Senate Bill No. Two Hundred Seventy-Three (273), which was presented to me on March 17, 2023.

Committee Substitute for Senate Bill No. Three Hundred Sixty-One (361), which was presented to me on March 17, 2023.

Committee Substitute for Senate Bill No. Four Hundred Seventy-Five (475), which was presented to me on March 9, 2023.

Committee Substitute for Senate Bill No. Four Hundred Seventy-Six (476), which was presented to me on March 10, 2023.

Committee Substitute for Senate Bill No. Four Hundred Seventy-Eight (478), which was presented to me on March 16, 2023.

Senate Bill No. Four Hundred Eighty-Seven (487), which was presented to me on March 13, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Four Hundred Forty-Six (446), which was presented to me on March 17, 2023.

Committee Substitute for Senate Bill No. Four Hundred Sixty-One (461), which was presented to me on March 17, 2023.

Committee Substitute for Senate Bill No. Four Hundred Sixty-Eight (468), which was presented to me on March 17, 2023.

Senate Bill No. Four Hundred Eighty-Eight (488), which was presented to me on March 17, 2023.

Committee Substitute for Senate Bill No. Four Hundred Ninety-Five (495), which was presented to me on March 17, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill Five Hundred Eight (508), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Five Hundred Sixteen (516), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Five Hundred Twenty-Three (523), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Five Hundred Twenty-Seven (527), which was presented to me on March 16, 2023.

Senate Bill No. Five Hundred Twenty-Nine (529), which was presented to me on March 9, 2023.

Senate Bill No. Five Hundred Thirty-Three (533), which was presented to me on March 16, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Committee Substitute for Senate Bill No. Five Hundred Twenty-Two (522), which was presented to me on March 17, 2023.

Committee Substitute for Committee Substitute for Senate Bill No. Five Hundred Forty-Three (543), which was presented to me on March 17, 2023.

Committee Substitute for Senate Bill No. Five Hundred Fifty-Two (552), which was presented to me on March 17, 2023.

Committee Substitute for Senate Bill No. Five Hundred Seventy-Three (573), which was presented to me on March 17, 2023.

Committee Substitute for Senate Bill No. Five Hundred Ninety-Four (594), which was presented to me on March 8, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Five Hundred Thirty-Four (534), which was presented to me on March 17, 2023.

Senate Bill No. Five Hundred Forty-Four (544), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Five Hundred Forty-Six (546), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Five Hundred Forty-Eight (548), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Five Hundred Fifty-Eight (558), which was presented to me on March 13, 2023.

Committee Substitute for Senate Bill No. Five Hundred Sixty-Eight (568), which was presented to me on March 16, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Five Hundred Ninety-Seven (597), which was presented to me on March 13, 2023.

Senate Bill No. Six Hundred Five (605), which was presented to me on March 9, 2023.

Committee Substitute for Senate Bill No. Six Hundred Thirty-One (631), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Six Hundred Forty-Nine (649), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Six Hundred Sixty-Five (665), which was presented to me on March 16, 2023.

Committee Substitute for Senate Bill No. Six Hundred Eighty-Eight (688), which was presented to me on March 13, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Six Hundred Eight (608), which was presented to me on March 17, 2023.

Committee Substitute for Senate Bill No. Six Hundred Thirty-Three (633), which was presented to me on March 17, 2023.

Committee Substitute for Senate Bill No. Six Hundred Forty-Seven (647), which was presented to me on March 17, 2023.

Committee Substitute for Senate Bill No. Six Hundred Sixty-One (661), which was presented to me on March 17, 2023.

Committee Substitute for Senate Bill No. Six Hundred Seventy-Seven (677), which was presented to me on March 17, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Seven Hundred Thirty (730), which was presented to me on March 13, 2023.

Senate Bill No. Seven Hundred Thirty-Four (734), which was presented to me on March 16, 2023.

Senate Bill No. Seven Hundred Thirty-Five (735), which was presented to me on March 17, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in cursive script, reading "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Two Thousand Four (2004), which was presented to me on March 22, 2023.

Committee Substitute for House Bill No. Two Thousand Seven (2007), which was presented to me on March 22, 2023.

Committee Substitute for House Bill No. Two Thousand Eight (2008), which was presented to me on March 22, 2023.

House Bill No. Two Thousand Three Hundred Nine (2309), which was presented to me on March 9, 2023.

Committee Substitute for House Bill No. Two Thousand Five Hundred Eighty-Seven (2587), which was presented to me on March 7, 2023.

House Bill No. Two Thousand Five Hundred Ninety-Seven (2597), which was presented to me on March 9, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Two Thousand Sixteen (2016), which was presented to me on March 27, 2023.

Committee Substitute for House Bill No. Two Thousand Twenty-Six (2026), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Two Thousand Two Hundred Twenty-One (2221), which was presented to me on March 20, 2023.

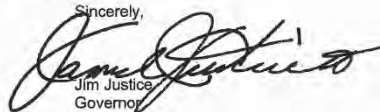
House Bill No. Two Thousand Two Hundred Eighty-Three (2283), which was presented to me on March 20, 2023.

House Bill No. Two Thousand Three Hundred Ten (2310), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Two Thousand Three Hundred Forty-Six (2346), which was presented to me on March 20, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,



Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Two Thousand Three Hundred Eighty (2380), which was presented to me on March 21, 2023.

Committee Substitute for House Bill No. Two Thousand Five Hundred Nine (2509), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Two Thousand Five Hundred Fifteen (2515), which was presented to me on March 21, 2023.

Committee Substitute for House Bill No. Two Thousand Five Hundred Forty (2540), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Two Thousand Five Hundred Sixty-Nine (2569), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Two Thousand Six Hundred Five (2605), which was presented to me on March 20, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Two Thousand Six Hundred Seven (2607), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Two Thousand Six Hundred Forty (2640), which was presented to me on March 21, 2023.

Committee Substitute for House Bill No. Two Thousand Nine Hundred Seventeen (2917), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Three Thousand Thirty-Six (3036), which was presented to me on March 27, 2023.

Committee Substitute for House Bill No. Three Thousand Eighty-Four (3084), which was presented to me on March 22, 2023.

Committee Substitute for House Bill No. Three Thousand Ninety-Two (3092), which was presented to me March 21, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Two Thousand Six Hundred Eleven (2611), which was presented to me on March 7, 2023.

Committee Substitute for House Bill No. Two Thousand Six Hundred Thirty-Eight (2638), which was presented to me on March 9, 2023.

Committee Substitute for House Bill No. Two Thousand Six Hundred Forty-Eight (2648), which was presented to me on March 22, 2023.

Committee Substitute for House Bill No. Two Thousand Seven Hundred Fifty-Seven (2757), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Two Thousand Seven Hundred Sixty (2760), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Two Thousand Seven Hundred Sixty-Two (2762), which was presented to me on March 9, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Two Thousand Eight Hundred Twenty-One (2821), which was presented to me on March 22, 2023.

House Bill No. Two Thousand Eight Hundred Twenty-Seven (2827), which was presented to me on March 16, 2023.

Committee Substitute for House Bill No. Two Thousand Eight Hundred Sixty-Five (2865), which was presented to me on March 27, 2023.

House Bill No. Two Thousand Eight Hundred Ninety-Nine (2899), which was presented to me on March 7, 2023.

Committee Substitute for House Bill No. Two Thousand Nine Hundred (2900), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Two Thousand Nine Hundred Ninety-Three (2993), which was presented to me on March 20, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Three Thousand Thirteen (3013), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Three Thousand One Hundred Fourteen (3114), which was presented to me on March 20, 2023.

House Bill No. Three Thousand One Hundred Forty-Six (3146), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Three Thousand One Hundred Sixty-Eight (3168), which was presented to me on March 22, 2023.

Committee Substitute for House Bill No. Three Thousand One Hundred Ninety (3190), which was presented to me on March 22, 2023.

Committee Substitute for House Bill No. Three Thousand Two Hundred Ten (3210), which was presented to me on March 7, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Revised Committee Substitute for House Bill No. Three Thousand One Hundred Ten (3110), which was presented to me on March 27, 2023.

House Bill No. Three Thousand Two Hundred Eighty-Six (3286), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Three Thousand Three Hundred Eleven (3311), which was presented to me on March 22, 2023.

Committee Substitute for House Bill No. Three Thousand Three Hundred Thirty-Two (3332), which was presented to me on March 22, 2023.

Committee Substitute for House Bill No. Three Thousand Three Hundred Fifty-Four (3354), which was presented to me on March 27, 2023.

House Bill No. Three Thousand Three Hundred Sixty (3360), which was presented to me on March 27, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Three Thousand Two Hundred Eleven (3211), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Three Thousand Two Hundred Twenty-Four (3224), which was presented to me on March 22, 2023.

Committee Substitute for House Bill No. Three Thousand Two Hundred Thirty-Three (3233), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Three Thousand Two Hundred Seventy-One (3271), which was presented to me on March 20, 2023.

House Bill No. Three Thousand Four Hundred Forty-Eight (3448), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Three Thousand Four Hundred Fifty (3450), which was presented to me on March 22, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Three Thousand Three Hundred Seventy (3370), which was presented to me on March 27, 2023.

House Bill No. Three Thousand Three Hundred Seventy-One (3371), which was presented to me on March 27, 2023.

House Bill No. Three Thousand Four Hundred Thirty-Two (3432), which was presented to me on March 27, 2023.

House Bill No. Three Thousand Five Hundred Forty-Seven (3547), which was presented to me on March 20, 2023.

House Bill No. Three Thousand Five Hundred Fifty-Five (3555), which was presented to me on March 27, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 29, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Three Thousand Four Hundred Fifty-One (3451), which was presented to me on March 20, 2023.

Committee Substitute for House Bill No. Three Thousand Four Hundred Seventy-Nine (3479), which was presented to me on March 20, 2023.

House Bill No. Three Thousand Four Hundred Ninety-Nine (3499), which was presented to me on March 21, 2023.

House Bill No. Three Thousand Five Hundred (3500), which was presented to me on March 20, 2023.

House Bill No. Three Thousand Five Hundred Fifty-Two (3552), which was presented to me on March 27, 2023.

You will note that I have approved these bills on March 29, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mh

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

[CLERK'S NOTE: Enr. Committee Substitute for House Bill 2820, Enr. Committee Substitute for House Bill 3012, Enr. House Bill 3199, and Enr. Committee Substitute for House Bill 3270 became law without the Governor's signature on March 29, 2023, under the provisions of Section 14, Article VII of the Constitution of West Virginia.]

Veto Messages



Jim Justice
Governor of West Virginia

March 29, 2023

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for Senate Bill 667

Secretary Warner:

Pursuant to Section Fourteen, Article VII of the Constitution of the State of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for Senate Bill 667. This bill requires the Legislative Auditor to conduct periodic audits of the West Virginia Secondary Schools Activities Commission ("WVSSAC").

While I most certainly believe fiscal responsibility is of the utmost importance, so is preventing government overreach. WVSSAC is a private, non-profit organization comprised of dedicated West Virginians who volunteer their time and resources to ensuring our interscholastic athletics and other extracurricular activities are accessible to all our students. To require WVSSAC to undergo audits by the Legislative Auditor would be to treat this private, non-profit corporation as if it were a state agency. To prevent such government overreach, I disapprove and return Enrolled Committee Substitute for Senate Bill 667.

Sincerely,


Jim Justice
Governor

cc: The Honorable Craig Blair
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates

All business of the sixty-day session now being concluded,

On motion of Senator Takubo, at 11:49 p.m., the Senate adjourned *sine die*.

We hereby certify that the foregoing Senate record of the proceedings of the regular sixty-day session of the Eighty-Sixth Legislature, 2023, is the Official Journal of the Senate for said session.

President of the Senate

Clerk of the Senate

Appendix — Remarks

Relating to reimbursement of hospital inpatient rates by PEIA

(Passage of Eng. Senate Bill 127)

REMARKS OF HONORABLE RYAN W. WELD

Wednesday, January 11, 2023

SENATOR WELD: Thank you, Mr. President.

This bill might look familiar to the members. It was Senate Bill 574 (*Relating to WV PEIA*) in the last session, last year.

What this bill does is that it moves the reimbursement rate for hospitals and emergency medical service providers to 110 percent of the Medicare reimbursement rate. And, as my amendment just changed it, this will be effective for plans starting July 1, 2023.

The effect of cost of this piece of legislation would be \$40 million. That's the anticipated cost.

Now, for those who are in the gallery or are listening at home, you may think, "Well, what is the rush? Why do we have to suspend the rules and get this bill out on Day One?" Well, I'll tell you: In the district that I share with the Senator from Ohio, Wheeling Hospital recently announced that beginning July 1 it was not going to accept PEIA because of the abysmal reimbursement rate paid by that health insurance program . . . 59 percent of Medicare. So this bill is meant to address that.

Now, Mr. President, there are many structural errors and many issues with PEIA. This is but one fix that is needed for that entire program. It's a short-term fix but it's needed in order to give members of that plan in our district a modicum of security that their health insurance is going to be accepted when they need to go to the hospital beginning July 1.

And so, I'm happy to answer any questions of the body and I urge passage of the bill.

Thank you, Mr. President.

Relating to reimbursement of hospital inpatient rates by PEIA

(Passage of Eng. Senate Bill 127)

REMARKS OF HONORABLE MICHAEL A. WOELFEL

Wednesday, January 11, 2023

SENATOR WOELFEL: Thank you, Mr. President, and thank you for bringing this to our attention this early in the session.

I'll briefly state that—I think it was two sessions ago—I served on a committee chaired by the Senator from Wood and we had the director of this agency, PEIA, under oath. And he was almost to the point of bragging about the fact that our hospitals were being paid less than the cost of services to them. And I thought that was outrageous.

And the fifth senatorial district has as one of its primary economic engines the provision of health care services. So, I took that with some indignance that an agency of the state government would be in a position where we have hospitals that are run by the state universities, or affiliated with the state universities, and the state agency itself would not pay them what was just even a break-even point.

So, again, thank you, senator, for bringing this to our attention.

I urge passage.

**Relating to reimbursement of hospital
inpatient rates by PEIA**

(Passage of Eng. Senate Bill 127)

REMARKS OF
**HONORABLE
ROBERT H. PLYMALE**

Wednesday, January 11, 2023

SENATOR PLYMALE: Thank you, Mr. President.

I will tell you that I don't plan on getting up and speaking on every bill but this one is very important. And I think that last year when this bill was introduced into Health and Human Resources . . . this was the exact thing that we were trying to prevent.

Any of us that live in areas that border other states know that other hospitals get reimbursed at a much higher rate than the hospitals in our area . . . for the same care. And if you look at this . . .

The Senator from Pleasants and I were actually in the body when this happened, when we had an access-to-care problem back in the nineties. And this group, the Senate and the House, put in a Select Committee on PEIA. And because I was the low man on the totem pole, I guess, I got to chair that. But, we actually put things in place to try to prevent this, to look at reimbursement rates.

But at that time, the access-to-care problem was because we were not paying our bills. Now, it's because we're reimbursing at such a low rate people don't want to take our patients. And this is predicated because we have not allowed it to run as an insurance company. No premium increases for a number of years create this type of situation.

I urge the adoption of this bill but I also know that we have got a lot further work to be done on this.

Thank you.

**Relating to reimbursement of hospital
inpatient rates by PEIA**

(Passage of Eng. Senate Bill 127)

REMARKS OF
**HONORABLE
MICHAEL J. MARONEY**

Wednesday, January 11, 2023

SENATOR MARONEY: Thank you, Mr. President.

Pardon my hoarseness.

This is, as the Senator from Wayne pointed out, the same bill that came out of Health Committee last year . . . and passed the Senate last year, probably unanimously I think.

It's a good start. This is a good start. More needs to be done, but this will be a good start.

I remember standing up last year, I talked about this a lot, I gave a lot of numbers, and we said we're going to run into a crisis where these people aren't going to have places to go for their health care.

Well, it's not my district in Wheeling, but I do work out of a couple of hospitals in that district. And they're going to stop taking PEIA patients . . . and they should. I don't think there's anything wrong with them making that decision when they're being paid below the cost of care.

You know, we almost waited too long but we've passed it now. We're going to avoid a bigger problem.

Wheeling's the first hospital. There's other hospitals that are discussing this right now and there will be more. They're waiting to see what happens this session. If we don't address it this session, there'll be a lot more than just Wheeling Hospital that make that same announcement.

It's a very, very pressing issue that we've kicked down the road for a long time. And we need to really just, you know, toughen up and pass this tough piece of legislation.

Again, I believe this is a start. I think there's more to be done.

And I'll end with just giving you an example of the numbers. Okay.

The Senator from Wayne pointed out that there's different reimbursements. Like, for instance, in Wheeling Hospital, three miles away across the river there's a hospital in Ohio, in Martins Ferry, Ohio. So, comparing apples to apples, here's some of the numbers. So, if you were to go into Wheeling Hospital and get a procedure done as an inpatient, and went into Martins Ferry, East Ohio Regional Hospital, have the same procedure done, reimbursements would be on the tune of \$2,500 for the in state, \$10,000 for the out of state. So they get reimbursed \$10,000 for every \$2,500 on the exact same procedure. Apples for apples on the same patient.

Outpatient, it's not as bad. Well, yes, actually, it is. It's the same. It's about \$400 to \$1,500. Alright. That's the difference. Again, outpatient procedure, you go to a hospital, if you have PEIA, you go to a hospital in West Virginia, that hospital gets reimbursed 400 bucks. You go to a hospital out of state, 1,500 bucks for the same thing. Alright.

Professional services, 100 bucks to 150 bucks.

So, each and every one of those is definitely lower. PEIA's paying our own hospitals a lot lower than the out of state. And they're paying them too low.

And I applaud this bill. I hope we can get it all the way across the finish line this year.

Thank you, Mr. President.

**Relating to reimbursement of hospital
inpatient rates by PEIA**

(Passage of Eng. Senate Bill 127)

REMARKS OF
**HONORABLE
MICHAEL A. OLIVERIO II**

Wednesday, January 11, 2023

SENATOR OLIVERIO: Thank you, Mr. President.

I represent a unique district in that we probably have more people insured by PEIA

than any of your districts. And at the same time, we probably have more people employed in the hospital industry than any of your districts. So, the Senator from Marion and I have a unique situation that we are attempting to deal with. And that's why I've been a sponsor of this bill.

I want to give you a couple numbers. Last year, there were about 2,000 PEIA insureds that ended up being hospitalized. And PEIA paid to those out-of-state hospitals, where they were hospitalized, about \$56 million. So, 2,000 insureds, \$56 million paid to out-of-state hospitals where those insureds sought to seek their care.

At the same time that those 2,000 were hospitalized out of state, there were 12,000 PEIA insureds who were hospitalized in state. And the reimbursement rate for PEIA for those 12,000 patients was \$57 million.

So, we paid \$56 million to out-of-state hospitals to take care of 2,000 of our state employees and others insured by PEIA, yet, at the same time, we paid almost the identical amount of money for 12,000 who sought care in West Virginia.

So, this will help compensate that difference. There may be many other things that we need to do to address PEIA.

But I sponsored this bill and I will support this bill to help our public employees have the care that they deserve and to help our hospitals remain viable to serve the citizens in this state.

**WEST VIRGINIA
STATE OF THE STATE
ADDRESS**

*(As provided electronically
by the Governor's Office)*

PRESENTED BY
**HONORABLE
JIM JUSTICE**

(Governor of West Virginia)

Wednesday, January 11, 2023

GOVERNOR JUSTICE: Okay, we've got a lot to talk about tonight. The first thing that I want to be sure that we're talking about, right off

the get go is just this. I was early getting here tonight. Pretty good stuff. Now, think about this. We're honoring a great man, Bob Kiss. I got to tell you this is, full confession.

Literally, I was at the mansion. The last time I'd seen my speech, Cathy had it, and all of a sudden, I get over here and nobody's got it. And if we hadn't honored Bob Kiss, you would have been sitting waiting on me a long time. And so literally, it's an honor beyond belief to be with you. And there's so much, so much good going on in this state right now. It's hard. It's hard to get it all in. That's just all there is to it. Now, with all that being said, I've got to do this. I've got to say one thing. You know, Mr. Speaker, and Mr. President, Baby Dog says she's really sorry she couldn't make it tonight. But she's gonna get a tub of popcorn and watch it on TV. But thank you so much in every way.

And I absolutely if I could just say this. It is an incredible day to be a West Virginian. You know, I like to always honor our First Lady, my daughter Jill is with her. And my son and his and our daughter in law. Jay and Catherine. Catherine had a little bit of a blood pressure issue today and, and so they kind of bowed out. But nevertheless, thank you all so much for all you do all the time.

Now, I'm telling y'all, if y'all do all this clapping don't blame it on me how long we'll be here. Really appreciate that and, I've got to tell you just this girl just had us another grandbaby. A beautiful little granddaughter. Yes, not very long ago at all. Probably what, six weeks? Okay. And her husband Adam, who is a wonderful son in law, is now at home with three kids. Nevertheless, you know, a great family and, and just I'm so blessed. As always to just blessed beyond belief.

If I could go through my Cabinet and I will go through quickly and hold your applause and then we'll get you to the end. But we have a new Cabinet Secretary for DHHR Dr. Jeff Coben, a new Secretary of Commerce James Bailey, our Secretary of Administration is Mark Scott, our Secretary of Homeland Security is Jeff Sandy, Secretary of Revenue Dave Hardy, our Secretary of Transportation Jimmy Wriston, our Secretary of Veterans Assistance Ted Diaz, our Secretary of Economic Development Mitch Carmichael, the Secretary of Arts, Culture, and History of this great state Randall Reid-Smith, our Secretary of Tourism Chelsea Ruby is not with us tonight because there's a good chance she's having a baby right as we speak now, but if not,

it will be here very, very soon and the other person that is not here with us tonight is Harold Ward our Secretary of DEP and Harold is doing a phenomenal job. Now you can give them a great round of applause.

We have our wonderful, wonderful Supreme Court of Appeals. With us tonight is Chief Justice Beth Walker. Justice John Hutchinson, Justice Haley Bunn, Justice Tim Armstead, and Justice Bill Wooton, thank you so much.

Now our Constitutional Officers, Attorney General Patrick Morrissey, our State Auditor J.B. McCuskey, our Secretary of State Mac Warner, our Commissioner of Agriculture Kent Leonhardt, our State Treasurer Riley Moore, and our State Superintendent of Schools David Roach.

We have, we have a beautiful young lady from our congressional delegation and that is our great Senator Shelley Moore.

Okay, we now have our Adjutant General of the West Virginia National Guard Brigadier General Bill Crane, and I don't know where Bill is wherever he is, you've got to cheer for him. That's our Command Sergeant Major James Jones and he's I think with our General. We have the Chancellor Higher Ed, you know, Sarah Tucker is with us tonight. We have our Commissioner of the Bureau for Senior Services Robert Roswell. Well, I'm gonna, let me get through these. We have our Director of the Herbert Henderson Office of Minority Affairs Jill Upson. And we have our WVU University President Gordon Gee, Marshall President Brad Smith and members of their staff. So now clap for them.

We have our COVID team. You just think about these people. These people literally never really took a dime, hardly. Didn't do anything but work, didn't have a playbook, didn't have anything to go by. And absolutely have guided us in every way imaginable. And a heck of a job they've done. Dr. Clay Marsh, General Hoyer, doctor Dr. Amjad, now Dr. Christiansen, and our Secretary Crouch and Dr. Coben, please give them a round of applause.

Okay, this is the seventh time I've been here in front of you. I can't, I can't imagine that time can go that quickly. You know, the first year I jumped all around and put things on whiteboards and did everything and I sweated like a dog the entire time. Absolutely. At that time, this state was in tough, tough shape, and you all knew it,

and everything. We didn't really know where we're going or where to turn. And today is a bright day. You know, through that time, I would tell you just this I won't be your governor a whole lot longer. But I surely won't go away. You know, in fact, you're probably either be able to find me at home or you may find me in Washington. But one of the two places I'll be, and I'll be, I'll try to watch as best I can and help as best I can. No matter what I'm doing in every single way. I will try to help continue to perpetuate this goodness that we've got going on right this minute.

So, if I could just add just this, if I could give you my best wisdom today and before we get into the nitty gritty of everything else. My best wisdom of the day would be just this: try as best you can to not want anything for yourself. Literally. This is an honor, beyond all comprehension. For every last one of you, do what our forefathers did, and did so admirably. They served, first and foremost they served, please don't put self in front of that. Always try to do what your voters and constituents are asking you to do. At the end of the day, we're here to do their work. We're here to do the people's wishes. Please remember that. And please try as best you can to not get in your own way. If there's ever a time in life right now, ever a time when we could get in our own way, it's right now.

Think about this. I tell people all the time you know we've been in the ag business forever. And I have honestly probably harvested a million acres of corn myself. I probably have planted hundreds of thousands of acres. When did you always, always lose grain? It's when the harvest was plentiful. That's when you lost grain. When there was almost nothing there and it was a bad year, of drought or whatever, you never lost anything. Because you'd have to get every single grain. When things are wonderful as they are right now, we've got to be careful. And we've got to be prudent. We'll throw a lot of grain on the ground, and we'll never touch it.

You know, I want to tell you just this. You hear me say this all the time. I don't care if you're Republican or Democrat or Independent. Really what I'm really saying is just this, in my heart, I am dad-gum proud that I'm a Republican. But with all that, because I truly believe in very, very conservative values. I watch what's going on on this national scene right now with our President, and what's going on in DC, and for God's sakes, there can't be a rational human that thinks what's going on is right.

There's no way. So, for that, I couldn't be more proud to be a Republican but I would just warn you and just tell you just this. In this great state. There's enough people on the outside wanting to throw rocks at us and they have forever. They beat us down. They've made us feel like "you should know your place." In the race with Mississippi all the time. Who's going to be dead last? And we're not, we're not that now.

Now there's jealousy. Because now, all of a sudden, we're the diamond in the rough they missed. Really be proud of who you are. Be proud that you may be a Republican or a Democrat or an Independent, for God's sake, live and work together and try to help one another for the betterment of all in this great state.

Now, we got lots to talk about and I promise I will go as quickly as I possibly can go. There are so many exciting things. If we reflect back on the past just a second, and we were fair, we would say not many, many years ago we didn't have anywhere to turn. You can say what you want, but I'm a business guy and I got there. And with all of that, you know I can even go back further and further and further. Imagine this and I'm not casting rocks like I just said I wouldn't do but there was a time, believe it or not, that we cut a ribbon and celebrated a Taco Bell opening in downtown Charleston.

Think about what we're doing today. Think about the stuff that's going on today in this great state. You know, how did all this goodness happen? I believe with all my soul first and foremost it happened because of God above. I believe that with all in me. There's no way that any of us could have been smart enough to have written or written all this down and figured all this out. He wants us to work hard, and He wants us to do our job. But I believe He is guiding this incredible state every single step of the way.

We had to change our image. We had to make simple moves on the board in education. I mean, who in the world came up with the idea of grading our schools A through F? Think about this marketing plan. We're going to put them on a bell curve, and we'll have some "A's" and we're gonna have some "F's" and in the middle, we're gonna have a lot of "C's". So, here's what we can do. We can go out and tell the world "Come to West Virginia, most of our schools are C's." How's that gonna work? We got rid of it. Literally, at the end of the day, we got a lot still to do in education, but we made a commitment

to move it to the front and let it be our centerpiece.

Everybody that comes, that wants to come to West Virginia says how are your schools and how are your roads? It's just that simple all the time. We did a Roads to Prosperity program that created jobs and we were awarded and looked after and tried to appreciate our veterans. And then we let tourism explode right behind that. We diversified and we absolutely got on our way.

And then along came COVID and the cannonball hit us right dead in the stomach. And we then could have done what has happened in the past and, really, what those on the outside would have expected us to do, go to 50 again, you maybe had a blip on the screen but go back to 50th again.

We didn't do it, did we? We've dug in and shown exactly what our mettle is all about. And lo and behold, here we go. Now, I would say with all in me "Who would have thought it?" Who would have ever thought it?

Today in West Virginia, you'd have some processes that are so large, it's unbelievable. You would have Fortune 500, Fortune 100, whatever, companies that are coming to West Virginia, over and over and over. The roads are getting repaired everywhere. We're working on the water and sewer projects as fast as we possibly can. And they and we are that diamond. Now, get this, in 2022 alone, just think about this. We had 29 companies invest \$6.19 billion in West Virginia. Now, absolutely get this. They brought us 3,300 new jobs and preserved 3,100 jobs. You know they gave us the opportunity to compete on a world stage. It is unbelievable the value of what we did and putting money aside in this impact development projects to bring more and more folks here. I'm gonna read a list of folks and I want you to stand please and let's absolutely let this great body absolutely cheer and honor you.

Tonight, I am creating a different, you know we have a Distinguished West Virginian. But I don't know that we really have anything that is as honorable as a Distinguished West Virginian for our businesses. Tonight, I am creating the Business Knights of West Virginia. And what I want to do is let these great folks when I read their names be our first inductees. Then I'll reveal the name of a couple more folks that are coming to West Virginia. And then you know what I want to do? I want to go back and every

single business in this state that contributes and helps in any way, I want them to, everyone be one of Business Knights of this state and we will send them a certificate they put it up on their wall. And then I'm going to ask of them one thing — is just as simple as this. I'm going to ask them to help all of us to absolutely perpetuate this great, great, great message.

Absolutely our new business knights and tonight our first inductees that I'm gonna go through you know from Berkshire Hathaway, Alicia Knapp, and if she can stand, I'm going to read through all of them and then we're gonna clap for Alicia and all y'all. From Precision Castparts, Steve Wright, from Hope Gas, Morgan O'Brien, from FORM Energy, Mateo Jamarillo, from Mountaintop Beverage, Jeff Sokal, from Omnis, Richard Kingan, from Veloxint, Brian Joseph, from Pure Watercraft, Dennis Frioni. From Commercial Metals, I don't have, I don't have the name from Commercial Metals, from Papier-Mettler, and there's not a representative from them, and from Klöckner, and there's not a representative from them. But if you could join me, just think, just think, when every single bit of this absolutely is done, think what you have done. Think what you have created. Forevermore you have created our grandchildren's jobs. That's what you have done. You have created the fact that over and over and over Edith and Toby wanted to have a picnic and they want their grandkids to be here. And they're in Charlotte or Denver or Atlanta and now, now they're going to be in West Virginia. So please thank y'all so much. Thank you so, so much.

Well, just in the last little while, two more have come. TCL, which are based in India and is a chemical plant within Covestro plant that's in Marshall County. They're going to spend \$150 million and create 50 jobs, making any ingredients that are found in food. The TCL Chairman, another new Knight of West Virginia, is with us right now. It's Mr. Parthasarthy, if you can really give him a great round of applause.

CM12 is with us tonight. You know I don't know if it's CM One Two or CM12. But CM12, tonight I'm proud to announce that the Civil Military Innovation Institute, CM12, based in Morgantown has stood up as a one-of-a-kind military capability that is coming and operating and going to operate in Clay County. It is unflat-believable what they're going to provide, 50 jobs. CM12 has been awarded \$100 million in a new contract from the defense people and literally they're promising more and more and

more to come. And, and boy Zenovy Wowczuk is with us tonight. And if you could stand, please.

You know, there's been, there's been an awful lot. People never would have believed that West Virginia could have diversified. People never would have believed that you know, really a coal guy would welcome with open arms, you know, alternative sources or alternative energies. I'm a real believer. I'm a real believer that West Virginia needs to welcome all. There's been many green and niche components to this admission initiative, but I want you to remember just one thing, and I know you will forevermore. Our coal, oil and gas folks today are supplying to West Virginia in this year or in years past, \$891 million of severance income to this great state. They get up every day and get their dinner bucket and go. People are in 7000 feet underground and 32 inches of coal and can't sit up all day long.

And they do it for their families. And they do it for this nation. They do it for this great state and they do it for all of us. Never, never will I, and never should you ever forget the great work that the coal miners have done, the great work the gas workers do, and the oil workers in this great state. Never turn your back on the greatness of our natural resources. Thank you so much.

We will kind of keep moving here, okay? In regard to our budget, we again are going to have a budget presented by me that is relatively flat. You see, I don't believe in using the rainy-day fund to bail me out. I want to mind the store. Absolutely. I want to do with Right. Absolutely. From the business guys' standpoint.

You know, we have funded projects out of surplus, one-time projects, we have not built base hardly at all. We have really looked after the store and we expect, and we should, return on investment. With all that being said. Absolutely. Before I go further, I want to just say just this, but our retirees, we've gotten a lot of them, we haven't really necessarily forgotten them, but today with inflation with what it's at, imagine this. What I am proposing, two things, but for folks over 70 years of age that worked for us for 25 years, we have a minimum salary that would that they'll receive of \$1,000 really and truly, surely not much of nothing. And at the end of the day, I want to do a one-time bonus payment to them for \$1,500. And I want you to work as hard as you can knowing that whatever you come up with, I'll be right. But many, many

times we get running really, really fast. And we forget to please honor and help that wisdom.

Now, from the start, from the standpoint, I promised along the way, I promised, you know, that I would send a bill up in regard to the elimination of your car tax. You know, I said to Bill, I've done exactly what I promised, you know that I would just just, you gotta listen to me on this one. There's lots and lots and lots of things we can do. That if we want at this moment in time to grow the state of West Virginia, we're going to have to aggressively look at our personal income tax. It is an opportunity right now. Like none of us could ever imagine. This thing, we have the opportunity to do something that is monumental right at this moment.

Now with all that being said, all you gotta do is look at the publications, no matter what they may be, and they will all tell you the states that are on a pathway to getting rid of their personal income tax or really aggressively doing something, those states are winning the day. You got to know that you have to know that. A lot of people will say "well, we don't have an ocean." You know, but we don't fry eggs on the street in the summertime. Literally we have been blessed with the four greatest seasons on the planet. Forever, the very best people who have the greatest location or within a rock throw two thirds of the population in this country. We abound in natural resources like crazy and all I would say to you, and I know I will get in trouble saying this, who in the world wants to move to South Dakota? I mean, literally just a few days ago when it got as cold as it was here. If you'd had been in South Dakota, you'd have been a South Dakota-sickkle. You would. So, at the end of the day, just think how we're positioned.

You know, we're positioned in the absolute sweetest spot that we could possibly be. Now way up in the back you've got our Senate President, President Blair, and you've got our Speaker of the House, Speaker Hanshaw. And I've listened to them. I really have. They have said over and over and over that what we need to do in regard to the PIT is they wanted to think, either don't do it or make a big splash. That's all there is to it. Either don't do it or make a big splash. So here comes me, cannonballing into the pool.

By God, I'll make a big splash I'll promise you that.

But tonight, I'm proposing our West Virginia tsunami that the world will hear in every single

way. They'll hear from every rooftop in every way. A tsunami that does nothing but benefit all everyone. Tonight, I am proposing the biggest tax cut in the history of this state. I'm proposing a 50% reduction in our PIT across the board now.

This thing, just saying if we do this, it will take us three years to pull it off. But absolutely it is that aggressive pathway that will absolutely put unbelievable monies right back into all of our pockets. With all that being said, just think of this, for God's sakes, and just think of just this. Right off the getgo, 30% The first year 10% The next year 10% The next year and then and then we step back and just see, with all that being said, think of how much if I were to walk into you and say I'm going to put a billion dollars back into our economy tomorrow and the people spend it. What will be the multiplier effect will be six times or 10 times tomorrow? You will become your own stimulus package with zero growth. Now has to be absolutely the word weighing all across the world and people will come. People really come. I have listened to the Senate. I have listened to the House.

And absolutely now, I hope and pray that we will move and move quickly to just show the people just how serious we are in West Virginia. And the fact that they, they have pulled the rope with us forever and ever and ever. You just think of the decades when they were in that race with Mississippi. And literally those folks absolutely today are hurting at the grocery store. Or the gas pump or whatever it may be. And we need to step up and help our folks and literally get on a pathway of doing something that's unflappable. There's other business and there's other budget items that I need to talk to you about.

Like I said, there's a bunch of this and I'm gonna go as quickly as I can but it is great stuff. You know, our hospitals are the lifeblood of all of our communities are they not? And literally like it or not like it but you know when they take a PEIA patient in and everything a lot of times it becomes a burden rather than a plus. We need to help them out. And so tonight, you know, I'm wanting us to put \$40 million into an adjustment for the local hospitals and absolutely help them in every way.

On top of all that, we have a school aid formula increase of \$35 million that I want to put in, and I can say this for the first time, forevermore, we are beginning, we're beginning to absolutely grow enrollment. The school aid the school aid situation is really designed for

first grade aids to first grade teachers. And I think the exact amount is probably \$37 million. And we'll start there.

We need our kids to be better educated. There's no question whatsoever about that. Absolute, you know, our Speaker, you know, because he campaigned this effort and he thought his effort was really good. And so, do I.

The other thing I want to do is just this all of us in here, I mean, all of us can leave here and go to Wendy's and hang out. We can. Baby Dog would love that.

And, and absolutely, but if you'll just step back and just think about it, the one thing that we should absolutely do, especially with us doing how well we're doing right now is put a stake in the sand to some way say we're going to stop hunger in West Virginia.

We need to do it.

I gotta tell you this, and I want I want to offer up for us to do the million dollars again to our big food banks. But I want to do one step more. Absolutely right behind that. There was a fellow that was my uncle. And I never would have thought of this in a million years, but I just did the other day. He was 94 years old and died about six months ago, maybe eight months ago now. I did the eulogy. At the funeral. He was one of 10 kids on my mom's side. At one time. Of course, they never had indoor plumbing at my grandparents' house that I went to every time. His name was Posey Perry.

And literally he was such an unassuming guy, a Christian beyond belief. That's all there is to it. Though most people looked up to Posey Perry, well he died. You know what he did, he worked in the coal mines his whole life. And then when he retired from the coal mines, he went to the food bank nearly every single solitary day.

I want us to set aside \$10 million in the Posey Perry Emergency Food Bank fund for all of our pantries or whomever it may be, can draw on that. And if at the end of the year we ended up with \$4 million, next year we'll put six. If we drain it, the next year I would propose we put back 10. Absolutely. That's what we need to do. We need to try with all in us to say, by God we're not going to have hungry people in West Virginia today.

I'm proposing with our ARPA dollars that have been sitting there a long time. I'm

proposing with those dollars that are a total of \$677 million that we do with those dollars two things. We put \$500 million of those dollars aside for the economic enhancement or impact fund. We have now, and you see fruits, you see them. I mean we've now gotten to the place in time in West Virginia where we're competing. We're competing with others.

You see we could never do it before, could we? We couldn't ever, ever do it. But now we can compete. And now they want to come. And now we've got it going and those ARPA dollars to me, \$500 million goes there. \$177 million goes into a fund that Ann Urling has done marvelous work with all the water and sewer projects, and we keep them going on and on and on. That's my proposal in regard to that.

In regard to education, you know, like I said, we surely got rid of unnecessary testing and grades A through A through F stuff and all that. We now have programs that are out there like you know, grow your own pathway and we're making some inroads here and there.

There's a lot of good stuff going on in the classrooms. But absolutely, without any question we need to do one thing for absolute certain. We must ensure that schools have the responsibility to the students and the parents and not to a bunch of special interest groups. I believe that with all my soul. All of our parents deserve to know exactly what's going on in a classroom. Without any question, our parents have always known what the best is for their kids.

Tonight, I am proposing a bill to direct school systems to make all curriculum taught be available online where we can see every single thing that's being put into our little kids' heads.

We have to make our schools safer, don't we?

We've got school safety officer programs and everything and we're trying. We got to absolutely step up in any and every way we possibly can to try to absolutely be vigilant in every way. A tragedy like we've seen many, many times across this country could happen tomorrow in West Virginia. But absolutely with all in us, we have done everything that I know we can do. But we still need to do much more. To ensure that, absolutely, our kids when they come to school, they feel safe, and they feel happy.

Absolutely to keep competing and to keep working on all of this. I am absolutely proposing also for the fourth time. Now many of you may think, well gosh, why do we need to keep doing this and everything.

But really when it really boils down to it. We've got to be able to compete. I am proposing for the fourth time, a 5% pay raise to every one of our state workers. We can afford to do this. And absolutely I think it gives us the opportunity to attract better and better and better.

At the same time our PEIA fund is going to get upside down and get upside down really quick. I want to put \$100 million back into our PEIA fund and give every state worker a 5% pay raise.

Let me tell you about HOPE Scholarship, just one second. HOPE Scholarship and thank you guys, thank you guys for standing up for HOPE Scholarship. HOPE Scholarship gives choice. We should have choice. There's no question we should have choice. And as it continues to grow, why in the world do we need to hit these brick walls? You know what I want to do is bucket \$15 million for the thousands of families that can absolutely select choice and take advantage of the HOPE Scholarship.

I want to put \$75 million in higher ed to work on deferred maintenance. We've let it go too long. A building is about to fall down. Many many, many situations we've got to do something to help there.

A bunch of you, the majority undoubtedly here, a bunch of you as I we're so thankful by the reversal of how *Roe v Wade* was overturned.

I promised you and you did your job. You did your job. You absolutely vetted and took your time. You absolutely finally brought me a bill I promised you. I promised you the very second you brought me a bill I'd sign it. I did exactly that. And I did that very proudly. And I would tell you and I don't tell you this to grandstand, because I don't believe in that in any way. As long as I'm your governor, I will stand with life, period.

Additionally, I'm proposing that we take care of the moms.

This could very well expand. But I am proposing \$1 million is going to go into the child pregnancy centers to make things better, and

make things safer, and will help us in many ways there as well.

Ok, you know we came up with the nursing program, the Governor's Nursing Workforce Expansion Initiative. We put \$48 million in it.

At one point in time during the COVID situation we had 2,000 beds in this state that we couldn't staff. Think about it, 2,000 beds we couldn't staff.

Probably we lost a bunch of people because of it. We had to do something. We started this initiative and it absolutely knocked it out of the park. It is absolutely amazing what's going on.

And we're absolutely on the threshold of being able to pump out nurses and bring so much more goodness to West Virginia it's unbelievable.

I'll be asking you that we take an additional \$20 million to keep this super program really going. And a special, special thanks to all the schools that are making all that happen. Thank you so much.

The EMS situation is the same thing. We put \$10 million, actually \$11 million dollars in it. We were, we were struggling like crazy to find an EMS. We couldn't find anybody to go to work.

Think about this story. And I'll read this very quickly. This is a story from a fella and his name is Darrin Crosier. He works in the Kanawha County EMT. Now think about it he says, I'm so thankful to be a part of something like this. To see tax dollars for the betterment of West Virginians. We do this because we love West Virginia, and we love our communities. This training has helped me in so many ways. He gave me a career and great health benefits for myself, my wife and my three children. This has been very rewarding, and it taught me that I could learn again.

Unbelievable.

Really and truly, I am proposing that we put \$10 million into this fund and keep this thing going.

We have two wonderful people with us. We have our teacher of the year and our service personnel of the year Amber Nichols and Jessica

Grose. They're here with us and where are they? Way to go!

They are from Eastwood Elementary in Morgantown and Hodgesville Elementary in Upshur County.

I gotta say something about this little lady sitting over here. Our First Lady started Communities in Schools. We started really in three counties: Berkeley, McDowell, Wyoming counties. It started out in nine schools and had 4,000 kids. Think about it. Today, they're in 38 counties, 208 schools and they are touching 91,000 kids.

Now, I'm telling you this and then you could believe it or not believe it. I don't blow smoke at anybody. Not at my daughter, not at my wife, not at you, not at anybody. I don't have time to do it. All I know to do is tell the truth as best I can possibly do it. I'm in the schools a lot. And I'm in the schools a lot. I coach and I'm proud of it.

I've been in the schools forevermore, and I'm telling you, and you can say what you want. I've never seen a program that works any better. It is unbelievable. You know, I want to read this just very quickly but a 17-year-old from Wheeling Park. This is her first year, you know. This is the first year of the program in Ohio County. The site coordinator noticed some irregular type things going on with this kid. Found out this kid was taking care of her granddad, a veteran. Literally, they got involved from the, from the community side. This is exactly what Communities in Schools does. They got involved and they were able to get the veteran benefits and they were able to help the kid and the kid is doing really, really, really, really well.

One other thing they have done is they absolutely started this initiative with therapy dogs. I gotta tell you this. Tonight, there's a lady with us, her name is Sarah Linger. She is the site coordinator for Lewis County High School. She has with her one of the therapy dogs and Baby Dog is majorly jealous right now. Sarah if you would stand.

Let me just read this to you for just one second.

Jasper does an outstanding job with students and with their emotions. He goes on to say once a student was very worked up and struggling. After spending a few minutes with Jasper, and we all know that dogs will do this. Absolutely,

the student calmed down and the student is doing better every day in school. Now, get this. At Pineville Elementary School, there's a dog there and its name is River. There is a student there that is severely handicapped and for all practical purposes non-verbal.

Now, think about it.

And for most of this I'm gonna have to go real slow, because I'll get big tears in my eyes about this because, honest to Pete, I love kids.

When asked, "How did you like River?" The student that was partially, or for all practical purposes nonverbal. The student exclaimed, "Best day ever!"

Cathy, thanks and all I can say is just keep it up.

We got lots and lots and lots more dogs that are growing. And, you know these dogs are expensive and everything. But there's lots of good stuff.

We want all 55 counties. And I think Cathy is on a pathway that's gonna happen and happen really soon, probably within this year. So, lots of good stuff there.

Let me jump to something that you know I've talked about before and its drugs.

We all know. It can cannibalize us. We have made a lot of inroads. But we absolutely know we still have lots to do. I can't say this anymore bluntly, because I don't know how to say it.

If you look at what's going on at our Southern border of this country, and you just think, you just think why are we tolerating this? Why in the world are we continuing to allow drugs to flow all across this great country? And thousands and thousands and thousands die.

Why are we doing that? I just plain don't get it.

But in West Virginia, just the other day, we had you know through Homeland Security or some other agency, I don't know exactly what it was. They seized some fentanyl and that, just that small amount, it was like six ounces. It would have been enough for a lethal dose for 90,000 people in West Virginia.

I don't know why in the world we continue on. It's a big problem.

We should absolutely continue to support and help and to try to help in every way our programs like Jobs and Hope or whatever it may be. That we should absolutely know we've got to all be in this.

Every last one of us has been touched by a terrible situation with drugs.

It hurts our state. It hurts our employment. It hurts us in every way. And I wish to God above we had some real live help, you know, from DC, in regard to this.

In regard to corrections, you know, we have many, many vacancies.

You know, last the last go round you came really close on locality pay.

Some of our bordering counties we have a 70% vacancy.

You got to address that. Please address the locality pay. Because we have absolutely, we have an obligation to take care of our prisoners. And we're going to awaken to something not very good there if we don't watch out.

DHHR, a hot button right now. That's all there is to it. You know you asked me to make it better. And absolutely I have brought in a team like you can't imagine. I can go into all kinds of specifics with you tonight.

But I can tell you, if you believe in what we did in COVID with Dr. Marsh and General Hoyer and literally now Dr. Coben. If you believe that, there's lots that we got to do, I want to listen to every one of your ideas. I want them to listen to your ideas. We all can do one thing. If we will do it. We can make it better. It didn't get in this mess over the last couple of years. This is a culmination of a problem that's been there many, many, many, many decades.

We can make it better. We need to listen to your ideas. You need to listen to ours. You need to absolutely bounce ideas off of Dr. Marsh and General Hoyer and Jeff Coben. Absolutely, I am as open minded as one could ever be. I've got to tell you this though. Welch Hospital in McDowell County.

And many of you probably have never been to Welch Hospital. I've been there many times. Welch Hospital is kind of in an area of the world that got left way, way, way behind. If I'm right about this McDowell County at one time had about 110,000 people in it. And now they got less than 10,000.

That hospital and everything has surely been tough going for everybody. That's all there is to it. It's been a drain on the state. It's been a drain on the county. It's been a drain in many, many directions.

Through the great work, again, of Clay Marsh, General Hoyer, Jeff Coben. They have now today, today. The McDowell County Commission took over the Welch Hospital and WVU is going to take over the Welch Hospital and bring to the coalfields down there absolutely a shining light. We got it off our backs and this is an absolute accomplishment by those guys. That could not have happened without those guys. Please give them a big round of applause because they've worked really hard.

Let me tell you this. We have with us tonight one of our CPS workers. Her name is Aimee Stevens.

Aimee's been with DHHR for eight years now. You got a story that's really neat. She walked in. She was a single mom. Walked into DHHR probably to sign up for benefits and found out the people that she was working with there, she liked them, and everything was all good. And lo and behold, one thing led to another, and then all of a sudden, she got off in trying to branch out into a new career of Social Work. She became one of our CPS workers.

And she's been at it for eight years. And Jeff Pack who was right with you not many years ago, oversees that for us. And Jeff reports that she is outstanding, beyond belief. So, where's Aimee, if she's here with us if she is staying? Right there she is. Please give her a great round of applause.

Okay, we've still got lots to do. There's no question whatsoever. These are just isolated things and there's so much to do. Please remember what I said about the wisdom. Remember what I said about respect, literally, let's work together with all of our ideas, and we'll solve it. We'll solve it or we'll make it a heck of a lot better.

Now, I would say just this. In this state we've got plus or minus 1,000 foster kids don't we. And a bunch of them don't have a home. We can go to Wendy's. And, absolutely Baby Dog can too. And we've got surpluses that are off the chart.

I'm challenging you right now. Find a way. Find a way to incentivize families to give these children a chance. A chance. They need it literally. I tell people all the time.

If you're not doing this, you should. Take time to get involved in some way in trying to help a kid.

The giver is always the winner. You will not believe what it will do in transforming your life.

These people need us, especially these wonderful kids.

Now if I could switch real quickly, to just this, our National Guard. Think about this. 250 in 2022 were overseas. 550 worked in the COVID response. 350 worked at 30 different hospitals. 300 worked in corrections for God's sakes a living they were even fighting fires. And then of all things they took helicopters when Andy Beshear called me and said, "Will you come and help?" I said you're dadgum right we'll come. We'll bring the best of the best and they went there and saved people's lives and there's terrible floods in Kentucky.

Please give our great National Guard an incredible round of applause.

I'm gonna get you up again right now. I'm sorry, but not really.

Our veterans. And you just think what they've given us. And we lost an absolute American hero beyond belief. Not long ago in Woody Williams, for those of you who didn't have the opportunity to be with him, you really missed something. He was un-flat believable. That's all there is to it.

He could have sat here right here tonight and delivered this ten times better than I could.

Absolutely. Somebody that believed in his heart. No, the Medal of Honor recipient. Absolutely somebody that believed in his heart to continue to do more and more and more for our Gold Star Families. And it continues on right now.

And tonight, Tracy Ross, what his daughter and Bryan Casey, Woody's grandson are with us and I don't know where they are either. Please, American hero, a hero beyond belief.

Okay, we're starting a program with not too much money. I think \$500,000 and we'll start with 100 and see where it takes us.

We're starting a program called Welcome Home program. We're gonna have a \$5,000 incentive to any veteran that wants to move back into West Virginia.

Really, with what all is going on right now. If we can get this VIP thing done, we're going to get every veteran that wants to come. And we will get veterans beyond belief and take absolutely their expertise and knowledge and make us all better.

So, this program is absolutely that I am proposing that we do this program one time and see what the results are. And then I hope and pray that we'll be able to expand it. When you stand this time, stretch just a little bit, because this is the seventh inning and I'm winding down.

Delegated Hornbuckle came to me the other day and Dr. Allan Letton. They want to do something at Marshall University and again, the size of the magnitude of this compared to all that's going on. Surely, we've got to step up in the African American community and try to help what in the world is wrong with us to not step up? They want a million dollars to go to Marshall University to be able to start the Center for Economic and Community Development in the African American community of Appalachia.

I don't, I don't know if they are with us. Well, I know Sean is somewhere, but nevertheless, Sean, if you'd stand, we'll give you a great big round of applause.

Now. I gotta talk just about tourism and roads for just a second.

I mean, literally, whatever money you have. I don't care what it is. Put it in tourism.

It doesn't matter what it is. Whatever money you got, put it in tourism. You will instantaneously get a return on that money like you can't imagine that's all there is to it. It's happening everywhere all around us. Imagine these numbers. Imagine them. Last year travelers in West Virginia spent \$5 billion. \$5

billion travel guides all over the place. They're saying come to West Virginia. There's so much goodness going on in our parks and everywhere else under the sun. I could go on forever and ever in a day. You know, we spent \$150 million upgrading our parks and you can't even get a place in our park because we're all sold out for all practical purposes.

Shows all they make the world see just how good we really are. You remember, back in the beginning I told you about image. It is so, so important.

Literally we know how good we are. But the world didn't know.

And they absolutely know now. They're getting it.

I want to talk just a second about roads.

Imagine this in 2022. We did 115,745 miles of work.

Think about that. Think about it. In the last four years we've done 364,500 miles of work in West Virginia.

Roads got in really bad shape.

You say what you want but not very many years back. I said for God's sakes a livin and we can't even go to the convenience store because we tear a car all the pieces go into the convenience store. And today is saying the Nitro World War One Memorial Bridge is on its way. The Beckley Bluestone travel plazas are underway. All the Wheeling bridges are for all practical purposes done. The streets in Wheeling are getting done. The Coalfield Expressway is making unbelievable inroads. Corridor H is absolutely on a path to be done.

In many, many, many, many more.

There's lots and lots and lots of goodness in many places.

There's a fund to IJJA. I commend Harold Board and Jimmy Wriston for tapping into this. Harold did something that was first in the nation, to deploy the IJJA funding for oil and gas plug in 25 million and abandoned mine lands for 145 million. Harold is not with us tonight. But you can give him a big round of applause too.

Jimmy is watching after this and taking full advantage of the infrastructure investment and jobs act and there will be billions, billions of dollars flowing into West Virginia.

Now we're on the homestretch now. You won't have to listen to me very much longer.

The pandemic was really tough, wasn't it? No playbook. Through all that, and everything. Our labs and I'm hoping and praying that we do this because no governor should face this again.

Our labs have been on a burner but then shoved to the back burner and shoved to the back burner and shoved to the back burner over and over. Big ticket item. Very, very big-ticket item.

If there's ever a time that we can build a new consolidated lab and bring them all under one roof, and absolutely move into the century that we should be instead of the dark ages, we can do it now.

I'll never forget Vernon Criss. Just the other day he told me, he said, you know, our labs, in many ways reminded him of having two Dixie Cups and a string, to be able to communicate. Absolutely our labs can get us in a lot, a lot, a lot of trouble, and we need great labs to be able to respond.

The price tag to put them all together. And that's the state police forensic crime units. The Department of Agriculture, DHHR, the Office of the Chief Medical Examiner, DEP and Weights and Measures, the price tag, from what I know is \$250 million.

I'm proposing that we quit kicking this down the road and put \$125 million in this year \$125 million next year out of surplus and get it done.

From a standpoint of broadband, I want to just tell you just this, we announced a billion-dollar program with the Senate with the House with all of y'all.

The billion-dollar program on broadband wanted to test 200,000 homes and new businesses for businesses rather I'm proud to announce now we spent \$548 million dollars of that total investment so far, where we're halfway home. I know there's many, many, many, many of those dollars are still hooking up people and everything because they're not done. But absolutely I do believe by the time that I leave.

We will have absolutely passed the billion dollars and that's good stuff.

Now, I'm gonna end with you on just this note. I am going to end with you that your responsibilities and my responsibility is a daunting task. There's no question. I mean it when I tell you I love you with all my heart.

Now I'll argue with you, but I'll be respectful to you in any way and in every way I possibly can be.

You have not only a daunting task, but you have a daunting opportunity right now, like nobody's business.

You got to listen, and you listen to me. You got to trust me on this.

The one thing I've done is I've run many, many, many businesses. I have created thousands and thousands of jobs. I can tell you opportunity flashes in your face. And if you don't grab it, that door closes. It's just as simple as that.

I would always remember without any doubt, you're here for Toby and Edith. You are. All of you are I am. In every way. You're here for our children. You're here for our seniors. You're here for our new and old residents and our new and old businesses as well.

You are here for all the generations to come. I mean this so profoundly I couldn't possibly say it any better than just this.

God bless each and every one of you for all you do, you give. You're away from your families. You're here 60 days. You work all the time. What you're compensated is next to nothing, for what you give.

And you should be loved, and you should be appreciated for it.

I would say an ending for all of us. God bless this incredible State of West Virginia. It is so wonderful. It is off the chart. And God bless this incredible country.

Thank you so much for having me. And God bless all of you.

Thank you.

**Congratulating Bob Huggins on his
induction into Naismith Memorial
Basketball Hall of Fame**

(Adoption of Senate Resolution 6)

REMARKS OF
**HONORABLE
MICHAEL A. OLIVERIO II**

Tuesday, January 17, 2023

SENATOR OLIVERIO: Mr. President, I want to thank you and I want to thank the Clerk's office for their help with the resolution.

We're honored to have Coach Huggins with us today.

Today, we celebrate the coach . . . and we honor the man.

The coach has achieved 916 wins.

Among the tall men who coach college basketball in America, he stands even taller. In fact, he is a giant.

He has been inducted into the Naismith Memorial Basketball Hall of Fame.

And for four decades, he has mentored boys into men. Men that have gone on to serve West Virginia in many ways.

The coach has been to the Sweet Sixteens, the Elite Eights, and the Final Fours. Plural . . . on all of those.

I had an opportunity to watch his team play at the Final Four at Lucas Oil Stadium in Indianapolis. And late in the game, his star player at the time, Da'Sean Butler, suffered a serious injury. And with the player laying on the court in pain, and great emotion, Coach Huggins came to his assistance. And while we know the nickname "Huggy Bear", this was a time when a hug was needed.

And it was when the eyes of the nation saw the coach in the eyes that we have always known him to be, the man. The man of great charity who formed a foundation at West Virginia University while coaching in Cincinnati in honor of his mother, Norma Mae Huggins . . . a cancer endowment fund that assists West

Virginians every day . . . and an organization that we hope will raise a few million dollars this month to support those in need.

He's been a man who has remembered our state's industry: Our coal mining industry, Senator from Marion. And in times of crisis, he has been there to support those miners and their families. He's been there to support their children to help pursue their education.

So today's resolution is, in part, about honoring a coach but, much more than that, it's about honoring the man. The man that we know and love, our coach, Bob Huggins.

I ask each of you to support the resolution and thank you all for welcoming the coach today.

**Allowing students to transfer schools and
retain athletic eligibility**

(Passage of Eng. Senate Bill 262)

REMARKS OF
**HONORABLE
RYAN W. WELD**

Wednesday, January 25, 2023

SENATOR WELD: Thank you, Mr. President.

We've had a little bit of a boring floor session today. I wanted to get up and speak to the bill.

You know, we had this bill last year, Mr. President, that we passed out of here at a pretty good vote margin. It went over to the House and . . . you know, we worked out some language but we kind of ran out of time there at the end. But I've had some very encouraging conversations with our brethren in the House to get this across the finish line to be able to help students across this state.

You know, last year I had some good motivation in the reasons why I wanted to run this bill. But, this year, I have even more motivation. And that motivation comes in the form of a Supreme Court case that was issued late last year by the West Virginia Supreme Court. It actually comes, originally, from a case in my district and the district that I share with the Senator from Ohio.

And the case involved a student who was a student at a public school in Marshall County and wanted to transfer to a private school in Ohio County. And, according to the court case, the student's mom made the case that her daughter wanted to transfer because they were seeking smaller class sizes, a more personal environment, and wanted to attend a school that offered religious classes. And so the girl also played softball and basketball and she wanted to do so at her new school, the smaller school.

Well, the SSAC (Secondary School Activities Commission) said you can't, you've got to sit out. And you've got to sit out not in terms of you can't even be on the team, you can be on the team, but you have to sit the bench. You can go to practice, you can wear the jersey on game day to school, but you can't play.

So the girl and her mom appealed the decision. And when you appeal a decision of the SSAC, you appeal it to the SSAC. And if you appeal the determination that was made by the SSAC, you can appeal that to the SSAC. So, they did so. But then they went to court . . . because that's the last line of . . . you know, possibility of hope for these kids. So they had to go to court. And so the court, the lower court, had ruled that the girl could play, that she was allowed to play, that she should be able to play.

But the SSAC couldn't sit idly by. And so they took that girl to the Supreme Court. And we're talking about an organization that just a couple of years ago spent over \$70,000 on legal fees just to make sure that 16-year-olds can't play volleyball.

And so, in this court case, the SSAC, their claim was that they have to sit out for a year. Students have to sit out for a year because they need this settling-in period, they have to adjust, they have to get adjusted to their new school and figure it all out.

But it's very important to keep in mind that that settling-in period doesn't apply if you're coming from out of state. So, if you move here from California . . . get on that team. Get out there and play. If you go from a nonmember school . . . So, if you, in my district, if you go from Linsly to a public school, you can play. But this girl, and for hundreds of other students across this state, if you're transferring from a public school, or from a private school, public to private, you've got to sit out. But for all those other kids, if you're moving from out of state, you don't need that settling-in period.

And so this girl was ruled by the Supreme Court that she couldn't play sports.

And so this ruling really served as a motivation for me because I think it's very important that we provide every student with every opportunity that they should be allowed to have.

You know, I started out high schools at a private school in Hancock County and I transferred to a public school. I transferred to Brooke where I graduated from. And I had made a lot of new friends that summer before my sophomore year and that was the big reason I decided to transfer. But I also wanted to be on the swim team at Brooke. And it was an opportunity. And I had to appeal the decision and I had to . . . my mother and my stepfather had to go to a hearing in Parkersburg about it . . . and I was allowed to play. But not after I had to go through that whole process and . . . I think it was two months of not being able to play. It ended up working out for me because I went to college on a swimming scholarship at Fairmont.

And so why should we be robbing opportunities of kids that, if they have an opportunity to go to another school and have an opportunity to play a sport in college and get a scholarship, we shouldn't be making determinations on, is it a hardship? Are they really being honest when they say that they're transferring schools because they wanted a smaller class environment? Because that's what they're doing is that they're injecting themselves into the decision-making process between the parent and the student.

And so I just want to close on this: You know, the SSAC has rules on transfer. There's about 11 pages of their rules regarding the transfer process. And so, this bill recognizes exceptions that are already currently allowed by the SSAC through their rule process and that comes to you in subsection (c). So, this bill just allows for a one-time transfer so that a student does not lose their eligibility. So they don't have to sit the bench wearing the jersey but they can actually play the game with the team that they practice with. So, this is just a one-time transfer. This doesn't create a transfer portal like the NCAA. This just ensures that kids at private schools, public schools, coming from out of state, wherever, they're all treated equally.

So, I appreciate everyone's support for this.

Thank you very much, Mr. President.

**Allowing students to transfer schools and
retain athletic eligibility**

(Passage of Eng. Senate Bill 262)

REMARKS OF
**HONORABLE
RANDY E. SMITH**

Wednesday, January 25, 2023

SENATOR SMITH: Thank you, Mr. President.

I'm going to rise in opposition of the bill. I respect the gentleman's stand on it but . . .

As most of you know, I represent a very rural district. I have several very small schools. Some of them even have a problem getting, you know, six, seven kids on a basketball team.

I understand what the gentleman's saying but one size doesn't fit all. And, you know, when he said the NCAA allows this . . . I think you can see the mess the NCAA's in now. And I'm not a big fan of the SSAC. They need a lot of work done on that organization. I'm not here, you know, taking up for the SSAC. I'm standing here taking up for the small rural schools in my district—Hardy County, Grant County, Tucker County—that, you know, sometimes have a hard time getting enough kids to fill the team and, heaven forbid, that they have a superstar on that team because then every big school around there is after them trying to get them to transfer, you know, offering jobs . . . I mean, it just . . . I'm not going to go into that. But everybody knows how it works.

You know, we don't send our kids to school for . . . you know, to become superstar athletes. A very small number of our children go to become superstars or even college athletes, let alone pro-athletes. We send our kids to school to get an education. And part of that education . . . And I was always . . . When I was a parent, when my children were involved in something, you know . . . things aren't always fair. Sometimes you have to learn to get along with the teacher, you have to learn to get along with the coach. And I just feel that we're opening it up where if you don't like your coach, then you look elsewhere.

And I just think we're starting a bad precedence doing this, you know, nobody's

going to die from it, you know, nothing . . . you know. But it is . . . I just don't think it's . . . In my heart, I don't feel it's the right thing to do. I think there's a bigger picture than what we see where, you know, it's going to give an opportunity to a kid to go to another school. I mean, they can transfer now before they're in the ninth grade without any restrictions I'm told.

And, you know, I've had several of my small community schools, coaches, and athletic directors reach out to me and, you know, they fear this because, you know, some of them . . . My district borders three states and I couldn't tell you how many kids that we have that goes to a different state to play sports. You know, all it takes is a change of address whether it's legitimate or not.

But I just feel we're opening up a can of . . . [inaudible].

**Allowing students to transfer schools and
retain athletic eligibility**

(Passage of Eng. Senate Bill 262)

REMARKS OF
**HONORABLE
JAY TAYLOR**

Wednesday, January 25, 2023

SENATOR TAYLOR: Thank you, Mr. President.

I have to respectfully disagree with my Senator from Tucker. To me, this is a freedom bill.

What is in the best interest of the children? What's . . . you know . . . Yes, we live in a rural district in the fourteenth but, you know what, I've had kids there that have gone and transferred from one school to a bigger school that had the program they were looking for. They got to play that sport there at that school and are now playing college ball on a scholarship.

Who are we to . . . you know, to not allow that and not allow the freedom for what's best for that kid?

That's what this bill is. This is a freedom bill of just allowing the parents to do what is best for their kids and taking the politics out of it. Taking the SSAC out of it and allowing the parents to have the freedom to do what's best for their kids.

So I hope you'll join me in voting "yes" on this bill.

Thank you.

Allowing students to transfer schools and retain athletic eligibility

(Passage of Eng. Senate Bill 262)

REMARKS OF
**HONORABLE
PATRICIA PUERTAS RUCKER**

Wednesday, January 25, 2023

SENATOR RUCKER: Thank you, Mr. President.

And I'm just going to add a little bit more to this discussion.

You know, previously in the last few years, this legislative body has passed some school choice measures and introduced some ability and flexibility for parents to determine what is best for their individual child. And we did that because we acknowledge that one size does not fit all, that there are students who are not getting what they need at the place that they are assigned to.

And the reality is this piece of legislation is a much-needed component to allow those parents to actually use that flexibility that we've given them through the measures that we have passed. That the student not have to suffer because they needed to move to a different location to get what they needed for their education.

So, to me, this is a very important and much needed piece of legislation to allow those parents to take advantage and those families to do what they think is best and not feel they're tied just because of a rule that WVSSAC has.

REMARKS OF
**HONORABLE
MIKE CAPUTO**

Thursday, January 26, 2023

SENATOR CAPUTO: Thank you, Mr. President.

Very briefly, I just want to touch on something that coal miners know way too much about . . . and that's black lung disease.

We talked about the folks that are here today—most of them volunteers—bringing awareness to the dreaded black lung disease that most people maybe have never witnessed.

Statistics show, I believe, about a thousand miners a year die from dreaded black lung. You know, the term is "pneumoconiosis" but, in the coal industry and, if you work down in the ground, senator, you know it's black lung. That's what we call it. That's what it is.

Some facts about black lung is that new cases continue to occur in our underground mines, especially among younger miners. We're seeing that number on the rise. And the number of black lung cases with miners over 20 years is also on the rise. And we need to, as a body, and the agencies that are expected to protect the health and safety of miners, we need to do all we can to make sure that dust levels in the mines are at a standard that is acceptable. That's number one.

But number two, Mr. President, those who unfortunately get black lung should be compensated. They work in an industry that supplies the fuel to keep our nation going and it's just not a good atmosphere. The dust is there. You breathe the respirable dust all the time. You breathe the rock dust, the silica from the mining process. It all is a combination of a horrible, horrible disease.

My dad had black lung. He died of heart disease complications from black lung. And I know many people that have died.

I know the Senator from Kanawha can attest to this, there is no more dreaded death than lung disease.

My mom died of pulmonary fibrosis, which is very similar. And it is horrifying. It's absolutely horrifying. I kind of describe it as a fish out of water. That's how bad it is when they

grasp for every last breath and the oxygen you're trying to pump into them is just not enough because the lungs just can't distribute it throughout the body. And, eventually, death occurs.

So, I would encourage my colleagues to stop out to the booth and just pick up a brochure and learn a little bit about it. I had the honor to go out there to talk to folks with the Senior Senator from the Seventeenth and he's very concerned. And I believe he is the guy that we really need to talk to who understands this issue better than anybody. I mean, I can't get into the technical aspects and what the disease does to you, but I can tell you, as a coal miner, it's very, very horrible. It's very, very horrible.

So, you know, we . . . Just give a moment to those folks out there who are volunteers and learn a little bit about the disease that affects so many West Virginians, so many of your friends, and so many of your neighbors, and so many coal miners from all across this country.

So, Mr. President, I appreciate the time as always and thank the members for the indulgence.

Displaying official motto of United States in public schools and institutions of higher education

(Passage of Eng. Senate Bill 251)

REMARKS OF
**HONORABLE
MICHAEL T. AZINGER**

Monday, January 30, 2023

SENATOR AZINGER: Thank you, Mr. President.

I'll be quick.

I just want to thank the chairman for running this bill in Education. Thanks for the support so far on this.

This isn't my own bill. This is a bill . . . I got the idea from a former Congressman, Randy Forbes, I think from Virginia. And he's helped me a lot through these last few days just getting this run.

So, why do we need a bill like this? Why is this a big deal? I think it's a very big deal. The U.S. motto "In God We Trust" came about through President Eisenhower as did the phrase "Under God" in our Pledge of Allegiance that we just gave. It was adopted during a time of disunity in America and at a time that unity was needed. And I think that's where we are in America in many ways.

So, what if we had the U.S. motto "In God We Trust" on every building, in every school in the State of West Virginia?

There's already over four million of these sent out across the country. A hundred in the U.S. Congress—a hundred different buildings.

One little anecdotal story and then I'll sit down: Congressman Forbes was running this bill and a U.S. senator came up to him and told him the story of why he was getting behind the bill wholeheartedly, full-throated like he had never gotten before . . . behind a social issues bill before. And he said that his little girl had come home from school and said to her mom, "Mom, you know, it's self-esteem day tomorrow in school. And I need to know what I say. What do I say . . . what statement do I make about why I am special?" And her mom said, "Well, you tell them that you're special because God made you special and that's the reason." And her daughter, and the U.S. senator's daughter, said, "But mommy, I can't say God in school."

Of course that's not true, you can say God in school. And this . . . as a matter of fact, the "In God We Trust" motto in whatever form or fashion has won in court every time since 1967.

This would be a big deal. This would be something that every child in West Virginia can look up and say, "In God We Trust". "In God We Trust". Maybe they'll be having a bad day, maybe they'll be having a problem at home—and we know there's a lot of kids that have those problems at home, tough times at home that we don't know anything about—maybe they'll look up one day and say, "In God We Trust" and know . . . and know . . . that they can put their hope in God.

I urge passage.

Thank you, Mr. President.

**Designating January 31, 2023, as WVU Day
at Legislature**

(Adoption of Senate Resolution 18)

REMARKS OF
**HONORABLE
MICHAEL A. OLIVERIO II**

Tuesday, January 31, 2023

SENATOR OLIVERIO: Thank you, Mr. President.

We're proud today to celebrate West Virginia University Day here at the Legislature.

West Virginia University was founded in 1867 as the Agriculture College of West Virginia. It's one of America's original land-grant institutions established under the Morrill Act of 1862. As Dr. Gee often likes to refer to West Virginia University as "Mr. Lincoln's University".

WVU welcomes students from all 55 counties, all 50 states, and over a hundred foreign countries.

Across its three campuses in Morgantown, Beckley, and Keyser there are more than 30,000 students now at West Virginia University.

Along with the health science campuses here in Charleston and in Martinsburg, and extension agents and programs in all 55 counties, West Virginia University's reach is clearly statewide.

More than 40,000 degrees have been produced in just the last six years at West Virginia University.

WVU has a \$4.8 billion economic impact on our state. It's a huge economic engine accounting for 3.8 percent of West Virginia's total gross domestic product.

When it comes to research, WVU stands out. WVU is one of just 146 higher education institutions of more than 4,500 across this country to have achieved an R1 research designation by the Carnegie Foundation. WVU has, in 2022, generated more than \$284 million in federal, state, and industry grant contracts through its research efforts.

Some notable programs at West Virginia University include: The Forensic and Investigative Science Program, one of the first in the country; its Entrepreneurship and Business programs through the Chambers College, now located in the newly opened Reynolds Hall; the Adventure Recreation Management Program; Nursing, Medicine, and Dentistry, which are helpful to serve our citizens; the Rockefeller Neuroscience Institute, which is involved with life-changing initiatives in the area of Alzheimer's, and Parkinson's, and substance abuse research; the Center for Free Enterprise; and Vantage Ventures.

WVU is our state's university. And WVU's extension is the front door to the university. Whether it's economic development projects; job creation initiatives; energy research for our traditional fossil fuels and new technology for our next generation of nuclear, geothermal, solar, and wind; engineering techniques which help our coal miners and our natural gas industry; exploration of deep space in conjunction with NASA; whether it's tracking weather programs with NOAA (National Oceanic and Atmospheric Administration); whether it's summer feeding and reading programs; our law school clinics which are helping to revitalize many of our counties and communities; and the Davis College helping our foresters and farmers, WVU is all in on West Virginia. It's committed each and every day to the education, health, purpose, and prosperity here in the Mountain State.

So, today, as we celebrate West Virginia University Day, I ask for your vote in adopting this resolution and your continued support of West Virginia University, our state's flagship institution.

Thank you, Mr. President.

**Designating February 1, 2023, as
Marshall University Day at Legislature**

(Adoption of Senate Resolution 22)

REMARKS OF
**HONORABLE
MICHAEL A. WOELFEL**

Wednesday, February 1, 2023

SENATOR WOELFEL: Thank you, Mr. President.

On behalf of my Senior Senator from the Fifth, who's not able to be with us today, I'm very happy to present this resolution.

I must mention, though, that my Senior Senator from the Fifth, a native of Kenova and a Marshall graduate, in my view, has done more for promotion of Marshall University than anyone else in this chamber for as long as I can remember.

So what I'll try to do is carry the water for him as we talk a little bit about my alma mater, Marshall University.

Marshall attracts its students from . . . really, around the world, around the nation, and, of course, around West Virginia. We draw students from southern West Virginia such as the distinguished Senator from Wayne and the Senior Senator from the Sixth. Southern West Virginia has also brought Marshall the distinguished Majority Leader, Senator from Kanawha.

Other students come from central West Virginia and the Kanawha Valley, such as Beverly Douglas, who is indispensable to our Judiciary operations as you well know. Not to mention my friend, the Senator from Kanawha, the Junior Senator from the Fourth [sic], who has football and basketball season tickets and definitely bleeds green.

Now, one of our distinguished graduates can't be here with us today. He's from Martinsburg, and we do get a lot of students from the Eastern Panhandle.

Before I forget, we get a lot of students from the Northern Panhandle. That would include the distinguished Health Chair, the Senator from Marshall.

But anyway, Mr. Nazeeh Johnson can't be here today. He's from Martinsburg. He's making his way to the great state of Arizona. We'll all be able to see him next Sunday as he suits up in the defensive backfield for the Kansas City Chiefs.

Now, we have a fair number of people here today that are quite distinguished. I'll miss some.

Let me begin by saying, Mr. President, you know me very well from Judiciary and, you

know, frequently, I turn the conversation back to something about myself. So I'm going to do that now. It's a fault I have.

When I graduated from St. Joe High School in Huntington, I was proud of the Fighting Irish of St. Joseph and I applied to two universities: University of Notre Dame, Fighting Irish, and Marshall. I was fortunate enough to be accepted at both of those institutions. I chose Marshall.

Thanks to Coach Huff—I think he had to step out to do an interview—Coach Huff and his team went out to South Bend, Indiana, this year and decisively defeated the Fighting Irish of Notre Dame, so I now have bragging rights over my friends that went there.

Also, together in the gallery, and I'm going to be proud to introduce Christian Spears—hold your applause—Christian, would you stand? Christian is our new athletics director. He's leading Marshall into some . . . just brand new . . . he's got a vision for Marshall that's unmatched.

Also with us is the 2020 National Champion Men's Soccer Coach, Chris Grassie. Chris, stand—hold your applause. Chris Grassie brought a national championship to Marshall University. I believe that's the first and only Division I championship—sorry WVU—ever in the history of West Virginia. I'm not counting rifle because it doesn't count. Okay. I gotcha. I'm not missing that. Doesn't count.

Greg Beals is our new baseball coach. Former coach at Ohio State. He's going to have a brand new baseball field . . . stadium . . . to work with. We're so proud to have him here today.

Megan Lyon is our new softball coach. She's got the green on. She's fairly new but . . . she's here.

Mike Chirico—some of us know him—he's involved with Marshall Health. Stand up Mike, if you're in here.

Teddy Kluemper is here somewhere. He's in the athletics department.

I know Charlotte Weber's here—she's a vice president—somewhere . . . Guess not.

I do see Toney Stroud is up there. He's our general counsel.

And, Mr. President, last, but not least, our president of Marshall University. And, of course, most of you know that's Brad Smith.

Brad grew up in the small town of Kenova, Wayne County.

When I first met Brad I was with his predecessor. We were in the skybox at a Marshall football game. Now, I was a big fan of the former president who retired. So I was introduced by him to Brad Smith and I said, "Brad, you've got some big shoes to fill." Without missing a beat, Brad Smith said, "I'm from Wayne County, shoes are optional." So, I knew we were going to get along right off the bat.

Brad Smith is well known as the former ultra-successful CEO and president of Intuit. He's known internationally. He had Bill Gates here in town a couple of weeks ago. I think he met with you, some of the leadership, they did.

Brad has a vision for Marshall University that will take us far. He could have stayed out in California. He's quite famous and I'm sure well-to-do. But, out of a sense of gratitude, he came back to Marshall. He came back out of a sense of gratitude to repay a debt that Marshall gave him. And his leadership, I believe, will take Marshall to places that we never imagined before.

So, Brad, welcome to the Senate and everyone else that I've introduced, if you'll please stand and let the Senate make you feel welcomed.

Glad to see Coach Huff back.

Anyway, Mr. President, thank you for indulging me with all that.

I urge adoption of the resolution.

**Designating February 3, 2023, as
WV Homeschool Day at Legislature**

(Adoption of Senate Resolution 23)

REMARKS OF
**HONORABLE
AMY N. GRADY**

Friday, February 3, 2023

SENATOR GRADY: Thank you, Mr. President.

I would like to recognize today, February 3, 2023, as West Virginia Homeschool Day at the capitol.

All of you know that I'm a proud teacher in the public schools and I was honored to be asked to present this resolution by the West Virginia Homeschoolers Association.

You want to know why that's significant, Mr. President? It's because a lot of times we hear that public educators and homeschoolers can't be on the same page, or vice versa. You know, public educators don't like homeschoolers, homeschoolers don't like public educators. And that's entirely not true. We often hear that. But what is true is we really all just want the same thing. And what we want is what's best for our children. We want what's best for our children and all the children across this state.

As parents we all have an idea of what is the best education that we want our kids to receive. God bless America and God bless our great state for giving these options.

I read a quote the other day about homeschooling and I think we can all relate to it. It said, "Homeschooling allows you the freedom to step off the highway of learning and take a more scenic route along a dirt road." Couldn't we all benefit from a dirt road every once in a while?

So we should all commend the parents who take on that challenge and responsibility of teaching their kids at home. And we wish nothing but success for them and all their families.

Mr. President, thank you very much.

I urge adoption.

REMARKS OF
**HONORABLE
MIKE STUART**

Monday, February 6, 2023

SENATOR STUART: Mr. President, today is National Domestic Violence Awareness Day in West Virginia.

In 1994, in a watershed moment, the first comprehensive federal legislation of Violence Against Women Act passed. It was a triumph in the fight against domestic violence.

In 1995 West Virginia was the first state in the country to apply the Violence Against Women Act in a federal prosecution.

On November 25, 1994, a Friday evening, Christopher and Sonya Bailey got in an argument that turned terribly violent.

At some point on November 26 Sonya suffered a head injury which included a laceration on her forehead. The blood had saturated one pillow, soaked through the sheets and mattress cover, and pooled on the mattress of the waterbed.

After being arrested, Mr. Bailey told his cellmate at the county jail that he placed his wife in the trunk in case he was stopped by police.

Blood was found in the spare-wheel well of the trunk, there was a strong odor of urine, and the scratch and dent marks on the inside of the trunk door is evidence indicating that Mrs. Bailey was locked in that trunk of that car for some period of time over six days.

Bailey did take Sonya to the emergency room six days later. Upon arrival at the hospital, Mrs. Bailey's condition was desperate as she was suffering from both external and internal injuries. She had a three-inch laceration on her forehead and two black eyes. She also had three wounds on her forehead that were still bleeding when the police photographer arrived at the hospital. She exhibited a hemorrhage in her right eye and corneal abrasions. There were bruises around her throat, abrasions on her knees, and pressure sores on her feet. She also had ligature bruises on her wrists and her ankles and similarly been bound and resulted in what would be permanent scars.

Internally the damage was even more extensive. The doctors diagnosed Mrs. Bailey as suffering from very severe anoxic brain injury, a condition which results when nerve cells are destroyed due to a lack of oxygen. This condition often results from the loss of the flow of blood to the brain.

Finally, as a result of not receiving adequate food or water for at least three or four days, Mrs. Bailey suffered from profound dehydration

which in turn caused her to experience renal failure.

At trial, Mrs. Bailey's treating physician testified that she was unable to follow commands, had minimal comprehension of what was said to her. She lacked the ability to talk and was capable only of making vowel sounds. Mrs. Bailey was incapable of feeding herself and relied on a gastrointestinal tube to receive most of her nutrition. She was incontinent, suffered severe contractions in her upper and lower extremities, and the only voluntary movement she could perform was the slight extension of her left knee. Additionally, her sense of hearing, smell, and sight were impaired. The doctor testified that most likely she would never be able to walk again but that with years of rehabilitation, she may learn to feed herself and to talk.

But Sonya ultimately died as a result of these overwhelming injuries.

Mr. President, domestic violence is truly abhorrent. We all in this chamber agree with this. It is a despicable crime against humanity.

Not every case ends fatally as Sonya Bailey. Mr. President, there are victims today that survive and stand as heroes in defiance of this insidious act.

Mr. President, on Friday, December 9, 2016, one of my constituents in Boone County, Kevin Woodrum, began a night of despicable terror against his wife, Jessica.

During that evening of the ninth and long into Saturday, the tenth, Kevin became enraged. Stripped down Jessica when they arrived home, began beating her, tied Jessica's hands and feet to a bed. She was punched and slapped in the head, chest, and abdomen over and over and over again. During the course of this many-houred torturous ordeal, Kevin forced Jessica to stay awake, tortured her, and at one point said to her, "You know what I'm going to do to you tonight." According to her testimony, a long testimony, she said, "Yes, but just please get it over with."

Kevin didn't kill her that fateful evening . . . although he said he would.

Jessica was burned with a lighter multiple times. She was choked to the point she would lose consciousness. He told her he was going to kill her. He sexually assaulted her. He cut off

large sections of her hair. He waterboarded her. After hours, and hours, and hours of brutal attack, on Saturday morning Kevin called his mother-in-law, Jessica's mother, and said, "Mom, can you watch the kids today? We're busy. I'll come get them later once we're done with the things we're working on." Well, what Kevin was doing was beating the mother of his children.

Later that day when troopers finally intervened, Jessica was severely swollen and bruised, in terrible condition, taken to the hospital to begin her long recovery.

Most moving is a part of her testimony. And this is the part that haunts me. I think of this statement often. Jessica testified at trial that when she was finally safe and Kevin was arrested, her only thought was how do I explain to my children that their daddy did this to their mommy?

Today, Jessica Woodrum is now Jessica Kinder. Jessica's tough, and smart, and a survivor. Jessica stands in courage and defiance of domestic violence.

Mr. President, my fellow senators, I point your attention to the President's gallery. I ask you to join me in welcoming Jessica and Jason Kinder to this esteemed chamber.

Thank you, Mr. President.

Jessica

REMARKS OF
**HONORABLE
MICHAEL A. WOELFEL**

Monday, February 6, 2023

SENATOR WOELFEL: Mr. President

Thank you for those compelling remarks, senator.

And Jessica, thank you for being here.

Mr. President, I introduced a bill a couple of weeks ago that would criminalize—for the first time in our state's history—the sexual assault of a woman like Jessica . . . because at this point, that is not a crime.

That man sexually assaulting that young lady that's in our gallery is not a crime in this state because of the marriage exemption.

My bill is very clear. It runs on for about seven sentences and that's it. It's not convoluted with other issues, or child marriage, or anything else in our state that might need to be addressed in a different bill. It simply removes marital exception for sexual assault in West Virginia.

And I urge your caucus to discuss this and let's move that bill and make it a law.

Thank you, Mr. President.

**Patrol Officer Cassie Marie Johnson
Memorial Act**

*(Passage of Eng. Com. Sub. for
Senate Bill 490)*

REMARKS OF
**HONORABLE
CHARLES S. TRUMP IV**

Friday, February 10, 2023

SENATOR TRUMP: Thank you, Mr. President.

The Committee Substitute for Senate Bill 490 is designated, within the bill, as the "Cassie Johnson Memorial Act".

The bill would amend our state code by adding one single new section to it. One section. And it's in chapter 61, article 5, which is Crimes Against Public Justice. Article 5 contains crimes against public justice. The new section is designated . . . would be designated . . . as section 17a. And, again, the law is referred to as . . . the full title, Mr. President, is the Patrol Officer Cassie Marie Johnson Memorial Act.

It's a very important bill.

And this bill makes a very important statement in West Virginia, not just for Cassie Johnson but for the others who work in the same dangerous job that she did and other similar jobs. And most importantly, it's a statement . . . and policy in the bill that addresses how this state, going forward, is going to deal with people who

would interfere unlawfully with people like Cassie Johnson who are simply trying to do their job to protect us, to protect and serve the citizens of their communities, their counties.

So, let me talk a little bit briefly about what the bill does. It provides that any person who knowingly and willfully obstructs a law-enforcement officer, a probation officer, a parole officer, a courthouse security officer, a correctional officer, a State Fire Marshal, a deputy or assistant fire marshal, a firefighter, or an emergency medical service personnel—all those people who devote their lives to looking out for all of us, taking care of our families, the citizens of this state—any person who obstructs any of those people while that person is acting lawfully in the course of the performance of his or her duties or official capacity and thereby approximately causes the death of a law-enforcement officer, a probation officer, a parole officer, a courthouse security officer, a correctional officer, the State Fire Marshal, a deputy or assistant fire marshal, a firefighter, or emergency medical service personnel so acting . . . anyone who does that and it causes the death is guilty of a felony and, upon conviction, is going to be imprisoned in the state correctional facility for a term of 15 years to life.

That's the penalty we apply in our law now for murder. There's an important distinction here because what this bill says, if you do that, if you create an obstruction . . . if you obstruct the police or emergency personnel and it goes sideways and causes the death, we're not going to require the state to prove the traditional elements of murder which include premeditation, malice. The word going forth now, once this becomes law in West Virginia, is, if you do it, we're not going to hear you in court say, "I didn't mean for anybody to die." Doesn't matter. The consequences are yours and you will be treated under the law as if you planned and intended that death, and go to prison for 15 years to life.

It sends a strong and important message, Mr. President, in my opinion. You know, I think by and large in West Virginia the citizens of this state admire and respect our police and the others who serve us in those, you know, critical emergency capacities. But, around the country . . . You know, their jobs have always been hard. It's never been an easy job. It's always been a dangerous job. It's always been a risky job but, more and more, it gets riskier and riskier. And police officers that I've talked to—and I'm sure everybody in this chamber have talked to—have said to me,

"Every year it gets more difficult because more and more people are in our faces, they're, you know, not complying. We give lawful orders, we're doing our job, we're following the law, we're trying to enforce the law, and, more and more, we get pushback from people." And we've seen . . . you know, not here in West Virginia, thank goodness, Mr. President, but around this country, movements of defunding the police. Those things are unbelievable to me when I see that. And I'm glad to say I haven't seen that here in West Virginia. I think the citizens of this state, as I said, admire the police, respect the police and those other emergency personnel who do dangerous and risky and important jobs for the benefit of this state.

But we can't look back and see what happened to Patrolman Cassie Johnson and others and think that there aren't people, because there are, who are willing to just be disobedient, noncompliant, don't care whether it goes sideways, don't care whether people get hurt or killed.

The message this bill sends, Mr. President, is: Not here in West Virginia. You don't get to do that. The people here, starting with the sponsors of this bill and the West Virginia Senate, stand behind our law-enforcement officers and all those who serve us in those capacities.

Mr. President, I'll be happy to try to answer any questions about the bill or its contents.

I urge its passage.

**Patrol Officer Cassie Marie Johnson
Memorial Act**

*(Passage of Eng. Com. Sub. for
Senate Bill 490)*

**REMARKS OF
HONORABLE
VINCE S. DEEDS**

Friday, February 10, 2023

SENATOR DEEDS: Thank you, Mr. President.

Mr. President and members of the Senate, today it is my honor to stand before you to

advocate for the passage of Senate Bill 490. It's commonly called the Patrol Officer Cassie Marie Johnson Memorial Act. This act makes it a felony for any person who knowingly and willfully obstructs a first responder acting in his or her official capacity and thereby causes the death of the first responder.

Ladies and gentlemen, I believe it is important for us to review the circumstances which were a catalyst for this most important legislation.

Patrol Officer Johnson was in her second year of service to the citizens of Charleston and this great state and had recently been assigned to her home precinct, her home area.

Cassie proudly wore the navy blue uniform and silver badge of the Charleston Police Department.

Patrol Officer Johnson represented the best, the best of West Virginia, as she humbly carried out her duties.

Tuesday, December 1, 2020, began as a routine day for Patrol Officer Johnson. At 2:30 p.m., in the middle of the day, she responded to a parking complaint—a simple parking complaint—at the 200 block of Garrison Avenue.

As Patrol Officer Johnson approached a male subject to just request him to move his vehicle, she was confronted with a weapon and gunfire was exchanged.

Patrol Officer Johnson was fatally wounded.

Patrol Officer Cassie Marie Johnson gave a full measure of devotion and dedication to the citizens of West Virginia. Cassie fulfilled the great scripture as written in John 15:13 where it states: Greater love has no one than this, than to lay down one's life for their friends.

Mr. President and members of this esteemed Senate, the Patrol Officer Cassie Marie Johnson Memorial Act will echo . . . will echo throughout eternity the love and support all true mountaineers have for our first responders, our law enforcement, our firefighters, our emergency medical service personnel. They go places where we fear to go. They do heroic deeds which we cannot do. They are the thin line which guarantees . . . they guarantee law and order in our great state and in our world.

Together, they courageously run toward the battle between good and evil for our freedom.

The very least we can do as honorable members of this assembly is to cast our vote in support of this most important legislation.

Thank you, Mr. President, for the opportunity to advocate for this bill.

I urge its passage.

**REMARKS OF
HONORABLE
CHARLES S. TRUMP IV**

Friday, February 10, 2023

SENATOR TRUMP: Thank you, Mr. President.

I'm sure that some of us in the room see me stand up on a Friday to make remarks and think, "Oh my. Oh my."

We'll be traveling home and ending the week soon. It's been an amazing week. We passed important legislation virtually every day this week. But I do want to mention something that I hope we can all think about over the weekend. Because over this weekend, on Sunday to be precise, Mr. President, there'll be a birthday celebrated. Sunday is February 12. We won't be here in session on the day of the birth of Abraham Lincoln. So I want to talk a little bit today about Abraham Lincoln. And I hope that we'll think about him over the weekend.

In the time of Lincoln's election and presidency, the inauguration of the president didn't occur in January the way it does now. That was a constitutional change that occurred later. It was March. You know, Lincoln was elected in 1860 but it was March of 1861 before he was inaugurated as the sixteenth president of the United States.

And in those intervening months extraordinary things happened in this country. States passed ordinances and resolutions of secession and left the Union.

I like to think, you know, when we're in the midst of our deepest, most frustrating fights and struggles here in the early twenty-first century in

the Legislature, we have it so easy, you know, comparatively speaking with what this country and what Mr. Lincoln dealt with in the middle of the nineteenth century. By the time he took his oath of office, southern states had left the Union . . . announced they would no longer be part of the United States of America.

We honor and revere Abraham Lincoln because he's the author of our statehood. He signed the bill creating West Virginia as the thirty-fifth state of the Union. And on this side of the chamber we hold him in special reverence because he's the first Republican president in the nation's history. He didn't found the Republican party but he was the first Republican president of the United States and he set the standard to which all of us who followed in that political party should and do aspire.

We revere Lincoln because he authored and signed the Emancipation Proclamation liberating slaves in all the states that were in rebellion against the United States of America, liberating them from the bonds of slavery.

When he took his first oath of office, when he was inaugurated in March—March 4 to be precise—of 1861, as said, southern states had cast their dice, said they were leaving the United States. His election was that controversial in those places.

I'm an enormous fan of Mr. Lincoln and his writings and, as people have been here for any length of time know, his address at Gettysburg, his first inaugural address, and his second inaugural address are among the greatest writings, in my opinion, ever in the history of the English language.

And so, as we, hopefully, prepare to think about Mr. Lincoln a little bit on Sunday, Mr. President, I want to give you just a little bit of his address at the moment of his first inauguration, March 4, 1861, as President of the United States with the whole nation as tense as it's ever been, Mr. President, on the verge of civil war. No one knew exactly what that would look like. We found out, you know, it would be . . . through the course of those four years, millions and millions of Americans lost their lives. No one knew at the outset how horrific that would be but everyone knew at some level it would be horrific. And with his words to the nation and, in particular, to the people of the southern states of the nation he sought to avert it and he implored everyone to just take time. Take time.

Let me read to you how he said it. And I hope you'll agree with me that it's among the most beautiful passages in any political speech certainly that's ever been rendered:

My countrymen, one and all, think calmly and well upon this whole subject. Nothing valuable can be lost by taking time. If there be an object to hurry any of you in hot haste to a step which you would never take deliberately, that object will be frustrated by taking time; but no good object can be frustrated by it. Such of you as are now dissatisfied still have the old Constitution unimpaired, and, on the sensitive point, the laws of your own framing under it; while the new Administration will have no immediate power, if it would, to change either. If it were admitted that you who are dissatisfied hold the right side in [this] dispute, there still is no single good reason for [a] precipitate action. Intelligence, patriotism, Christianity, and a firm reliance on Him [capital H, Him] who has never yet forsaken this favored land are still competent to adjust in the best way all our present difficulty.

In your hands, my dissatisfied countrymen, and not in mine, is the momentous issue of civil war. [This] Government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy the Government, while I have the most solemn one to "preserve, protect, and defend it."

I am loath to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained it must not break our bonds of affection. The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when [we are] touched, as surely they will be, by the better angels of our nature.

That was the end of President Lincoln's first inaugural address.

Thank you for indulging me. Let's think also . . . when we think about Cassie Johnson . . . and let's think also a little bit on Sunday about Abraham Lincoln.

Thank you.

REMARKS OF
HONORABLE
ROBERT H. PLYMALE

Friday, February 10, 2023

SENATOR PLYMALE: There's only one thing that I take from . . .

I've heard many speeches from the Senator from Morgan about Abraham Lincoln. This is the first time that I'll have to say that I'm going to have to add something to it: People on this side of the chamber do revere him as well.

Thank you.

REMARKS OF
HONORABLE
MIKE STUART

Monday, February 13, 2023

SENATOR STUART: Thank you, Mr. President.

Today would have been the one hundredth birthday of West Virginia's own American hero, Chuck Yeager.

Charles Edward [sic] Yeager was born in 1923 in one of the counties in my Senate district, Lincoln County, in a small town called Myra. A town that today has fewer than 100 people.

He grew up in the nearby village of Hamlin.

Immediately upon graduation from high school he enlisted in the United States Army Air Corps to serve in World War II.

Chuck Yeager became an ace fighter pilot in World War II and his Lincoln County and West Virginia heritage always served as a foundation for his heroic, inspiring success.

He would eventually become an Air Force test pilot. And in 1947 was the first man to break the sound barrier. His work laid the groundwork for the first men in space.

Mr. President, my fellow senators, happy birthday to an American hero and native son of Lincoln County and West Virginia, Chuck

Yeager, on what would have been his one hundredth birthday.

REMARKS OF
HONORABLE
LAURA WAKIM CHAPMAN

Monday, February 13, 2023

SENATOR CHAPMAN: Thank you, Mr. President.

I rise to talk about someone who is an inspiration in my life. I never met this person, but I did graduate from her same alma mater.

When I was a young girl there was a room in Mount de Chantal that was named the Herndon Room. And while I never had the opportunity to meet Senator Herndon, this room contained many of her great achievements. And, as a little girl, I remember going into that room and seeing this inspirational person who was really a trailblazer. I looked in the hallway, she was the only female senator in the 1970s and she held her own. She fought and she did a great job. And I was fortunate that I got to graduate with her niece about 20 years ago—I'm dating myself.

But truly, Senator Herndon was a trailblazer. And I'm proud to use her as an inspiration. And I'm glad that her memory still is in the Fellowship and I hope that people who receive that Fellowship understand what a truly remarkable person she was.

Thank you.

REMARKS OF
HONORABLE
CHARLES S. TRUMP IV

Tuesday, February 14, 2023

SENATOR TRUMP: Thank you, Mr. President.

I appreciate the Senate's indulgence.

I wanted to make a few remarks today. In part, I chose today because we adopted a resolution earlier making this Child Care Day in

West Virginia. And the members of this Senate know, I think, that I've been on the floor before and written some letters about the situation in Berkeley County with respect to Child Protective Services and the dearth of workers in Berkeley County and the incredible caseloads that are pending—cases pending in the circuit court there, child abuse and neglect cases—without workers to manage those cases. I wanted to talk a little bit about our legal process in cases of child abuse and neglect.

Under chapter 49, the law creates duties and processes designed to protect children who are victims of child abuse or neglect. And it's sad. You know, we have 6,300 kids in foster care across the state now . . . over that.

This Senate and the House of Delegates, I believe, have been working very hard on a number of measures to try to correct some of the problems we've had with the DHHR, including, Mr. President, the reorganization of the agency. And I am grateful for the efforts that have been made so far.

We had a bill on the floor on third reading just explained by the distinguished Senator from Marshall about—that we've passed now—to strengthen the authority of the Foster Care Ombudsman.

There are many things that we need to do. It's very important. Our law treats it as important.

You know, we've made it a crime in West Virginia for mandatory reporters We have people we have defined as mandatory reporters: Teachers, school personnel, doctors, nurses. A kid shows up in the emergency room, Mr. President, and is exhibiting injuries and symptoms indicative of child abuse or neglect, our law says it's a crime for that not to be reported. We report it to the DHHR. We've spent money, this state government, this Legislature has funded DHHR, has set up a hotline where people can report allegations of child abuse or neglect.

And it's sad that it happens, but it does happen in this state, Mr. President. And I think most people who've studied it and analyzed it will agree that our opioid crisis, you know, has inflamed that, has increased the numbers.

Our law requires when reports are made to the DHHR, the hotline, of suspicions of child abuse or neglect, that those reports are anonymous. We protect the anonymity of the

reporters. And our law requires that those allegations, Mr. President, be investigated. That's why we have Child Protective Services. That's the point of the money we've allocated Child Protective Services' workers throughout this state, assigned them to different offices and regions of the DHHR, to do that important work.

And what they're required to do is, you know . . . it's a scary job. You got to go knock on the door and lay eyes on the child and find out, you know: Is this child in imminent danger? Is this a situation where immediate intervention is required and a child has to be removed from its home either temporarily or, in some cases, Mr. President, sadly, permanently, where the parents have been so abusive or so neglectful that it's morally wrong not to terminate their parental rights. Those cases are commenced in court. They're litigated. They're time consuming. And I think all of what I just said everybody in this room knows.

Now, what you may not know, and what I want to tell you now, is I've gathered a little information based on some communications that I've had with various people starting with the prosecuting attorney of Morgan County. But based on a communication he sent to me, I did some digging . . . and the DHHR has provided me with these numbers, Mr. President.

I've talked about Berkeley County before but I'm going to talk right now about my little county of Morgan. Morgan County has a little under 18,000 people in it . . . 17,000 and change at the census.

During the last five months—September, October, November, December, and January—there were 163 calls, reports, referrals, suspicions of abuse or neglect of children made to the state, the state hotline, arising in Morgan County.

Now, not all of them are going to be valid. You know, people can call and say, you know, my neighbor was screaming at her children in the yard . . . and that maybe doesn't warrant an investigation. But some of these calls are calls from teachers who've seen suspicious bruising or injuries to a child, medical providers who've seen injuries to a child in Morgan County . . . 163. I'll give you the month by month numbers: 42 in September; 37 in October; 35 in November; 20 in December; and 29 last month in January, for a total of 163 reports of suspected child abuse or neglect in the little county of Morgan.

And so juxtaposed against that is the number I want to share with this body. And I think, I hope, it will emphasize why the work that we're engaged in is so important. Because over those same last five months, starting in September through January of this year, there have been zero petitions filed by the DHHR in Morgan County. The prosecuting attorney has told me there has not been a single petition involving abuse or neglect of children filed in court by the DHHR in the last five months. Now, maybe some of those 163 calls aren't real, maybe they weren't real, I don't know, but I find it very hard to believe that all 163 of them were not real.

And here's our problem, Mr. President, Morgan County doesn't have a caseworker. We don't have a CPS worker in Morgan County. There's nobody to go out and knock on the door and check to see if the child about whom the call was made is okay, to see if the child is living in a trailer that's a meth lab being operated by drug-addicted parents.

So, I guess my point today is, I know everybody in this chamber, I know . . . the Finance Committee's got a bill up there they're working on and I know they're going to give it good scrutiny and we are, but I think, I'm hoping, that the numbers of what's happening in little Morgan County will make real for the members of this body why we're doing this, why we're doing this, why we have to fix it. We have to fix it. The idea of children being in peril and in imminent danger and nobody, nobody to go look in on them, see if they're okay, see if they need to be pulled out of that house even if just temporarily, should keep us all awake at night.

I thank you for your indulgence and I appreciate very much the work that's been done so far and I hope we will continue it.

Thank you, Mr. President.

**Declaring November 14 every year,
a special Memorial Day in remembrance of
the Marshall University airplane crash**

*(Passage of Eng. Com. Sub. for
House Bill 2412)*

REMARKS OF
HONORABLE
BILL HAMILTON

Wednesday, February 15, 2023

SENATOR HAMILTON: Thank you, Mr. President.

Today indeed is a great day for Marshall University. We're finally making it a . . . I don't know, a state holiday, but . . . for members of the plane crash that lost their lives that day.

But I want to talk about two individuals from Upshur County that were recruited to Marshall in 1968. One was John "Rocky" Young. Now, this was before the movie *Rocky* came out, so . . . And the reason he was John "Rocky" Young, he was tall, an excellent athlete—basketball, football—long arms, and he loved to box. And there's no way I would get in a match with him. And the other member was Fred M. Gaudet.

John was a tight end and Fred was a defensive tackle.

Fred escaped that crash because he had hurt his knee that fall and was off the team. Fred went on. He had a distinguished law-enforcement career in Richmond, Virginia, and later in Upshur County, and became a public . . . He was our sheriff in Upshur County for two terms, magistrate, police chief, and then commissioner, and he always, almost always, attended the Marshall University football game every fall that they remembered their football players in 1970.

Now, I'll tell you a little bit about Fred. When his son, Brian, was about seven years old, Fred told Brian that—and we looked it up and I don't think this was entirely true—but he said, "You know Jack Lambert?" Brian said, "Yeah, he's a linebacker for the Steelers." He said, "Well, he graduated from Kent State." He said, "You know that tooth he's got missing?" Brian said, "Yes." Fred held his fist up and he said, "Right here is what knocked that tooth out." Brian thought for a couple of minutes and he said, "Dad, Jack Lambert played defense for Kent State. You played defense for Marshall. There's no way that could have happened."

And I don't know if this is protocol but I would like to have our members stand in silence to commemorate these players.

Thank you.

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REMARKS OF
HONORABLE
MICHAEL J. MARONEY

Wednesday, February 15, 2023

SENATOR MARONEY: Thank you, Mr. President.

My comments will be brief.

After graduating from WVU, I spent four years at Marshall. I started at Marshall in 1990.

I didn't know about this. The first I heard about it was when I got down to Marshall. I don't know how I didn't know about this.

But I became very emotional and started looking into it. I mean . . . 75 people died. You know, there's 36 players, there's 25 administrators from the university, nine coaches, five airline crew.

And then the movie came out and it made everyone aware.

I stand in support of this and, hopefully, the whole state will know this is the worst sports tragedy in the history of the United States. And this brings awareness to it. And just, you know, let's all of us in West Virginia remember those that died.

And I think it's a good bill and I support it.

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*(Passage of Eng. Com. Sub. for
House Bill 2412)*

REMARKS OF
HONORABLE
ROBERT H. PLYMALE

Wednesday, February 15, 2023

SENATOR PLYMALE: Thank you, Mr. President.

As a 15-year-old, this left a real impact on my life.

I was with some friends. We were in Kenova and it was raining really hard and we were coming back and we saw some ambulances go by, and we saw some fire trucks go by, and we were wondering what was going on and thought it was a small plane . . . then found out later at one of my friend's house.

But let me talk about the impact that it had on the family.

The Senator from Marshall mentioned a few of the people that were on there. Let me, also, talk about . . . there was a House of Delegates member that was on this, there were city councilmen, there were 64 children that lost one or both parents. And it had an impact on the community.

My mother was a professor at Marshall University. She had four students on the plane crash in her class. They had Marshall faculty go to a student athlete's funeral. My mom went to Louisburg, North Carolina, and we became very close friends with the Bob Patterson family.

So, this goes deep and it goes rich. And I agree that you do not make this a holiday but a day of remembrance because I remember it every . . . You know, it really sort of shapes the fiber in you of what you are. This goes back to my days when I was watching these guys play football and I remember, you know, listening to this on the radio—we didn't quite have the TV broadcast that we do today—but listened to the radio and how disappointed we were when they lost, but then hearing about this on the back.

But, let me talk about what was formed after that. One of the people that I think is one of the dearest guys I know in terms of . . . is Red Dawson.

Red Dawson was the coach that did not make the . . . went down with them on the plane, down to the game, but did not travel back. And we dedicated seats at the Keith-Albee Theatre and we put Red Dawson as the transition seat because he's the glue between the ones that died in the plane crash and the young Thundering

Herd. And Red Dawson to this day is a very, very cherished member of the Marshall community in Huntington. And I got to visit with Red this past September at great length and Coach Lengyel. Coach Lengyel who was the new coach after this. We got to visit with them.

But for anybody that was in the area, the way that you saw it on the TV and the movie screen at the viaducts where you would have one funeral procession at a light and another one going, I remember that distinctly. You had so many funerals, and so many deaths, and so many things happening there.

Let me make one other point.

Lefty Rollins who formerly served in the House and in the Senate here from Wayne County, Lefty had to run the morgue. It was Rollins Funeral Home and, you know, to the day that he died, he said that had more impact on him and changed his life more than anything.

Thank you.

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the Marshall University airplane crash**

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House Bill 2412)*

REMARKS OF
**HONORABLE
MICHAEL A. WOELFEL**

Wednesday, February 15, 2023

SENATOR WOELFEL: Thank you, Mr. President.

So, I was actually, if you've seen the Marshall movie, I was actually a freshman. I was on campus, I was in my car, just like the movie, when the news of the crash came on the radio. I was driving down 20th Street leaving the Varsity Club. I was only 17 so I must have been drinking Pepsi or something like that in there—I probably wasn't drinking a beer.

But in my mind I thought I should go out there. It literally crossed my mind that I should go out there to the plane crash site. Now, I don't know what I could have done to help and the

people that were out there . . . certainly lived through . . . have memories and PTSD from that that are indescribable . . . what that site looked like.

But, you know, just like winter leads to spring, these bad memories now lead us to, I think, a day of celebration.

And we're talking about Coach Tolley. And I could talk about the Heath family, all these children that lost both their parents, and on, and on. But, we're celebrating the lives of those folks who tragically died in November of 1970. So, I think it's a good day and I'm glad that we're going to honor them for each year in this way from here on out.

I'm the only person in this room that had a line in the Marshall movie . . . kind of proud of that. And, I will tell you, that it has in fact . . . people like Red Dawson who stayed away from Marshall, stayed away from Marshall football, that movie brought a lot of people back together to deal with the loss. And they did it collectively.

So, I think this is another step along that healing process. And I appreciate being able to comment on that.

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REMARKS OF
**HONORABLE
MARK R. MAYNARD**

Wednesday, February 15, 2023

SENATOR MAYNARD: Thank you, Mr. President.

I have a personal friend that was on the team but he didn't go to the game because he was injured. I've never spoke to him about it. I heard he doesn't like to talk about it.

As a kid, my parents pointed out to me on the side of the hill where the plane crash happened. And back in the late seventies you could see, you know, the bare spot on the side of the hill and the

trees like growing in different directions, not straight up. I drove by there, I don't know, a few years back, and now that bare spot is gone, you can't really see it.

But, it's my alma mater and I urge passage.

Making a supplemental appropriation to the Department of Economic Development

(Adoption of the amendment offered by Senator Phillips to Eng. House Bill 2882)

**REMARKS OF
HONORABLE
MIKE CAPUTO**

Wednesday, February 15, 2023

SENATOR CAPUTO: Thank you, Mr. President.

I rise in opposition to my friend from Logan's amendment and I feel compelled to speak to this.

You know, I was a 20-plus year coal miner and I've spent the last 22 years of my career representing coal miners. So, I know what's going to be flying around out there: That Caputo's against coal, he's turned his back on his brethren, he's turned his back on the industry. Nothing could be further from the truth and I think the distinguished Judiciary Chair really laid out the argument.

I would absolutely support moving that money to the southern West Virginia coalfields in another piece of legislation. I think it's a great idea the senator has. And I think that we need to move in that direction. And we have tried for years, Mr. President, to move money into coalfield development and try to revitalize the coalfields of West Virginia.

You know, I'm only about an hour and a half from Weirton. And my aunts and uncles lived in steel country in Monessen, Pennsylvania. And they all made their living there. And that town is now nothing . . . tens of thousands of people . . . now nothing.

I cannot turn my back on something that could revitalize a portion of West Virginia such as this.

Now, I know the statements that Form Energy made . . . I don't like that.

But, I think it was said here earlier, most new industries are making green statements, that they want to have greener fuel for their production. We're seeing it everywhere. I mean, if I'm going to get angry at everybody that says something like that, then we're not going to have any friends left and we're not going to compel new industry to come to West Virginia.

I mean, you know, we always refer back to the buggy whip, Mr. President. I'm sure the buggy whip manufacturers were really upset when the automobile came along. Right? But things change over the years. The thought process changes.

And I don't know how much electric generation is going to be needed to fire this plant but I know one thing: Most of West Virginia's electric is generated by coal. And I think that's going to be good for the industry that I grew up in and the industry that I worked in.

I know I'm straying a little bit and talking more about the bill than the amendment but, I think, give me a little latitude, they do tie together. You know, I think the . . . you know . . . it's very noble that he wants to take money back to the southern coalfields.

And I want to say if this opportunity right here, if this opportunity or one similar to this was in southern West Virginia, I would support it just as vigorously as I support it in the Northern Panhandle.

We need these jobs in West Virginia. We've lost population in the tens of thousands in the last eight or 10 years. We need something to make people want to come back here. We want our kids to stay here. We want people to move here. I heard you say you wanted 400,000 people to move to West Virginia when you did your acceptance speech a few years ago. We agree on that. We totally agree on that. And this is the way to do that in West Virginia.

There's some other projects that have moved here. They're moving here because we've got a great work ethic, we've got a beautiful countryside, and we've got good people. And that's why they're coming here.

This is nothing against, in my opinion, the coal industry. I mean if I thought it was going to destroy the coal industry and the people that paid

my wages for the last 22 years and the industry that paid my wages the 20 years before that, I would . . . I would be absolutely against that.

But I'll close with this. If we shut this down, they're just going to go somewhere else. They're not going to just say, "Oh, West Virginia don't want us, forget this project. We're not going to do it. It's never going to happen." They're just going to go somewhere else and we will miss an opportunity of a lifetime for generations to come.

So, with all due respect, I oppose the senator, and my friend from Logan's amendment.

REMARKS OF
HONORABLE
ROBERT H. PLYMALE

Thursday, February 16, 2023

SENATOR PLYMALE: Thank you, Mr. President.

I know that many of you all have gotten some of these . . . and I had two last night when I got home in my mailbox . . . "taxpayer alert".

And I want to say that we have passed tax reform. And we did pass tax reform in Senate Bill 424 (*Authorizing refundable tax credit applied against personal income tax or corporation net income tax*). And I think it was a very responsible measure.

And, I want to thank the leadership, and the Senate President, and the Senate Finance Chair for their leadership on this and I think what we've done is responsible.

Hopefully, they can start taking the money that they spend on this and give relief to postal workers.

REMARKS OF
HONORABLE
CHANDLER SWOPE

Friday, February 17, 2023

SENATOR SWOPE: Mr. President, I'd like to take this opportunity to share an idea I've been

thinking about for some time concerning economic development that I think will strengthen an already very successful economic development program we've been having in recent years.

I think everybody's aware that last summer we made an announcement that two Warren Buffet companies were coming to West Virginia. And the Senior Senator from the Eighth, a year and a half before that, had written a letter to them and got a positive response. And that's going to bring, I think, in round numbers, somewhere around a billion dollars' worth of economic development.

What the group here may not be aware of is that the Senior Senator from the Eighth has been working tirelessly all summer long traveling out of state, working with the Economic Development Department doing similar contacts and activities for economic development.

Just this past week, I was invited to a presentation from a company from Israel who is looking at West Virginia for perhaps a hundred million dollar manufacturing investment. And guess who was showing them around and driving them to look at property and stuff like that . . . Senior Senator from the Eighth.

And I've been thinking about this for awhile so, as a result, last night I came to the Senate President's office and asked, "Have you ever thought about naming the Senior Senator from the Eighth Chair of Economic Development? If he had that title it might strengthen his appearance when he's out in the presence of the Warren Buffets of the world." And after a little bit of arm twisting, he finally agreed, "Yeah, the Senior Senator from the Eighth would make an awesome Chairman of the Economic Development Committee."

So, as a result—Mr. President, thank you—you called the Senior Senator from the Eighth and allowed me to present my idea to him. And after a little bit more arm twisting, he agreed that, if nominated, he would serve.

So, therefore, it is my pleasure to strongly recommend that you appoint the Senior Senator from the Eighth as Chair of the Economic Development Committee.

Thank you.

REMARKS OF
HONORABLE
GLENN D. JEFFRIES

Friday, February 17, 2023

SENATOR JEFFRIES: Thank you, Mr. President.

I will say that I was taken aback yesterday. I do have a passion for economic development, job creation, whatever it takes to get that to happen.

And I want to say that I am deeply humbled that the Senate President has entrusted me to take this position. I'm very thankful.

I have a passion for it. And I'll continue to have a passion for it.

But, Mr. President, I'd also like to take this opportunity to say to the Senator from Mercer, thank you for your faith in me. You don't know how much I appreciate that. When you brought that to me yesterday I know I probably had that deer in the headlight look looking at you that, "How can I replace what you are doing currently with this committee?" You've set a legacy. You've got a passion to move this state forward. And that's one thing that I will promise to you that I will continue to do.

I won't forget about our challenges that we have in this state. And I know each one of us in our district, we have challenges. And Senator from Mercer, he recognizes those and it was his passion to look at those challenges and do whatever he could do to make sure that we had legislation in place to help develop your areas.

I'll continue . . . to the Senator from Mercer . . . that we continue working on our existing businesses here, keeping them here, and we will continue working on bringing new businesses here into this state. That is my pledge to each one of you. I will do everything I can, everything that I can, to help create opportunities in your district. That is my pledge to you.

Thank you, Mr. President.

REMARKS OF
HONORABLE
CRAIG BLAIR

Friday, February 17, 2023

MR. PRESIDENT: Thank you, Mr. President.

It's my first time down from the podium this year to speak.

I didn't have any intentions of speaking this time yesterday in any way, but what an honor it is and a privilege to stand up here and make a few comments about this situation. It's not really a situation, it is something that I have not seen the entire time that I've ever served in the Legislature. And I am unaware of this ever happening where a member that was doing an exceedingly good job, seeing an opportunity for not himself, not someone else, but for the State of West Virginia, to do a better job of attracting business and economic opportunity to the State of West Virginia. That is, without question, a selfless act that each and every one of us in this chamber should aspire . . . aspire to the leadership the Senator from Mercer proposed yesterday afternoon to me.

There is not a better definition of "team player" than the Senator from Mercer for what he's attempting to do. Each and every one of you have seen the big ol' thick book that I have of the bill after bill, after bill, after bill, after bill that we've done since we've taken over to be able to attract business to this state. And the Senator from Mercer's been there every step of the way and been a key component of that. But he also recognizes that this is another page in that book.

Today is monumental. Corporate America should be listening to this . . . on how we behave in West Virginia, how we care about each other, how we treat each other.

I went to a meeting last year, or the year before, over at the West Virginia DEP and I would have thought the Senator from Mercer was actually chairing the meeting. Now, I have not always had the greatest fondness for the DEP. In fact, I got a phone call yesterday that I need to return on the DEP. I should just go ahead and give it to the Senator from Mercer and he'll get it worked out. He was able to transcend something that I've not been able to see that really get done in my years of service either. And that is a legislator, in this case a senator,

being able to get the DEP to work together for the greater good of West Virginia.

Senator, I aspire to be like you. You are a true West Virginian and an aspiration . . . should be to all of us.

Junior Senator from . . . Senior Senator from the Eighth—did I get that right? Junior? I forget. You don't speak enough back there for me to be able to remember.

You on the other hand have been an interesting character. And here's why I say that: When he was in the minority, he was working on economic development in the State of West Virginia. And we all know the story of him writing a letter to Warren Buffett and what has become of that. But he was in and out of my office all the time asking for permission. And I'm like, "You don't ask me for permission to do good things for the State of West Virginia." Am I right? You don't ask. You go out here and do what we do. And you've done just that. Finally, he quit asking for permission and it allowed you to be expeditious. And the things that we've been voting on in here . . . his fingerprints are all over these things.

This doesn't happen elsewhere in this country or in this world. It's happening right here in the West Virginia Senate where we have a laser beam single focus of making our state better as a team.

I've got to say that I got choked up yesterday when this started going on . . . the conversations started happening. And I'm borderline choked up right now. This is probably . . . I've had a lot of amazing things happen in my life, but in this Senate chamber as this Senate President, I believe that this is the most amazing thing and we should all remember and learn from it and remember that our goal is to make the lives of our citizens that we all represent no matter what the district is the best it possibly can be.

And the leadership of you two far exceeds anything that I can bring to the table.

Ladies and gentlemen, take a few minutes, stand up, and give a round of applause to both these gentlemen.

Creating offense of knowingly and willfully obstructing social service worker

*(Passage of Eng. Com. Sub. for
Senate Bill 630)*

**REMARKS OF
HONORABLE
MICHAEL A. WOELFEL**

Wednesday, February 22, 2023

SENATOR WOELFEL: Thank you, Mr. President.

A few comments that I think are in line.

It's fairly pathetic that we just finished up Senate Bill 621 (*Requiring sheriff to serve child abuse and neglect petitions*). We had to pass legislation to make a couple of counties' sheriff's department go serve these petitions for child neglect and abuse when the social workers are actually armed with a legal pad or a laptop going into these homes. So, we just passed Senate Bill 621 which will make the sheriffs of those two counties go do that.

Which brings me to this bill, 630.

On July 31, 2008, on Mount Union Road which borders Cabell and Wayne counties, Brenda Lee Yeager, age 51, a social worker from Lincoln County, West Virginia, working for Right From The Start—Right From The Start is where we help pregnant mothers, we help newborns that are in a situation where they need extra help and extra social services. So, Brenda Yeager—somebody I knew—armed with her laptop and her clipboard, no weapons, knocked on the door of a home to help that baby. She was raped, repeatedly. She was murdered. Her body was set on fire. When the Sheriff's Department of Cabell County arrived on the scene, she was burning. Her body was burning.

So, in honor of Brenda Lee Yeager, a social worker, I'm proud to endorse this bill. And if that kind of thing happens again . . . Of course in that situation, those people went to prison for murder. But even under the circumstances contemplated by Senate Bill 630, somebody could receive life in prison through the accidental death caused by their obstruction.

And I urge passage.

**REMARKS OF
HONORABLE
MICHAEL A. WOELFEL**

Saturday, February 25, 2023

SENATOR WOELFEL: Thank you so much. And I appreciate the indulgence.

I have something on my desk which I'm not going to use—I thought that would please the President.

Mr. President, on Monday of this week We all know that fat opossums travel late at night . . . fat opossums travel late at night. I can explain that later for those that didn't grow up like I did on a farm. On Monday of this week, Senate Bill 726 (*Preventing compensatory damage awards for outstanding medical expenses*) showed up. Last day. And here it is today and it's on the Committee of the Judiciary

What it is . . . it's an onerous bill under the guidelines of tort reform. It would change 400 years of jurisprudence in our state. It reverses a 2014 decision by the West Virginia Supreme Court of Appeals—a unanimous decision as I recall it of the West Virginia Supreme Court of Appeals . . . 2014. It rewards drunk drivers, it rewards drugged drivers in favor of people that have insurance . . . that have health care insurance, or that have been serving our country as veterans and have discounted medical treatment available to them through the VA hospital. If they're hit by a drunk driver in a car wreck, it rewards the drunk driver and it penalizes the veteran.

Now, when I looked through this bill last night, it looks like Jimmy Carter has come back to West Virginia with socialized medicine. Straight out of the 1970s. And I'll tell you why: Page three of the bill . . . the value of medical services rendered but not yet paid shall be at the rate of Medicare reimbursement in effect at the time the services were rendered. Therefore, our health care providers, our chiropractors, our surgeons, our physical therapists Well, I'll just list who this applies to: Doctors, hospitals, physicians, therapists, optometrists, chiropractors, any other health care provider who have gone to school and studied, and be certified, and graduated . . . we're going to fix what they can be compensated on in this bill. We are going to set the tone in code in West Virginia that your services, for any health care provider, are going to be set under what is Medicare reimbursement on the date the services were rendered. That's just . . . that's just

And you know, this is not a jobs bill. There won't be one job created. You know why? The insurance companies that want this bill, they've already moved thousands of their jobs, their adjusting jobs, out of our state. They did that when we eliminated third party bad faith. Third party bad faith was a tort reform that was righteous and I believe I voted for it. But they moved all these adjusting offices out of state. Eight, ten thousand really good, well-paying jobs.

So, this doesn't create a job. Senate Bill The fat opossum does not create a job. It allows for a Brinks truck to pull into Charleston every week and take money over there to Bloomington, Indiana, to State Farm. And then there'll be another Wells Fargo truck come into Charleston to take all that money over there to Columbus to Nationwide.

By the way, listen to this one, folks: If you're in a health care field, we have something that says that all your bills, when you go to court for a trial, that bills for services rendered by a health care provider in West Virginia are presumed to be reasonable and necessary. Well, since we're going to go to that Medicare standard, that's gone. So every health care provider that gets a subpoena for the magistrate court or any other court, you're going to be tied up for all day, and you know what your compensation is, Mr. President, \$20 a day. So, if they don't get to you as a witness, you're a doctor, or a physical therapist, or you're a person that takes care of the billing, and they sit there for three days, they're going to write you a check from the circuit clerk for \$60. Yeah. It's in the bill.

My good friend, the Judiciary Chair, I don't think he would dispute that anything I've said here today is incorrect.

And I really appreciate you indulging me.

Thank you, Mr. President.

REMARKS OF
HONORABLE
ERIC J. TARR

Saturday, February 25, 2023

SENATOR TARR: Thank you, Mr. President.

I just want to take a minute to comment on what the body just was able to accomplish this year in their budget, the passing it over, and it's substantial.

The body just passed a budget that contemplated, before the tax cut we just passed, a \$648 million tax cut. That would have been a \$484 million reduction that's in this budget. It will come back and we'll do even more.

It also contemplates doing a \$2,300 pay raise across the board for state employees.

It follows the transparency effort for breaking it up into line items, through every item within DHHR that we did the state hospitals. So, instead of seeing just a few pages for a \$7 billion budget, we can actually see down and see if they're using the money for what the state appropriates it for.

We secured the PEIA network with this. The bill that we just passed with PEIA going across, when that becomes law, secures that network for PEIA such that there's \$49 million in increased reimbursement to health care providers so that we don't have hospitals saying they don't accept PEIA. It also takes the plan to 80/20 so that it's solvent for our foreseeable future.

It puts assistant teachers in the classroom to help with reading. Get our reading outcomes in K-3 back up to where they should be in going forward at grade level. And that took \$33,500,000 that was in this budget we contemplated for this year that grows to \$100 million a year commitment from the State Legislature.

It also takes care of deferred maintenance in Corrections and Higher Ed. It goes in and sets up a path by which we can take care of all the deferred maintenance that has been set back for decades, not being able to keep up, and take care of that in our Corrections. It also does it for Higher Education with a combined total of that money being required at a \$554 million level and use it in such a way that we can draw down federal funds to not require all the \$554 from General Revenue.

It also takes care of getting started with consolidating our labs. We put \$125 million in that budget that we just passed out of here, this body, to consolidate and modernize the labs in West Virginia so that our justice services, and our medical services, and our food services have resources to have expedience for those labs.

We put \$10 million worth of raises, for grant raises, for our EMS workers in this state.

It transfers \$20 million for dilapidated . . . actually, I'll take that back, the budget, it doesn't do it but we have it coming as directed transfers and supplementals that will come up for \$20 million in dilapidated structures.

It also contemplates strengthening the horsepower in accountability of the Economic Development Department. As you know, in the past years we've committed about \$600 million of grants in there. We restructured that. And the way that we just did this budget along with the proper use of our federal funds, we'll be able to improve that from \$600 million to \$900 million with a lot more accountability.

It also leaves about \$400 million unappropriated. As you know, Mr. President, we've put more . . . this body, and this Legislature, has appropriated more General Revenue in the past year than has happened in decades, upon decades past to take care of our roads. We do that out of our unappropriated funds that come in. So, as those come up, the budget this body just passed, allows for that kind of effort to continue when the need arises.

We put \$50 million in there to have a National Cancer Institute in West Virginia. It's going to be the seventeenth or eighteenth in the country. What that means to the people of West Virginia We have one of the highest incidences of cancer per capita in the United States, but we don't have a National Cancer Institute. That National Cancer Institute allows for research in cancer. So those patients who are having failed treatments, when your family members are receiving, not having the success with cancer treatment that they would otherwise have, they now have a means to go get in research programs with medicine given to them free of charge. That's what a National Cancer Institute does.

And finally, at least in my remarks, but there's so much, much more in this budget, is we are finally getting a start on taking care of the dams in West Virginia that are literally falling apart. And by doing that, we're going to save community, upon community from damage by flood waters, if not being completely washed out by flood waters, by getting ahead of these dam disablements now.

So, members, I'm very grateful to serve with you. This has been one of the largest impactful

ways that I have seen General Revenue applied in my history around the Legislature. You're to be commended.

**REMARKS OF
HONORABLE
TOM TAKUBO**

Monday, February 27, 2023

SENATOR TAKUBO: Thank you, Mr. President.

I just want to make the body aware that We've had a lot of discussion regarding EMS and firefighters and how important those individuals are. There's a lot of bills floating around to try to get funding for those folks. Well, we lost a giant in the field of EMS this past week.

There's a fellow down in Logan County named Charlie Mounts. And Charlie was a founding member of the Logan Emergency Ambulance Service Authority.

For decades, he taught mine rescue. There's probably very few mine rescue squads in the entire state that he didn't have his fingerprints on, trained, mentored, tutored, in rope rescue. All across the state He worked with WVU and formulated programs so that rescue squads all over the State of West Virginia benefitted from that. State EMS and firefighters, he was a judge and an instructor for decades all across the State of West Virginia.

We lost Charlie this past weekend which is why I wasn't at the dinner on Friday. But, just out of respect to Charlie and all the things that he's done for so many throughout the years, I would request just a moment of silence.

Recognizing sister-state relationship between WV and Taiwan

(Adoption of Senate Resolution 37)

**REMARKS OF
HONORABLE
TOM TAKUBO**

Tuesday, February 28, 2023

SENATOR TAKUBO: Thank you, Mr. President.

Today, the West Virginia Senate reaffirms the support of a Bilateral Trade Agreement between the United States and the Republic of China.

The United States and Taiwan have continued to forge strong economic relations over the last four decades. Taiwan is now the tenth largest trading partner with the United States and West Virginia maintains its strong support of Taiwan's efforts to secure the signing of a Bilateral Trade Agreement and an Avoidance of Double Taxation Agreement with the United States to boost greater West Virginia exports to Taiwan and bring Taiwanese investment back to West Virginia.

In 2021, the trade volume between West Virginia and Taiwan amounted to nearly \$120 million.

In December of 2021, West Virginia University and Taiwan's National Sun Yat-sen University signed an agreement to promote bilateral language exchange programs, making WVU the first prestigious research institution in the state to collaborate with Taiwan.

Taiwan has proven to be a very valuable contributor in a broad range of global issues. West Virginia continues to strengthen the sisterhood partnership between the State of Taiwan and reaffirm the support for Taiwan's meaningful participation and contributions in international organizations.

Mr. President, I urge adoption of the resolution.

Recognizing sister-state relationship between WV and Taiwan

(Adoption of Senate Resolution 37)

**REMARKS OF
HONORABLE
CHARLES S. TRUMP IV**

Tuesday, February 28, 2023

SENATOR TRUMP: Thank you, Mr. President.

I also rise in support of this resolution.

I think it's very important.

And I think before we pass this resolution, we should recognize that our friends in Taiwan who love freedom, who care about free trade, capitalism, live under the looming shadow and threat of aggression from communist China. And we here in the Mountain State, whose motto is *Mountaineers are Always Free*, stand with them.

And I want to mention on the floor of this Senate, Mr. President, your leadership, your personal leadership in making sure that this relationship with Taiwan remains strong and viable, including efforts to open a trade office there

I think it's important that we stand with other people around the world who stand for freedom.

I urge adoption of the resolution.

Recognizing 151st anniversary of Glenville State University

(Adoption of Senate Resolution 44)

REMARKS OF
**HONORABLE
PATRICK S. MARTIN**

Tuesday, February 28, 2023

SENATOR MARTIN: Thank you, Mr. President.

Today we honor an institution located in central West Virginia that has provided degrees in higher education for 151 years to students of West Virginia and students around the world.

On February 22, 2022, under the administration of Dr. Mark Manchin, Glenville State College became Glenville State University. University status provides the opportunity not only to gain undergraduate studies but also advanced degrees, including a Master's in Education.

Glenville State University, often referred to as the Lighthouse on the Hill, is West Virginia's only centrally located public university.

Founded in 1872 to provide instruction and practice for common school teachers in the science of education, Glenville State University has surpassed its original mission and it currently prepares for students' careers in teaching, business, land resources, music, liberal arts, science, criminal justice, and human services.

With the enrollment of approximately 1,500 students, Glenville State has an average class size of 15 and the University's enrollment is made up of students from 24 states and three countries and proudly includes many first generation and minority students.

Today, we honor the history and celebrate the future of Glenville State University.

I urge adoption.

Memorializing life of John Edward Eckhart, Jr, husband, father, grandfather, Fiscal Officer for WV Senate and dedicated public servant

(Adoption of Senate Resolution 49)

REMARKS OF
**HONORABLE
ERIC J. TARR**

Saturday, March 11, 2023

SENATOR TARR: Thank you, Mr. President.

One of the things that . . . Jay leaves the impression on me more than anything else is that when Jay would step into a room around here—and I see so many hearts are broken that he's not here with us today—but he steps into a room, when his spirit's in the room, the energy level would raise. He was such a positive person that no matter how tense the situation was, no matter what's been going on in the rooms around you—and this place can be just a pressure cooker—when Jay would step in the room, the energy lightened and joy filled the room.

So, I think he would want that here for us today. I think that's the energy he would want here as well.

I'm blessed for having known him, I know we all are.

And I strongly support this resolution.

**Memorializing life of John Edward Eckhart,
Jr, husband, father, grandfather, Fiscal
Officer for WV Senate
and dedicated public servant**

(Adoption of Senate Resolution 49)

**REMARKS OF
HONORABLE
CRAIG BLAIR**

Saturday, March 11, 2023

MR. PRESIDENT: Thank you, Madam President.

I want to stand and speak about Jay, myself, for a few minutes.

I'm here a lot throughout the year and I got to be very good friends with him. And we had fun telling stories, telling jokes, laughing together . . . right Brandy? It's . . . we became friends.

He ends up with pancreatic cancer. And I was worried for him . . . and he never seemed to be worried. He had optimism, as the Clerk read in the resolution, that you seldom see in people. And I believe it was his faith in God. God himself gave Jay optimism in such a way that, as the Clerk read, it bled out onto other people. Especially, me.

The Senate was blessed as your family has been blessed by Jay's presence.

Now, I gotta go tell a little story though because he comes rolling into the parking lot in a red Camaro. And I'm like, "Where did you buy that at? Where did you buy that at?" . . . and everything because I had ordered one and it was supposed to be over in Huntington and I thought that that was actually it. And we got the biggest laugh out of that because it was not. And then he got rid of it and got a motorcycle again and I was

like, oh, my golly, the man knows how to live. And he did. He knew exactly how to live.

At Jay's funeral, I was there and I saw the friends, the family, the love, the compassion, and the faith in God amongst everybody there. And I left there with renewed faith for myself.

This is what Jay did to people. Jay gave people hope and happiness. And I know he did that for the members here, but he did that for the family for sure. And that is not always the case.

You were so blessed . . . as was Jay.

Thank you, Madam Chair.

**Memorializing life of John Edward Eckhart,
Jr, husband, father, grandfather, Fiscal
Officer for WV Senate
and dedicated public servant**

(Adoption of Senate Resolution 49)

**REMARKS OF
HONORABLE
ROLLAN A. ROBERTS**

Saturday, March 11, 2023

SENATOR ROBERTS: Thank you, Madam President.

When I first came to the capitol, we had kindred spirits because we both loved God. And that was very obvious.

And I want to remind his family and others that when it comes to this thing of life and death, there are two biblical phrases that are very, very important.

The first one is to make peace with God. Jay had made peace with God. He had received the Lord, Jesus Christ as his savior. He served his Lord and loved his family.

And he left a legacy.

You can't help but look at the picture and smile back. That smile is what the Lord Jesus gave him in his life. And I'm very grateful for that.

He not only had the peace of God but when one makes peace with God it gives us the ability to have the peace of God. And in his final journey months, I think all of us witnessed the peace of God.

Now, I can't say that many still have the peace of God that the Lord took him. That's hard because we're left. But I do know one thing, God was very gracious, gave him dying grace, gave him strength that was beyond his own human means, and we have a great testimony of a great man who humbly served his Lord.

You should be very proud.

And I certainly endorse this resolution.

**Memorializing life of John Edward Eckhart,
Jr, husband, father, grandfather, Fiscal
Officer for WV Senate
and dedicated public servant**

(Adoption of Senate Resolution 49)

**REMARKS OF
HONORABLE
RANDY E. SMITH**

Saturday, March 11, 2023

SENATOR SMITH: Thank you, Mr. President.

I rise in support of the resolution.

Jay and I got to be pretty good friends. I used to hang out in his and Brandy's office a lot when I was down in the dumps or got browbeat for the day or whatever. I would go there and hang out with him and Brandy and hide—so, that's probably why you couldn't find me sometimes—but, it's because of his smile, and his attitude, and his sense of humor . . . I mean, I could be down in the dumps so bad and go in there and spend some time with him and Brandy, and his sense of humor, you know, we just fed off it because everybody knows I have a pretty good sense of humor too and it was always . . . I don't know, it was kind of my stress relief to go to his office and talk to him.

And some people know, some of you might not know, that . . . his passion for cooking. Most of the time when I went there, there was some

kind of new dish that he had decided to try. That was mainly for Brandy . . . I think he was trying to fatten her up a little bit. But he would always say, "Senator, do you want to try this?" And I'd tell him, "Jay, I'm a coal miner, that's too fancy for me." He'd say, "Ah, just try it, try it" . . . so, you know.

But, it's just his sense of humor . . . and I used to tease him all the time that when I get to the Governor's mansion, I want you cooking for me down there. Not for me, but for the guests. I said, "But you're going to have to cook the simple stuff for me but when we have them big parties down there, you can show off all you want to." Of course we'd get a big kick out of that.

He became a good friend.

His faith was an inspiration because he was definitely a man of God and the strength he had, you know, for what he had to go through for those couple of years. Not one time did he, you know, even let it get him down, you know, when he was around us anyway. You know, he told me, he said, "Don't feel sorry for me." He said, you know, "I've got a great life. You know, I've lived my great life and God's going to take care of this, you know." Just the inspiration . . . just being around him . . .

And . . . you know . . . I miss Jay. I missed that this year going in there and being able just to laugh and carry on. You know, this session wasn't like the past sessions . . .

But I just want his family to know just how fortunate—I know I don't have to tell you—but how fortunate you was to have him in your life because I only knew him just six years and he made a big impact on my life. He was a good friend and I loved him like a brother. He always cheered me up, you know.

Like the senator said, look at that picture, it makes you smile because . . . You couldn't have got a better photo because he always had a smile on his face no matter how crazy things were going. We'd be mad and he'd be laughing.

He was just an inspiration and I just strongly encourage this resolution.

SENATE ABSTRACT INDEX

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HISTORY OF BILLS AND RESOLUTIONS CONSIDERED BY SENATE

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SENATE BILLS PASSED LEGISLATURE

4. By Sen. Maynard, Smith, Maroney, Woodrum, Plymale, Jeffries, Hunt and Caputo - **Creating Adopt-A-Trail volunteer programs for public land under DNR jurisdiction** (original similar to HB3102) - Passed 2/7/2023 - To Governor 2/13/2023 - Approved by Governor 2/17/2023 - Chapter 216, Acts, Regular Session, 2023
- *10. By Sen. Phillips, Karnes, Martin, Maynard, Tarr, Grady, Taylor, Roberts, Smith, Rucker, Hamilton, Barrett, Woodrum, Hunt, Azinger, Stuart and Deeds - **Campus Self-Defense Act** (original similar to SB434) - Passed 2/21/2023; Effective from passage - To Governor 2/24/2023 - Approved by Governor 3/1/2023 - Chapter 174, Acts, Regular Session, 2023
- *47. By Sen. Rucker, Oliverio and Roberts - **Creating Charter Schools Stimulus Fund** - Passed 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 124, Acts, Regular Session, 2023
- *51. By Sen. Rucker, Grady, Maynard and Chapman - **Requiring impact statement in certain instances of school closing or consolidation** - Passed 3/7/2023 - To Governor 3/10/2023 - Approved by Governor 3/23/2023 - Chapter 125, Acts, Regular Session, 2023
- *83. By Sen. Takubo, Phillips and Hamilton - **Authorizing tactical medical professionals to carry firearms** - Passed 2/2/2023 - To Governor 2/6/2023 - Approved by Governor 2/9/2023 - Chapter 226, Acts, Regular Session, 2023
- *89. By Sen. Woelfel, Grady, Woodrum, Hamilton, Rucker and Plymale - **Requiring hospitals to staff qualified personnel to perform sexual assault forensic exams** - Passed 2/21/2023 - To Governor 2/23/2023 - Approved by Governor 3/1/2023 - Chapter 275, Acts, Regular Session, 2023
99. By Sen. Nelson, Roberts and Oliverio - **Relating to meetings among county boards of education** - Passed 3/8/2023 - To Governor 3/13/2023 - Approved by Governor 3/29/23 - Chapter 126, Acts, Regular Session, 2023
- *121. By Sen. Azinger, Roberts, Tarr and Maynard - **Creating Student Journalist Press Freedom Protection Act** - Passed 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 175, Acts, Regular Session, 2023
128. By Sen. Smith, Tarr, Azinger, Roberts, Deeds, Boley, Rucker, Taylor, Karnes and Woodrum - **Clarifying authority of Governor and Legislature to proclaim and declare state of emergency and preparedness** - Passed 2/23/2023; Effective from passage - To Governor 2/27/2023 - Became law without Governor's signature 3/4/2023 - Chapter 276, Acts, Regular Session, 2023

131. By Sen. Nelson, Woodrum, Jeffries, Phillips, Trump, Deeds, Stuart, Queen, Smith, Rucker, Hamilton and Maroney - **Allowing municipal fire marshals to receive service weapon upon retirement** - Passed 3/4/2023 - Effective ninety days from passage - To Governor 3/8/2023 - Approved by Governor 3/29/23 - Chapter 80, Acts, Regular Session, 2023
132. By Sen. Boley, Hamilton, Clements, Grady, Jeffries, Karnes, Nelson, Roberts, Stover, Trump, Weld, Woelfel, Phillips, Plymale, Martin, Rucker, Takubo, Smith, Woodrum, Deeds, Oliverio, Azinger, Stuart, Barrett, Queen and Maroney - **Clarifying criminal offense of harassment** - Passed 2/1/2023 - To Governor 2/3/2023 - Approved by Governor 2/6/2023 - Chapter 99, Acts, Regular Session, 2023
136. By Sen. Trump, Deeds, Oliverio, Stuart, Phillips, Woodrum and Grady - **Requiring persons convicted of certain offenses to undergo psychological or psychiatric testing and have treatment plan to be eligible for probation** - Passed 3/2/2023 - To Governor 3/6/2023 - Approved by Governor 3/11/2023 - Chapter 106, Acts, Regular Session, 2023
142. By Sen. Trump, Oliverio, Stuart, Clements, Barrett, Phillips, Woodrum, Nelson and Maroney - **Modifying procedures to settle estates of decedents** - Passed 3/7/2023 - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 152, Acts, Regular Session, 2023
143. By Sen. Smith, Phillips, Caputo, Woodrum, Jeffries, Hamilton, Trump, Maynard, Rucker, Taylor and Maroney - **Relating to Adopt-A-Stream Program** - Passed 1/30/2023 - To Governor 2/1/2023 - Approved by Governor 2/6/2023 - Chapter 147, Acts, Regular Session, 2023
146. By Sen. Trump, Woelfel, Oliverio, Jeffries, Azinger, Stuart, Phillips and Maynard - **Modifying regulations of peer-to-peer car sharing program** - Passed 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 208, Acts, Regular Session, 2023
149. By Sen. Roberts, Trump, Phillips, Deeds, Azinger, Stuart, Clements, Maynard, Maroney and Karnes - **Exempting certain organizations from property taxation** - Passed 3/9/2023 - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 304, Acts, Regular Session, 2023
- *151. By Sen. Oliverio, Nelson, Martin, Trump and Maroney - **Levying tax on pass-through entity's income** - Passed 3/10/2023 - Effective ninety days from passage - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 305, Acts, Regular Session, 2023
161. By Sen. Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel and Woodrum - **Authorizing DNR to manage and dispose of property** - Passed 1/20/2023; Effective from passage - To Governor 1/23/2023 - Approved by Governor 1/24/2023 - Chapter 217, Acts, Regular Session, 2023

162. By Sen. Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel and Woodrum - **Authorizing director of DNR to lease state-owned pore spaces in certain areas for carbon sequestration** - Passed 1/20/2023; Effective from passage - To Governor 1/23/2023 - Approved by Governor 1/24/2023 - Chapter 218, Acts, Regular Session, 2023
- *187. By Sen. Clements, Woelfel, Roberts, Stuart, Plymale, Hunt, Rucker, Deeds and Grady - **Making it felony offense for school employee or volunteer to engage in sexual contact with students** - Passed 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 100, Acts, Regular Session, 2023
- *188. By Sen. Trump, Woelfel, Queen, Plymale, Hamilton and Nelson - **Grid Stabilization and Security Act of 2023** - Passed 3/6/2023 - To Governor 3/8/2023 - Approved by Governor 3/28/2023 - Chapter 115, Acts, Regular Session, 2023
- *191. By Sen. Trump and Hunt - **Relating to liability for payment of court costs as condition of pretrial diversion agreement** - Passed 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 107, Acts, Regular Session, 2023
- *200. By Sen. Hamilton, Roberts and Jeffries - **Allowing leashed dogs to track wounded elk, turkey, and wild boar when hunting** - Passed 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 219, Acts, Regular Session, 2023
- *205. By Sen. Clements - **Relating to registration plates** (original similar to HB2565) - Passed 3/8/2023 - To Governor 3/10/2023 - Approved by Governor 3/23/2023 - Chapter 209, Acts, Regular Session, 2023
207. By Sen. Jeffries and Plymale - **Relating to state allocation of funding to regional councils** (original similar to HB2750) - Passed 2/1/2023 - To Governor 2/6/2023 - Approved by Governor 2/9/2023 - Chapter 116, Acts, Regular Session, 2023
- *208. By Sen. Caputo, Woelfel, Oliverio, Rucker, Hamilton, Hunt, Chapman, Stuart and Deeds - **Relating to criminal justice training for all law-enforcement and correction officers regarding individuals with autism spectrum disorders** - Passed 3/2/2023 - To Governor 3/6/2023 - Approved by Governor 3/11/2023 - Chapter 227, Acts, Regular Session, 2023
- *220. By Sen. Woodrum, Deeds, Rucker, Stuart, Hamilton and Trump - **Industrial Hemp Development Act** - Passed 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 173, Acts, Regular Session, 2023
231. By Sen. Swope, Hamilton, Jeffries, Martin, Nelson, Roberts, Rucker, Tarr, Trump, Woelfel, Phillips, Clements, Plymale and Hunt - **Transferring administration of WV Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program to Department of Economic Development** (original similar to HB2512) - Passed 1/30/2023;

Effective from passage - To Governor 2/1/2023 - Approved by Governor 2/6/2023 - Chapter 117, Acts, Regular Session, 2023

- *232. By Sen. Trump and Rucker - **Creating study group to make recommendations regarding diversion of persons with disabilities from criminal justice system** - Passed 3/11/2023; Effective from passage - To Governor 3/17/2023 - Approved by Governor 3/29/23 - Chapter 77, Acts, Regular Session, 2023

- 237. By Sen. Nelson, Queen, Swope, Grady, Boley, Azinger, Hamilton, Plymale, Roberts, Deeds, Barrett, Hunt, Trump and Jeffries - **Relating to Public Employees Retirement System and State Teachers Retirement System** - Passed 3/6/2023; Effective July 1, 2023 - To Governor 3/9/2023 - Approved by Governor 3/13/2023 - Chapter 240, Acts, Regular Session, 2023

- *239. By Sen. Azinger, Takubo and Deeds - **Requiring Commissioner of Bureau for Behavioral Health to engage certain providers and leaders to study homeless demographic** (original similar to HB2545, SB224) - Passed 2/15/2023 - To Governor 2/20/2023 - Approved by Governor 2/24/2023 - Chapter 186, Acts, Regular Session, 2023

- 240. By Sen. Woodrum - **Requiring state board of examination or registration proceedings to be open to public inspection** - Passed 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/23 - Chapter 228, Acts, Regular Session, 2023

- 241. By Sen. Azinger, Woelfel and Plymale - **Patient Brokering Act** (original similar to HB2544) - Passed 2/9/2023; Effective from passage - To Governor 2/13/2023 - Approved by Governor 2/17/2023 - Chapter 251, Acts, Regular Session, 2023

- 244. By Sen. Woodrum and Trump - **Making rosters of individuals who obtain professional, occupational, and trade licenses, registrations, and certificates available to public** - Passed 3/9/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 229, Acts, Regular Session, 2023

- 246. By Sen. Woodrum - **Revising membership of Broadband Enhancement Council** - Passed 3/4/2023 - To Governor 3/8/2023 - Approved by Governor 3/29/23 - Chapter 57, Acts, Regular Session, 2023

- *247. By Sen. Woodrum - **Making administrative appeals and judicial review of board action subject to provisions of Administrative Procedures Act** - Passed 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 230, Acts, Regular Session, 2023

- *258. By Sen. Trump and Deeds - **Eliminating ceiling on fair market value of consumer goods and permitting dealer to require security deposit** - Passed 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 296, Acts, Regular Session, 2023

- *267. By Sen. Takubo, Grady and Plymale - **Updating law regarding prior authorizations** (original similar to HB2535) - Passed 3/8/2023 - To Governor

3/10/2023 - Approved by Governor 3/23/2023 - Chapter 192, Acts, Regular Session, 2023

- *268. By Sen. Takubo, Hamilton, Queen, Plymale, Deeds and Nelson - **Relating to PEIA** (original similar to HB2534) - Passed 3/6/2023; Effective from passage - To Governor 3/7/2023 - Approved by Governor 3/17/2023 - Chapter 241, Acts, Regular Session, 2023
- *270. By Sen. Takubo - **Adding exemption to permit requirement for cremation** - Passed 3/2/2023 - To Governor 3/6/2023 - Approved by Governor 3/11/2023 - Chapter 101, Acts, Regular Session, 2023
- *271. By Sen. Trump - **Modifying approval process requirements for First Responders Honor Board** (original similar to HB2873) - Passed 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 277, Acts, Regular Session, 2023
- *273. By Sen. Trump, Woelfel, Plymale, Rucker, Barrett and Deeds - **Relating to allocation of child protective workers in counties based upon population of county** - Passed 3/11/2023; Effective from passage - To Governor 3/17/2023 - Approved by Governor 3/29/23 - Chapter 59, Acts, Regular Session, 2023
- 275. By Sen. Trump, Deeds and Phillips - **Adding State Fire Marshals to statute included with law enforcement and first responders that receive information on school safety requirements** (original similar to HB2819) - Passed 2/17/2023 - To Governor 2/20/2023 - Approved by Governor 2/24/2023 - Chapter 127, Acts, Regular Session, 2023
- 276. By Sen. Trump, Deeds and Phillips - **Awarding service weapon of retiring State Fire Marshal** (original similar to HB2871) - Passed 3/2/2023; Effective from passage - To Governor 3/6/2023 - Approved by Governor 3/11/2023 - Chapter 278, Acts, Regular Session, 2023
- *294. By Sen. Woodrum and Deeds - **Clarifying amount of deputy sheriff annual salary increase** (original similar to SB18) - Passed 3/9/2023 - To Governor 3/15/2023 - Approved by Governor 3/15/2023 - Chapter 81, Acts, Regular Session, 2023
- *298. By Sen. Trump, Woodrum, Plymale and Deeds - **Relating to non-federally declared emergencies and non-states of emergency** - Passed 3/10/2023; Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 279, Acts, Regular Session, 2023
- *300. By Sen. Trump, Caputo, Plymale and Hamilton - **Relating to law-enforcement training and certification** - Passed 3/2/2023 - To Governor 3/6/2023 - Approved by Governor 3/11/2023 - Chapter 231, Acts, Regular Session, 2023
- *302. By Sen. Stuart and Hamilton - **Relating to Law Enforcement Safety Act** - Passed 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 280, Acts, Regular Session, 2023
- *335. By Sen. Woodrum - **Authorizing Department of Homeland Security to promulgate legislative rules** (original similar to HB2666) - Passed 3/6/2023;

Effective from passage - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 198, Acts, Regular Session, 2023

- *345. By Sen. Woodrum - **Authorizing Department of Revenue to promulgate legislative rules** (original similar to HB2676) - Passed 3/10/2023; Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 199, Acts, Regular Session, 2023
- *356. By Sen. Woodrum - **Authorizing DOT to promulgate legislative rules** (original similar to HB2687) - Passed 3/8/2023; Effective from passage - To Governor 3/13/2023 - Approved by Governor 3/23/2023 - Chapter 200, Acts, Regular Session, 2023
- *361. By Sen. Woodrum - **Authorizing miscellaneous boards and agencies to promulgate legislative rules** (original similar to HB2692) - Passed 3/11/2023; Effective from passage - To Governor 3/17/2023 - Approved by Governor 3/29/23 - Chapter 201, Acts, Regular Session, 2023
- *409. By Sen. Woodrum - **Authorizing Department of Commerce to promulgate legislative rules** (original similar to HB2740) - Passed 3/10/2023; Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 202, Acts, Regular Session, 2023
- *422. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Requiring public schools to publish curriculum online at beginning of each new school year** (original similar to HB2778) - Passed 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/21/2023 - Chapter 128, Acts, Regular Session, 2023
- *423. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Increasing salary for certain state employees** - Passed 3/6/2023; Effective July 1, 2023 - To Governor 3/7/2023 - Approved by Governor 3/17/2023 - Chapter 242, Acts, Regular Session, 2023
- *430. By Sen. Tarr - **Relating to State Treasurer's authority to contract with financial institutions for banking goods and services** - Passed 3/3/2023 - To Governor 3/8/2023 - Approved by Governor 3/28/2023 - Chapter 272, Acts, Regular Session, 2023
- *439. By Sen. Smith, Caputo, Hamilton, Phillips, Taylor, Swope and Nelson - **Establishing design-build program for DEP** (original similar to HB3129) - Passed 3/7/2023; Effective from passage - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 162, Acts, Regular Session, 2023
- 443. By Sen. Tarr - **Directing payment of estate administration fee to State Auditor** (original similar to HB3239) - Passed 3/10/2023; Effective July 1, 2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 153, Acts, Regular Session, 2023
- 444. By Sen. Tarr - **Transferring moneys in WV Future Fund to General Revenue Fund** (original similar to HB3240) - Passed 3/10/2023; Effective July 1, 2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 273, Acts, Regular Session, 2023

446. By Sen. Tarr - **Removing methanol and methanol fuel from definition of special fuel** (original similar to HB3238) - Passed 3/11/2023; Effective July 1, 2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 306, Acts, Regular Session, 2023
449. By Sen. Nelson, Deeds, Oliverio and Hunt - **Updating terms for Natural Resources Police Officers Retirement System and retirement systems for charter schools** (original similar to HB3235) - Passed 3/7/2023 - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 243, Acts, Regular Session, 2023
- *450. By Sen. Nelson and Hunt - **Defining medical examination for disability purposes in retirement plans administered by Consolidated Public Retirement Board** (original similar to HB3234) - Passed 3/7/2023 - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 244, Acts, Regular Session, 2023
- *451. By Sen. Nelson and Hunt - **Relating to Teachers Retirement System and Teachers' Defined Contribution Retirement System** (original similar to HB3236) - Passed 3/9/2023 - To Governor 3/13/2023 - Approved by Governor 3/23/2023 - Chapter 245, Acts, Regular Session, 2023
452. By Sen. Nelson and Hunt - **Relating to Emergency Medical Services Retirement System** (original similar to HB3242) - Passed 3/8/2023 - To Governor 3/13/2023 - Approved by Governor 3/23/2023 - Chapter 246, Acts, Regular Session, 2023
- *453. By Sen. Nelson and Hunt - **Ensuring retirement contributions and delinquency charges of charter school employees be paid upon school closure or by successor** (original similar to HB3237) - Passed 3/6/2023 - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 129, Acts, Regular Session, 2023
- *455. By Sen. Phillips - **Modifying certain used car restrictions** - Passed 3/6/2023 - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 210, Acts, Regular Session, 2023
457. By Sen. Barrett - **Removing certain activities Alcohol Beverage Control Commission licensee is prohibited to permit on private club premises** - Passed 3/9/2023 - To Governor 3/13/2023 - Approved by Governor 3/23/2023 - Chapter 159, Acts, Regular Session, 2023
458. By Sen. Nelson - **Setting rate of interest on delinquent retirement contribution submissions** (original similar to HB3241) - Passed 3/6/2023 - To Governor 3/9/2023 - Approved by Governor 3/22/2023 - Chapter 163, Acts, Regular Session, 2023
- *461. By Sen. Clements and Rucker - **Relating to WV public employees grievance procedure** (original similar to HB2507) - Passed 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 247, Acts, Regular Session, 2023

- *463. By Sen. Clements and Plymale - **Increasing validity of CDL instruction permit** (original similar to HB3032) - Passed 3/8/2023 - To Governor 3/10/2023 - Approved by Governor 3/23/2023 - Chapter 211, Acts, Regular Session, 2023
- 465. By Sen. Clements, Azinger, Caputo, Chapman, Maroney, Oliverio, Weld, Woodrum, Deeds, Plymale and Jeffries - **Increasing limit on moneys placed in county's rainy day fund** - Passed 3/9/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 82, Acts, Regular Session, 2023
- *468. By Sen. Hamilton, Maynard, Plymale, Taylor, Stuart and Karnes - **Continuing Cabwalingo State Forest Trail System** - Passed 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 220, Acts, Regular Session, 2023
- *469. By Sen. Grady, Jeffries, Deeds, Queen, Caputo, Takubo, Tarr, Woelfel, Nelson, Woodrum, Oliverio, Taylor and Phillips - **Providing funding for CPR instruction to high school students** (original similar to HB3501) - Passed 3/10/2023; Effective July 1, 2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 130, Acts, Regular Session, 2023
- *475. By Sen. Nelson and Plymale - **Modifying examinations for disability pensions** (original similar to HB3243) - Passed 3/7/2023; Effective July 1, 2023 - To Governor 3/9/2023 - Approved by Governor 3/29/23 - Chapter 83, Acts, Regular Session, 2023
- *476. By Sen. Tarr - **Exempting managed care contracts from purchasing requirements** - Passed 3/8/2023; Effective from passage - To Governor 3/10/2023 - Approved by Governor 3/29/23 - Chapter 187, Acts, Regular Session, 2023
- *478. By Sen. Grady and Plymale - **Relating to Jumpstart Savings Program** - Passed 3/10/2023; Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 307, Acts, Regular Session, 2023
- 481. By Sen. Roberts, Caputo, Jeffries, Nelson, Smith, Stover, Woodrum, Phillips and Deeds - **Extending sunset provision of Upper Kanawha Valley Resiliency and Revitalization Program** - Passed 3/2/2023 - To Governor 3/6/2023 - Approved by Governor 3/11/2023 - Chapter 118, Acts, Regular Session, 2023
- 487. By Sen. Weld and Chapman - **Extending additional modification reducing federal adjusted gross income** - Passed 3/8/2023 - To Governor 3/13/2023 - Approved by Governor 3/29/23 - Chapter 308, Acts, Regular Session, 2023
- 488. By Sen. Rucker - **Aligning state and federal accreditation rules** - Passed 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 176, Acts, Regular Session, 2023
- *490. By Sen. Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Phillips, Stuart, Trump, Weld, Woodrum, Plymale, Swope, Roberts, Grady, Nelson and Taylor - **Patrol Officer Cassie Marie Johnson Memorial Act** - Passed

3/6/2023 - To Governor 3/8/2023 - Approved by Governor 3/13/2023 - Chapter 102, Acts, Regular Session, 2023

- *495. By Sen. Trump, Takubo, Clements, Woelfel, Deeds and Rucker - **Providing correctional institutions and juvenile facilities video and audio records be confidential** - Passed 3/11/2023; Effective from passage - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 78, Acts, Regular Session, 2023
508. By Sen. Azinger, Trump and Weld - **Clarifying reporting and disclosure requirements for grassroots lobbying expenditures** (original similar to HB3062) - Passed 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 207, Acts, Regular Session, 2023
510. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to BOE, Department of Education** (original similar to HB3167) - Passed 3/3/2023; Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/16/2023 - Chapter 6, Acts, Regular Session, 2023
- *516. By Sen. Azinger, Trump and Weld - **Relating to requirements for disclosure of donor contributions** (original similar to HB3063) - Passed 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 144, Acts, Regular Session, 2023
- *522. By Sen. Tarr and Woodrum - **Allocating percentage of county excise taxes for funding improvements to election administration** - Passed 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 309, Acts, Regular Session, 2023
- *523. By Sen. Tarr, Caputo and Maroney - **Clarifying purpose and use of Economic Development Project Fund** - Passed 3/10/2023 - Effective ninety days from passage - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 119, Acts, Regular Session, 2023
- *526. By Sen. Takubo, Tarr, Woelfel, Deeds, Rucker, Grady and Nelson - **Including Alzheimer's disease in existing public health programs** - Passed 3/6/2023 - To Governor 3/8/2023 - Approved by Governor 3/22/2023 - Chapter 252, Acts, Regular Session, 2023
- *527. By Sen. Trump, Azinger, Grady, Rucker, Stover, Stuart, Takubo, Tarr, Taylor, Weld, Woodrum, Caputo, Deeds, Smith, Clements, Hamilton and Maynard - **Allowing family members of military personnel access to discharge records** - Passed 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 326, Acts, Regular Session, 2023
529. By Sen. Woodrum, Barrett, Trump and Hamilton - **Allowing businesses to register as limited liability limited partnerships** - Passed 3/6/2023 - To Governor 3/9/2023 - Approved by Governor 3/29/23 - Chapter 58, Acts, Regular Session, 2023
533. By Sen. Nelson - **Relating to limitations on motor vehicle used by nonprofit cooperative recycling associations** (original similar to HB3372) - Passed

3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 2, Acts, Regular Session, 2023

- *534. By Sen. Trump, Takubo and Maroney - **Relating to nonintoxicating beer, nonintoxicating craft beer, cider, wine, and liquor license requirements** - Passed 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/23 - Chapter 4, Acts, Regular Session, 2023
- *543. By Sen. Grady and Plymale - **Authorizing rule-making changes to terms, procedures and reporting duties in higher education** - Passed 3/11/2023; Effective from passage - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 177, Acts, Regular Session, 2023
544. By Sen. Queen - **Increasing power purchase agreement cap** - Passed 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 289, Acts, Regular Session, 2023
- *546. By Sen. Stuart, Woodrum, Deeds, Taylor, Maynard and Hamilton - **Adding and removing certain compounds from controlled substance list** - Passed 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 76, Acts, Regular Session, 2023
- *548. By Sen. Weld - **Clarifying what parties can redeem delinquent property and limiting those entitled to bid** - Passed 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 310, Acts, Regular Session, 2023
- *552. By Sen. Rucker, Taylor, Karnes, Phillips, Grady, Smith, Maynard, Martin, Azinger, Woodrum, Roberts, Deeds, Oliverio, Swope, Stuart, Tarr, Barrett, Hunt, Chapman, Queen and Stover - **Relating to abortion** - Passed 3/11/2023; Effective from passage - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 253, Acts, Regular Session, 2023
553. By Sen. Swope - **Allowing for evaluation of prequalified bidders to be based on best value** - Passed 3/3/2023 - To Governor 3/6/2023 - Approved by Governor 3/11/2023 - Chapter 164, Acts, Regular Session, 2023
- *558. By Sen. Weld, Woelfel and Woodrum - **Prohibiting law-enforcement agencies from posting booking photographs of certain criminal defendants on social media** - Passed 3/9/2023 - To Governor 3/13/2023 - Approved by Governor 3/29/23 - Chapter 108, Acts, Regular Session, 2023
- *561. By Sen. Jeffries and Woelfel - **Relating to administration of WV Drinking Water Treatment Revolving Fund Act** - Passed 3/11/2023; Effective July 1, 2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 148, Acts, Regular Session, 2023
- *568. By Sen. Trump, Deeds, Hunt, Rucker, Stover, Stuart, Taylor and Woelfel - **Relating to Dangerousness Assessment Advisory Board** - Passed 3/10/2023; Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 165, Acts, Regular Session, 2023

- *573. By Sen. Maroney - **Relating to child support guidelines and Support Enforcement Commission** - Passed 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 112, Acts, Regular Session, 2023
- *577. By Sen. Maroney, Woelfel, Rucker, Deeds, Grady, Hamilton, Queen, Clements, Oliverio, Woodrum, Jeffries, Chapman, Barrett, Roberts, Hunt and Taylor - **Reducing copay cap on insulin and devices and permitting purchase of testing equipment without prescription** (original similar to HB2430) - Passed 3/11/2023; Effective January 1, 2024 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 193, Acts, Regular Session, 2023
- *579. By Sen. Tarr and Swope - **Providing payment to vendors who provided services to state** - Passed 3/10/2023; Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 67, Acts, Regular Session, 2023
591. By Sen. Swope, Rucker, Trump and Roberts - **Allowing counties and municipalities to jointly undertake development projects** - Passed 3/4/2023 - To Governor 3/8/2023 - Approved by Governor 3/8/2023 - Chapter 84, Acts, Regular Session, 2023
- *594. By Sen. Takubo, Maroney and Nelson - **Specifying fairness in cost sharing calculations for certain high deductible health plans** - Passed 3/3/2023; Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/29/2023 - Chapter 194, Acts, Regular Session, 2023
597. By Sen. Woodrum and Roberts - **Allowing Workforce WV to hire classified service exempt employees** - Passed 3/8/2023 - To Governor 3/13/2023 - Approved by Governor 3/29/23 - Chapter 166, Acts, Regular Session, 2023
605. By Sen. Maroney and Takubo - **Requiring state medical examiner to enter into contracts with procurement organization** - Passed 3/7/2023; Effective from passage - To Governor 3/9/2023 - Approved by Governor 3/29/23 - Chapter 254, Acts, Regular Session, 2023
608. By Sen. Trump and Deeds - **Correcting list of items which are considered deadly weapons** - Passed 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 329, Acts, Regular Session, 2023
609. By Sen. Smith, Azinger, Boley, Phillips, Swope and Taylor - **Obtaining approval for decommissioning or deconstructing of existing power plant** - Passed 3/6/2023; Effective from passage - To Governor 3/7/2023 - Approved by Governor 3/7/2023 - Chapter 146, Acts, Regular Session, 2023
- *613. By Sen. Maroney - **Relating generally to certificates of need** - Passed 3/10/2023; Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 255, Acts, Regular Session, 2023
- *617. By Sen. Barrett - **Relating to Intellectual and Development Disabilities Waiver Program Workforce Study** - Passed 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 256, Acts, Regular Session, 2023

625. By Sen. Rucker - **Requiring certain transcripts to be accepted as record of student's performance for placement in micro school programs** - Passed 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 131, Acts, Regular Session, 2023
- *631. By Sen. Queen - **Updating administration, funding, and requirements for federal elections held in WV** - Passed 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 145, Acts, Regular Session, 2023
- *633. By Sen. Woodrum, Trump, Deeds, Caputo, Woelfel and Rucker - **Requiring prompt appearances for persons detained on capiases** - Passed 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 109, Acts, Regular Session, 2023
- *647. By Sen. Trump - **Relating to substantiation of abuse and neglect allegations** - Passed 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 60, Acts, Regular Session, 2023
- *649. By Sen. Blair (Mr. President), Trump, Rucker and Barrett - **Authorizing Berkeley County Council to change its name to Berkeley County Commission** - Passed 3/9/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 332, Acts, Regular Session, 2023
- *661. By Sen. Roberts and Tarr - **Clarifying preferential recall rights for employees sustaining compensable injury** - Passed 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 330, Acts, Regular Session, 2023
- *665. By Sen. Rucker - **Amending licensure requirements for massage therapist** - Passed 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 232, Acts, Regular Session, 2023
- *667. By Sen. Grady, Weld, Smith and Taylor - **Requiring periodic performance audits of WV Secondary School Activities Commission** - Passed 3/11/2023 - To Governor 3/17/2023 - Vetoed by Governor 3/29/2023
674. By Sen. Trump, Tarr and Weld - **Providing statutory recognition and appointment of board members for WV First Foundation** (original similar to HB3483) - Passed 3/10/2023; Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/22/2023 - Chapter 257, Acts, Regular Session, 2023
- *677. By Sen. Swope and Rucker - **Clarifying role and responsibilities of State Resiliency Officer** - Passed 3/11/2023; Effective from passage - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 281, Acts, Regular Session, 2023
678. By Sen. Trump and Barrett - **Adding appropriations to DHHR, Division of Human Services** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 7, Acts, Regular Session, 2023
679. By Sen. Tarr, Woelfel, Plymale and Roberts - **Requiring Office of Inspector General to promulgate rules concerning location of forensic group homes**

- Passed 3/6/2023; Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/9/2023 - Chapter 258, Acts, Regular Session, 2023

- *688. By Sen. Chapman, Hunt and Oliverio - **Allowing BOE to hire retired teachers to assist with tutoring** - Passed 3/8/2023 - To Governor 3/13/2023 - Approved by Governor 3/29/23 - Chapter 132, Acts, Regular Session, 2023
- *730. By Sen. Maroney - **Expanding authority of Legislative Oversight Commission on Health and Human Resources Accountability** - Passed 3/8/2023; Effective from passage - To Governor 3/13/2023 - Approved by Governor 3/29/23 - Chapter 259, Acts, Regular Session, 2023
733. By Sen. Woodrum, Barrett, Hamilton, Hunt, Jeffries, Phillips, Queen, Smith, Stuart, Swope and Weld (Originating in Senate Government Organization) - **Relating to wildlife licenses and stamps** - Passed 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 221, Acts, Regular Session, 2023
734. By Sen. Woodrum, Barrett, Hamilton, Hunt, Jeffries, Phillips, Queen, Smith, Stuart, Swope and Weld (Originating in Senate Government Organization) - **Requiring adoption of cloud computing services by state agencies** - Passed 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 167, Acts, Regular Session, 2023
735. By Sen. Woodrum, Barrett, Hamilton, Hunt, Jeffries, Phillips, Queen, Smith, Stuart, Swope and Weld (Originating in Senate Government Organization) - **Clarifying department responsible for administration of certain programs** - Passed 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/23 - Chapter 120, Acts, Regular Session, 2023
737. By Sen. Tarr, Phillips, Barrett, Boley, Clements, Jeffries, Maroney, Nelson, Oliverio, Plymale, Queen, Roberts, Smith and Woodrum (Originating in Senate Finance) - **Emergency Medical Services Act** - Passed 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 260, Acts, Regular Session, 2023
740. Originating in Senate Rules - **Relating to compensation and expense reimbursement for members of Legislature** - Passed 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 206, Acts, Regular Session, 2023

SENATE CONCURRENT RESOLUTIONS ADOPTED BY LEGISLATURE

1. By Sen. Takubo - **Adopting Joint Rules of Senate and House of Delegates** - Adopted 1/11/2023
2. By Sen. Blair (Mr. President), Tarr and Woelfel - **Authorizing payment of expenses for 86th Legislature** - Adopted 1/11/2023
- *3. By Sen. Karnes and Hamilton - **Dr. Roland P Sharp Memorial Road** - Adopted 3/3/2023

- *4. By Sen. Maynard and Phillips - **US Navy S1 Ira "Noon" Copley and Marie Copley Memorial Bridge** - Adopted 3/9/2023
- *6. By Sen. Smith, Taylor, Weld and Woelfel - **US Army SGT Vincent DiBacco Memorial Bridge** - Adopted 3/3/2023
- 7. By Sen. Clements and Plymale - **Amending Joint Rules of Senate and House of Delegates** - Adopted 2/14/2023
- 8. By Sen. Woodrum and Deeds - **US Army PV 2 Harold Richard Plumley Memorial Bridge** - Adopted 3/9/2023
- *10. By Sen. Hunt and Jeffries - **US Army Air Corps PVT Albert J Sutphin Memorial Highway** - Adopted 3/9/2023
- *11. By Sen. Woodrum - **US Army SGT Brian Christopher Karim Memorial Road** - Adopted 3/11/2023
- *13. By Sen. Martin and Queen - **Wyant Brothers WWII Veterans Memorial Road** - Adopted 3/9/2023
- 14. By Sen. Deeds and Plymale - **Supporting Medal of Valor nominees recommended by First Responders Honor Board** - Adopted 3/11/2023
- *16. By Sen. Phillips, Rucker, Stuart, Taylor and Smith - **US Army 1SG James Arnold Browning Memorial Bridge** - Adopted 3/9/2023
- *17. By Sen. Phillips and Smith - **US Navy PO2 Phillip Joseph "PJ" Hainer Memorial Bridge** - Adopted 3/4/2023
- 24. By Sen. Clements, Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel and Woodrum - **Renaming Mount Olive Correctional Complex and Jail as Mike V. Coleman Maximum Security Complex** - Adopted 3/11/2023

HOUSE BILLS PASSED LEGISLATURE

- *2002. By Del. Jeffries, Storch, Hott, Kelly, Dillon, Pinson, Heckert, Street, Lucas, Miller and Bridges - **Relating to providing support for families** - Passed 3/9/2023 - To Governor 3/22/2023 - Approved by Governor 3/28/2023 - Chapter 188, Acts, Regular Session, 2023
- *2004. By Del. Phillips, Kimble, Nestor, Cannon, Holstein, Willis, Espinosa, Miller, Hall, A., Sheedy and Martin - **Prevent the use of payment card processing systems for surveillance of Second Amendment activity and discriminatory conduct** - Passed 3/10/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 156, Acts, Regular Session, 2023

- *2005. By Del. Worrell, Ellington, Smith, Clark, Dean, Barnhart, Statler, Fehrenbacher, Riley, Dittman and Hillenbrand - **Establishing the dual enrollment pilot program to be administered by the Higher Education Policy Commission and the Council for Community and Technical College Education in conjunction with the State Board of Education.** (original similar to SB518) - Passed 3/10/2023 - To Governor 3/20/2023 - Approved by Governor 3/21/2023 - Chapter 178, Acts, Regular Session, 2023
- *2006. By Del. Summers, Toney, Pinson, Gearheart, Mallow, Hall, W., Rohrbach, Hite, Honaker, Lucas and Westfall - **Relating to reorganizing the Department of Health and Human Resources** (original similar to SB126) - Passed 2/22/2023 - To Governor 2/27/2023 - Approved by Governor 3/4/2023 - Chapter 189, Acts, Regular Session, 2023
- *2007. By Del. Foster, Chiarelli, Horst, Clark, Devault, Coop-Gonzalez, Brooks, Kirby, Maynor, Adkins and Ward - **Prohibiting certain medical practices** - Passed 3/11/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 233, Acts, Regular Session, 2023
- *2008. By Del. Longanacre, Crouse, Ferrell, Ridenour, Fast, Thorne, Keaton, Ross, McGeehan, Mazzocchi and Martin - **Requiring local entities to enforce immigration laws** - Passed 3/22/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 282, Acts, Regular Session, 2023
- *2016. By Del. Summers, Tully, Rohrbach and Espinosa - **Relating to confidential childcare records** - Passed 3/10/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 61, Acts, Regular Session, 2023
- *2018. By Del. Summers, Tully and Rohrbach - **Permitting the managed care case coordinator to attend the multidisciplinary team meeting** - Passed 2/1/2023; Effective from passage - To Governor 2/7/2023 - Approved by Governor 2/13/2023 - Chapter 62, Acts, Regular Session, 2023
- *2024. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 8, Acts, Regular Session, 2023
- *2026. By Del. Clark, Horst, Honaker, Barnhart, Worrell and Espinosa - **Authorizing municipalities with police or firefighter employees in PERS to elect to become participating employer in Municipal Police Officer and Firefighter Retirement System for a limited time** - Passed 3/11/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 85, Acts, Regular Session, 2023
2029. By Del. Summers, Tully, Rohrbach and Foster - **Repealing the creation of an all-payer claims database** (original similar to HB2519) - Passed 2/1/2023; Effective from passage - To Governor 2/7/2023 - Approved by Governor 2/13/2023 - Chapter 69, Acts, Regular Session, 2023
- *2062. By Del. Tully, Barnhart, Hanshaw (Mr. Speaker), Storch, Hardy, Ferrell, Riley, Linville, Phillips, Longanacre and Honaker - **Establish rules and regulations**

- for e-bikes in West Virginia that more closely comport to federal law** - Passed 2/27/2023 - To Governor 3/2/2023 - Approved by Governor 3/8/2023 - Chapter 322, Acts, Regular Session, 2023
- *2218. By Del. Westfall, Garcia, Fast, Kelly, Kump, Fluharty and Warner - **Distraacted Driving Act** - Passed 3/11/2023 - To Governor 3/20/2023 - Approved by Governor 3/28/2023 - Chapter 323, Acts, Regular Session, 2023
- *2221. By Del. Westfall, Kelly, Steele, Shamblin, Hillenbrand, Kump and Garcia - **Relating to bankruptcy** - Passed 3/9/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 56, Acts, Regular Session, 2023
2283. By Del. Statler - **Relating to authorized expenditures of revenues from certain state funds for fire departments** - Passed 3/8/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 86, Acts, Regular Session, 2023
2309. By Del. Howell - **To require the Division of Forestry to create an online renewal process no later than July 1, 2023** - Passed 3/3/2023 - To Governor 3/9/2023 - Approved by Governor 3/29/2023 - Chapter 311, Acts, Regular Session, 2023
2310. By Del. Howell - **Provide the Division of Motor Vehicles authority to develop an "Antique Fleet" program so that multiple antique motor vehicles may utilize a single registration plate.** - Passed 3/3/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 212, Acts, Regular Session, 2023
- *2346. By Del. Toney - **Declaring a shortage of qualified bus operators and allowing retired bus operators to accept employment** - Passed 3/11/2023; Effective July 1, 2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 298, Acts, Regular Session, 2023
- *2380. By Del. Ellington and Toney - **Relating to School Building Authority** - Passed 3/7/2023 - To Governor 3/21/2023 - Approved by Governor 3/29/2023 - Chapter 133, Acts, Regular Session, 2023
- *2412. By Del. Hornbuckle, Rohrbach, Worrell, Linville, Lucas, Griffith, Anderson and Adkins - **Declaring November 14 every year, a special Memorial Day in remembrance of the Marshall University airplane crash** - Passed 2/15/2023 - To Governor 2/20/2023 - Approved by Governor 2/22/2023 - Chapter 185, Acts, Regular Session, 2023
- *2436. By Del. Tully, Summers, Forsht, Hardy, Worrell, Jennings, Mallow, Honaker, Miller, Foggin and Heckert - **Relating to the implementation of an acuity-based patient classification system** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 261, Acts, Regular Session, 2023
2506. By Del. Linville, Howell, Cannon, Householder, Criss, Maynor, Hall, W., Espinosa, Riley, Fehrenbacher and Chiarelli - **Creating a title clearinghouse for non-resident businesses** (original similar to SB221) - Passed 2/1/2023;

Effective from passage - To Governor 2/7/2023 - Approved by Governor 2/13/2023 - Chapter 213, Acts, Regular Session, 2023

- *2509. By Del. Steele - **Creating the Uniform Premarital Agreement Act** - Passed 3/9/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 113, Acts, Regular Session, 2023

- *2515. By Del. Howell, Clark, Smith, Crouse, Jennings, Ferrell, Phillips, Honaker, Cannon, Linville and Hott - **Require agencies to develop and maintain an inventory of available services for single parents wanting to obtain degrees, secure training or reenter the workforce** - Passed 3/9/2023 - To Governor 3/21/2023 - Approved by Governor 3/29/2023 - Chapter 190, Acts, Regular Session, 2023

- *2526. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Relating to reducing the personal income tax** - Passed 3/4/2023; Effective from passage - To Governor 3/7/2023 - Approved by Governor 3/7/2023 - Chapter 312, Acts, Regular Session, 2023

- *2530. By Del. Linville and Steele - **Relating to the extension of the expiration of temporary registration plates from sixty days to ninety days** (original similar to SB233) - Passed 2/6/2023 - To Governor 2/9/2023 - Approved by Governor 2/15/2023 - Chapter 214, Acts, Regular Session, 2023

- 2533. By Del. Linville - **Relating to a permanent windshield placard to be valid for the duration of the applicant's life** (original similar to SB211) - Passed 2/6/2023 - To Governor 2/9/2023 - Approved by Governor 2/15/2023 - Chapter 324, Acts, Regular Session, 2023

- *2540. By Del. Westfall, Hott, Espinosa and Rowe - **Travel Insurance Model Act** - Passed 3/11/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 195, Acts, Regular Session, 2023

- 2564. By Del. Linville - **Repeal of administrative hearing procedures for DUI offenses** (original similar to SB284) - Passed 2/3/2023 - To Governor 2/8/2023 - Approved by Governor 2/14/2023 - Chapter 70, Acts, Regular Session, 2023

- *2569. By Del. Espinosa, Ridenour, Clark, Ferrell, Steele, Criss, Barnhart, Hardy, Dean and Howell - **Establishing the Motorsport Responsibility Act** (original similar to SB236) - Passed 3/8/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 215, Acts, Regular Session, 2023

- *2587. By Del. Smith, Barnhart, Howell, Dean, Hardy, Linville, Clark, Steele, Householder, McGeehan and Foster - **To reflect that County Sheriffs will be required to include a breakdown of the distribution of where a citizen's taxes will be paid** - Passed 3/2/2023 - To Governor 3/7/2023 - Approved by Governor 3/29/2023 - Chapter 313, Acts, Regular Session, 2023

- *2596. By Del. Toney, Statler, Vance, Ellington, Cooper, Shamblin, Foggin and Heckert - **To modify when a nonresident student's transfer may be denied** - Passed 2/22/2023 - To Governor 2/27/2023 - Approved by Governor 3/4/2023 - Chapter 134, Acts, Regular Session, 2023

2597. By Del. Toney, Vance, Ellington, Cooper, Brooks, Shamblin, Foggin, Heckert, Kirby and Hardy - **Amending performance evaluations of professional personnel** - Passed 3/3/2023 - To Governor 3/9/2023 - Approved by Governor 3/29/2023 - Chapter 299, Acts, Regular Session, 2023
2602. By Del. Toney, Statler, Vance, Ellington, Cooper, Shamblin and Kirby - **Reestablishing certain specialized school service personnel classifications** - Passed 2/10/2023; Effective from passage - To Governor 2/16/2023 - Approved by Governor 2/22/2023 - Chapter 300, Acts, Regular Session, 2023
- *2605. By Del. Zatezalo, Anderson, Fehrenbacher, Reynolds, Barnhart, Cooper, Nestor, Riley, Linville, Howell and Gearheart - **Relating to Good Samaritan law** - Passed 3/6/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 1, Acts, Regular Session, 2023
2607. By Del. Statler and Ellington - **Clarify that vehicles with a capacity larger than 10 passengers may be used to transport students provided that no more than 10 passengers may be transported at one time.** - Passed 3/2/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 135, Acts, Regular Session, 2023
2611. By Del. Barnhart, Westfall, Hott, Espinosa and Rowe - **To remove certain territorial limitations on a banking institution's ability to offer messenger services or mobile banking facilities** - Passed 3/2/2023 - To Governor 3/7/2023 - Approved by Governor 3/29/2023 - Chapter 157, Acts, Regular Session, 2023
- *2621. By Del. Burkhammer, Foster and Hott - **Relating generally to bail bondsman** - Passed 3/10/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 97, Acts, Regular Session, 2023
- *2638. By Del. Foster and Kump - **Authorizing certain agencies of the Department of Administration to promulgate legislative rules** (original similar to SB307) - Passed 3/2/2023; Effective from passage - To Governor 3/9/2023 - Approved by Governor 3/29/2023 - Chapter 203, Acts, Regular Session, 2023
- *2640. By Del. Foster - **Authorizing certain agencies of the Department of Environmental Protection to promulgate legislative rules** (original similar to SB309) - Passed 3/6/2023; Effective from passage - To Governor 3/21/2023 - Approved by Governor 3/29/2023 - Chapter 204, Acts, Regular Session, 2023
- *2648. By Del. Foster - **Authorizing certain agencies and boards of the DHHR to promulgate a legislative rule** (original similar to SB317) - Passed 3/6/2023; Effective from passage - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 205, Acts, Regular Session, 2023
- *2754. By Del. Summers, Tully, Forsht, Heckert, Petitto, Jeffries and Espinosa - **Relating to immunizations performed in a pharmacy** - Passed 3/7/2023; Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 234, Acts, Regular Session, 2023
- *2757. By Del. Summers, Forsht, Miller, Reynolds, Sheedy, Heckert, Petitto, Jeffries and Cannon - **Relating to expanding institutional eligibility for the WV**

- Invests Grant Program** - Passed 3/3/2023; Effective from passage - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 179, Acts, Regular Session, 2023
- *2759. By Del. Summers, Tully, Forsht, Miller, Heckert, Petitto and Reynolds - **Relating to updating the health care provider tax** - Passed 3/8/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 314, Acts, Regular Session, 2023
- *2760. By Del. Ross, Dillon, Burkhammer, Hall, A. and Riley - **To allow CPR fire fighters to drive ambulances when both attendants are needed to administer patient care** - Passed 3/11/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 325, Acts, Regular Session, 2023
- *2762. By Del. Nestor, Horst, Clark, Hanna, Longanacre, Martin, Hott, Riley, Honaker, Vance and Statler - **Allowing variance in state fire code for certain buildings used solely for emergency equipment storage** - Passed 3/2/2023 - To Governor 3/9/2023 - Approved by Governor 3/29/2023 - Chapter 283, Acts, Regular Session, 2023
2776. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Updating meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act** (original similar to SB427) - Passed 2/3/2023; Effective from passage - To Governor 2/8/2023 - Approved by Governor 2/14/2023 - Chapter 315, Acts, Regular Session, 2023
2777. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Updating federal taxable income and other terms in the West Virginia Corporation Net Income Tax Act** (original similar to SB421) - Passed 2/3/2023; Effective from passage - To Governor 2/8/2023 - Approved by Governor 2/14/2023 - Chapter 316, Acts, Regular Session, 2023
2800. By Del. Ellington - **All relating to authorizing legislative rules regarding higher education** - Passed 2/15/2023; Effective from passage - To Governor 2/20/2023 - Approved by Governor 2/24/2023 - Chapter 180, Acts, Regular Session, 2023
- *2814. By Del. Young, Anderson, Zatezalo, Heckert and Clark - **To create a Hydrogen power task force** - Passed 3/10/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 168, Acts, Regular Session, 2023
- *2817. By Del. Cannon, Linville, Riley, Keaton, Shamblin and Chiarelli - **Relating to Public Service Commission jurisdiction over alternative fuel for motor vehicles** - Passed 3/7/2023 - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 290, Acts, Regular Session, 2023
- *2820. By Del. Crouse, Steele, Burkhammer, Kimble, Worrell, Cannon, Dillon, Butler, Maynor, Lucas and Pinson - **To provide HOPE Scholarship recipients with the ability to play sports** - Passed 3/11/2023 - To Governor 3/22/2023 - Became law without Governor's signature 3/29/2023 - Chapter 136, Acts, Regular Session, 2023

- *2821. By Del. Cannon, Steele, Fluharty, Riley, Nestor, Storch and Espinosa - **Relating to taxation of gambling and lottery winnings** (original similar to HB2377, HB2808, SB483) - Passed 3/9/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 317, Acts, Regular Session, 2023
2827. By Del. Ellington, Clark, Smith, Chiarelli, Longanacre, Hornby, Statler, Toney, Rowe and Espinosa - **Make public charter schools eligible for Safe Schools Funds** - Passed 3/6/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/2023 - Chapter 137, Acts, Regular Session, 2023
2835. By Del. Rohrbach, Linville, Worrell, Hornbuckle, Crouse, Griffith, Lucas, Skaff and Capito - **Repeal outdated provisions of code relating to the West Virginia graduate college and Marshall University** (original similar to SB445) - Passed 2/6/2023 - To Governor 2/13/2023 - Approved by Governor 2/17/2023 - Chapter 71, Acts, Regular Session, 2023
2839. By Del. Anderson, Zatezalo, Heckert, Cooper, Reynolds, Sheedy, Hott, Street, Barnhart and Riley - **Making a technical correction regarding an incorrect fund name and clarifying applicability to mine lands governed by SMCRA and the Abandoned Mine Lands Act** - Passed 3/3/2023 - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 149, Acts, Regular Session, 2023
- *2845. By Del. Summers and Tully - **Relating to removing expired provisions from the code** - Passed 2/20/2023 - To Governor 2/23/2023 - Approved by Governor 3/1/2023 - Chapter 72, Acts, Regular Session, 2023
- *2848. By Del. Riley, Linville, Cannon, Barnhart, Westfall, Clark, Fehrenbacher, Hall, W., Maynor, Adkins and Hite - **Water and Sewer Operator licensing reciprocity** - Passed 3/7/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 262, Acts, Regular Session, 2023
- *2860. By Del. Heckert, Foggin, Westfall, Anderson, Brooks, Crouse, Vance, Honaker, Shamblin, Chiarelli and Jennings - **To dispose of old AFFF foam accumulated by fire departments** - Passed 3/6/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 284, Acts, Regular Session, 2023
- *2862. By Del. Jeffries, Householder, Hardy, Worrell, Phillips, Hall, W., Kimble, Gearheart and Keaton - **Relating generally to requirements for shareholder voting by the West Virginia Investment Management Board and the Board of Treasury Investments** - Passed 3/10/2023 - To Governor 3/20/2023 - Approved by Governor 3/28/2023 - Chapter 274, Acts, Regular Session, 2023
- *2865. By Del. Westfall - **To clarify that the PSC may enter an order requiring corrective measures up to and including an acquisition of a distressed or failing utility** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 291, Acts, Regular Session, 2023
- *2870. By Del. Westfall - **Correcting a reference relating to siting certificates for certain electric generating facilities** - Passed 3/7/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 292, Acts, Regular Session, 2023

2875. By Del. Kirby, Steele, Pritt, C., Summers, Foster, Fast, Kimble and Kump - **Clarifying that Circuit Court Judges have the ability/authority to waive the requirement that a party pass a home study performed by the DHHR** - Passed 3/10/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 63, Acts, Regular Session, 2023
2882. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplemental appropriation to the Department of Economic Development** - Passed 2/15/2023; Effective from passage - To Governor 2/20/2023 - Approved by Governor 2/24/2023 - Chapter 9, Acts, Regular Session, 2023
- *2883. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplemental appropriation from the Coronavirus State Fiscal Recovery Fund** - Passed 3/11/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 10, Acts, Regular Session, 2023
- *2890. By Del. Gearheart, Ellington, Westfall, Storch, Bridges, Foster, Butler, Householder, Cooper, Dean and Heckert - **Modifying student discipline** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 301, Acts, Regular Session, 2023
2899. By Del. Westfall - **Repealing two sections of code relating to gas utility rates** - Passed 3/2/2023 - To Governor 3/7/2023 - Approved by Governor 3/29/2023 - Chapter 73, Acts, Regular Session, 2023
- *2900. By Del. Hanshaw (Mr. Speaker), Hott, Phillips, Heckert, Riley, Rohrbach and Pinson - **Relating to the Deputy Sheriff Retirement System** - Passed 3/11/2023; Effective from passage - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 87, Acts, Regular Session, 2023
2904. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to the Department of Commerce, Office of the Secretary** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 11, Acts, Regular Session, 2023
2906. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, from the balance of moneys remaining as an unappropriated balance in Lottery Net Profits** (original similar to SB500) - Passed 3/7/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 12, Acts, Regular Session, 2023
2907. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to the Department of Administration, Division of General Services** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 13, Acts, Regular Session, 2023
- *2908. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to the Department of**

Commerce, Division of Forestry - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 14, Acts, Regular Session, 2023

- *2910. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Administration, Public Defender Services** (original similar to SB501) - Passed 3/7/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 15, Acts, Regular Session, 2023
- *2911. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to the Department of Homeland Security, Division of Administrative Services** (original similar to SB507) - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 16, Acts, Regular Session, 2023
2913. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to the DHHR, Consolidated Medical Services Fund** (original similar to SB504) - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 17, Acts, Regular Session, 2023
- *2914. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to the Governor's Office - Civil Contingent Fund** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 18, Acts, Regular Session, 2023
2915. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, from the balance of moneys remaining as an unappropriated balance in the State Excess Lottery Revenue Fund** (original similar to SB499) - Passed 3/7/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 19, Acts, Regular Session, 2023
- *2917. By Del. Summers, Tully and Rohrbach - **Relating to allowing retired state employees who meet the minimum qualifications necessary, to render post-retirement employment with the Department of Health and Human Resources** - Passed 3/9/2023; Effective from passage - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 248, Acts, Regular Session, 2023
- *2928. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to DHHR, Division of Health** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 20, Acts, Regular Session, 2023
2955. By Del. Riley and Keaton - **Relating to the establishment and operation of regional water, wastewater and stormwater authorities** - Passed 3/9/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 263, Acts, Regular Session, 2023

2967. By Del. Cooper, Smith, Hillenbrand, Steele, Longanacre, Ridenour, Sheedy, Butler, Honaker and Crouse - **Expediting License Applications for active military members and veterans, and their spouses** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 235, Acts, Regular Session, 2023
- *2993. By Del. Summers and Tully - **Relating to rural emergency hospital licensure** - Passed 3/2/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 264, Acts, Regular Session, 2023
- *3012. By Del. Anderson, Zatezalo, Foggin, Heckert, Hott, Barnhart, Ferrell, Young, Hansen, Fehrenbacher and Rowe - **To encourage economic development regarding rare earth elements and critical minerals, as defined, by providing temporary severance tax relief** - Passed 3/8/2023 - To Governor 3/16/2023 - Became law without Governor's signature 3/29/2023 - Chapter 318, Acts, Regular Session, 2023
- *3013. By Del. Espinosa, Ridenour, Householder, Hardy, Clark, Criss, Hite, Horst, Hanshaw (Mr. Speaker), Hornby and Summers - **Relating to authorizing the Jefferson County Commission to levy a special district excise tax** - Passed 3/7/2023; Effective from passage - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 88, Acts, Regular Session, 2023
- *3018. By Del. Young, Garcia, Crouse, Chiarelli, Hornby, Fast, Worrell, Holstein and Hansen - **Establishing that 18 is the age of consent and removing the ability of an underage person to obtaining a consent to marry through their parents, legal guardians, or by petition to the circuit court** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 114, Acts, Regular Session, 2023
- *3035. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Relating generally to high-quality education programs and school operations** - Passed 3/11/2023 - To Governor 3/20/2023 - Approved by Governor 3/21/2023 - Chapter 138, Acts, Regular Session, 2023
- *3036. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Increasing the number of districts and the limit on approved costs under the BUILD WV Act** (original similar to SB713) - Passed 3/9/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 121, Acts, Regular Session, 2023
3039. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to Adjutant General - State Militia** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 21, Acts, Regular Session, 2023
- *3040. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to the Department of Administration, Office of the Secretary** (original similar to SB505) - Passed 3/11/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 22, Acts, Regular Session, 2023

- *3042. By Del. Pinson, Crouse, Foster, Pritt, C., Fast, Ridenour, Burkhammer, Kirby, Mallow, Worrell and Martin - **Relating to forbidding excessive government limitations on exercise of religion** - Passed 2/28/2023 - To Governor 3/3/2023 - Approved by Governor 3/9/2023 - Chapter 295, Acts, Regular Session, 2023
- *3044. By Del. Gearheart, Householder, Criss, Hardy, Espinosa, Storch, Smith, Nestor, Zatezalo, Maynor and Ellington - **Relating to the annual fee for limited video lottery terminal permits** - Passed 3/6/2023; Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 160, Acts, Regular Session, 2023
- *3055. By Del. Willis, Foster, Foggin, Chiarelli, Heckert, Storch, Young, Sheedy, Hornbuckle, Reynolds and Ellington - **To create a vocational math class for students interested in careers in the trades.** - Passed 2/22/2023 - To Governor 2/27/2023 - Approved by Governor 3/4/2023 - Chapter 139, Acts, Regular Session, 2023
- *3061. By Del. Summers and Tully - **Relating to updating the authority of the Foster Care Ombudsman** - Passed 2/15/2023; Effective from passage - To Governor 2/20/2023 - Approved by Governor 2/24/2023 - Chapter 64, Acts, Regular Session, 2023
3065. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities - Aeronautics Commission** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 23, Acts, Regular Session, 2023
3066. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to the Department of Education, State Board of Education - State Aid to Schools** (original similar to SB502) - Passed 3/7/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 24, Acts, Regular Session, 2023
3067. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to Department of Transportation, Division of Multimodal Transportation Facilities - Public Transit** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 25, Acts, Regular Session, 2023
3073. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to Adjutant General - State Militia** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 26, Acts, Regular Session, 2023
- *3074. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 27, Acts, Regular Session, 2023

- *3077. By Del. Tully, Summers, Brooks, Jennings, Longanacre, Foster, Barnhart, Kelly, Hott, Rohrbach and Burkhammer - **Relating to making the use of the multi-state real time tracking system permanent** - Passed 3/10/2023; Effective from passage - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 74, Acts, Regular Session, 2023
- *3084. By Del. Ellington, Statler, Toney, Clark, Mazzocchi, Longanacre and Foggin - **Relating to revising provisions related to public charter schools** - Passed 3/11/2023; Effective July 1, 2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 140, Acts, Regular Session, 2023
- *3092. By Del. Foster, Longanacre and Young - **Relating to in-state food service permit reciprocity** - Passed 3/9/2023 - To Governor 3/21/2023 - Approved by Governor 3/29/2023 - Chapter 265, Acts, Regular Session, 2023
3108. By Del. Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive] - **Supplementing and amending appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities - State Rail Authority** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 28, Acts, Regular Session, 2023
3109. By Del. Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive] - **Supplementing and amending appropriations to the State Board of Education - State Department of Education** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 29, Acts, Regular Session, 2023
- *3110. By Del. Anderson, Zatezalo, Horst, Hansen, Fehrenbacher, Cooper, Martin, Young, Hardy and Heckert - **Relating to funding the Office of Oil and Gas in the Department of Environmental Protection** (original similar to SB448) - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 150, Acts, Regular Session, 2023
- *3113. By Del. Martin, Clark, Ferrell, Phillips, Hardy, Toney, Ellington, Barnhart, Tully, Mazzocchi and Howell - **Requiring high school students to complete course of study in personal finance** (original similar to HB2242) - Passed 3/3/2023 - To Governor 3/13/2023 - Approved by Governor 3/23/2023 - Chapter 141, Acts, Regular Session, 2023
- *3114. By Del. Street, Gearheart, Kirby, Butler, Burkhammer, Chiarelli, Mazzocchi, Hillenbrand, Petitto, Willis and Brooks - **Deny severance pay to employees of DOT for failure or refusal of drug testing** - Passed 3/7/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 249, Acts, Regular Session, 2023
- *3122. By Del. Vance, Butler, Burkhammer, Longanacre, Dean, Kirby, Dillon, Nestor, Brooks, Toney and Cooper - **Permitting certain types of rifles using an encapsulated propellant charge that loads from the breech** - Passed 2/23/2023 - To Governor 2/27/2023 - Approved by Governor 3/4/2023 - Chapter 222, Acts, Regular Session, 2023

- *3135. By Del. Westfall and Riley - **To modify the salaries of the Governor and Constitutional officers beginning January 1, 2025** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 75, Acts, Regular Session, 2023
3141. By Del. Summers and Tully - **Relating to the practice of dentistry** - Passed 3/6/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 236, Acts, Regular Session, 2023
3146. By Del. Storch, Howell, Clark and Linville - **Establishing in West Virginia Code, the contents of the Uniform Public Meetings During Emergencies Act (original similar to SB296)** - Passed 3/9/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 169, Acts, Regular Session, 2023
- *3147. By Del. Storch, Howell and Clark - **To create the Upper Ohio Valley Trail Network** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 223, Acts, Regular Session, 2023
- *3148. By Del. Storch, Marple, Anderson, Pritt, E. and Pritt, C. - **Relating to financing municipal policemen's and firemen's pension and relief funds** (original similar to SB477) - Passed 3/6/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 89, Acts, Regular Session, 2023
3156. By Del. Steele, Nestor, Fast, Kirby, Riley, Pritt, C., Hanna, Holstein, Dean, Shamblyn and Householder - **Raising the compensation rates of panel attorneys** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 110, Acts, Regular Session, 2023
- *3164. By Del. Summers, Tully and Walker - **To extend the termination date of the West Virginia Advisory Council on Rare Diseases due to a delay in beginning its duties** - Passed 2/20/2023; Effective from passage - To Governor 2/23/2023 - Approved by Governor 3/1/2023 - Chapter 266, Acts, Regular Session, 2023
3166. By Del. Summers, Tully and Heckert - **To permit a hospital to hold a patient experiencing a psychiatric emergency for up to 72 hours** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 267, Acts, Regular Session, 2023
- *3168. By Del. Criss, Hanshaw (Mr. Speaker), Riley and Espinosa - **Ensuring investment in WV Tourism is competitive with other states and accessible long term** - Passed 3/9/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 321, Acts, Regular Session, 2023
- *3189. By Del. Riley, Hansen, Westfall, Clark, Horst, Hanshaw (Mr. Speaker), Hornby, Steele, Storch, Hardy and Hillenbrand - **The PFAS Protection Act** - Passed 3/10/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 151, Acts, Regular Session, 2023
- *3190. By Del. Steele - **Amending the definition of "minor"** - Passed 3/11/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 103, Acts, Regular Session, 2023

- *3191. By Del. Summers, Tully and Pushkin - **Relating to certain facilities operated by the state government to obtain a license** - Passed 3/11/2023; Effective from passage - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 268, Acts, Regular Session, 2023
3199. By Del. Summers and Ellington - **Relating to removing the requirement that an ectopic pregnancy be reported** - Passed 3/11/2023; Effective from passage - To Governor 3/27/2023 - Became law without Governor's signature 3/29/2023 - Chapter 269, Acts, Regular Session, 2023
3203. By Del. Steele, Hornby, Young and Lucas - **Relating generally to West Virginia Real Estate License Act** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 237, Acts, Regular Session, 2023
- *3210. By Del. Phillips, Horst, Crouse and Thorne - **Relating to the performance of installation of propane gas systems** - Passed 3/2/2023 - To Governor 3/7/2023 - Approved by Governor 3/29/2023 - Chapter 285, Acts, Regular Session, 2023
- *3211. By Del. Storch, Anderson, Kump, Reynolds, Ferrell, Hite, Pritt, C., Marple, Hornbuckle, Pritt, E. and Fluharty - **Relating to authorizing service credit for unused accrued annual or sick leave days for use in determining retirement benefits in the Municipal Police Officer and Firefighter Retirement System** - Passed 3/8/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 90, Acts, Regular Session, 2023
- *3214. By Del. Capito, Riley, Williams, Young, Storch and Jennings - **To create the Road Optimization & Assessment Data (ROAD) Pilot Project** - Passed 3/10/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 297, Acts, Regular Session, 2023
3215. By Del. Riley - **Relating to land use** - Passed 3/2/2023 - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 196, Acts, Regular Session, 2023
3218. By Del. Reynolds, Tully, Ferrell, Sheedy, Zatezalo, Jeffries, Willis, Hott, Hite, Kimble and Mazzocchi - **Relating to requiring suicide prevention resources be printed on student identification cards** (original similar to HB3019) - Passed 3/1/2023 - To Governor 3/7/2023 - Approved by Governor 3/15/2023 - Chapter 142, Acts, Regular Session, 2023
- *3224. By Del. Statler, Ellington, Toney, Hansen, Walker, Williams, Warner and Chiarelli - **Adding West Virginia Junior College to the list of eligible institutions that accept PROMISE scholarship recipients** - Passed 3/9/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 181, Acts, Regular Session, 2023
- *3233. By Del. Cooper, Toney, Heckert and Hott - **Relating generally to uniform and equipment allowances for the National Guard** (original similar to HB3452) - Passed 3/9/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 286, Acts, Regular Session, 2023
3244. By Del. Storch, Marple, Pritt, C., Anderson and Hornbuckle - **Relating to Municipal Pensions Oversight Board proposing legislative rules** (original similar to SB474) - Passed 3/6/2023; Effective from passage - To Governor

3/16/2023 - Approved by Governor 3/23/2023 - Chapter 91, Acts, Regular Session, 2023

- *3261. By Del. Young - **Relating to Social Workers Qualifications** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 238, Acts, Regular Session, 2023
- *3265. By Del. Heckert, Adkins, Ross, Maynor, Foggin, Cooper, Miller, Crouse and Kump - **Remove statutory mandates that the sheriff of a county shall serve process or is responsible for cost of service or arrest by another law enforcement agency** - Passed 3/10/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 92, Acts, Regular Session, 2023
- *3270. By Del. Hott, Westfall, Householder, Criss, Espinosa, Hardy, Cooper, Heckert, Howell, Hillenbrand and Jennings - **To amend the deliberate intent statute to limit noneconomic damages to \$500,000** (original similar to SB685) - Passed 3/10/2023 - To Governor 3/20/2023 - Became law without Governor's signature 3/29/2023 - Chapter 331, Acts, Regular Session, 2023
- *3271. By Del. Mazzocchi, Kimble, Holstein, Fast, Ellington, Longanacre, Horst, Walker, Statler, Keaton and Warner - **Relating to increasing monitoring of special education classrooms** - Passed 3/9/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 143, Acts, Regular Session, 2023
- 3272. By Del. Criss, Hardy, Householder, Barnhart, Westfall, Jeffries, Hott, Capito, Pritt, C., Espinosa and Riley - **Relating to the operation of private trust companies in West Virginia** - Passed 2/22/2023 - To Governor 3/1/2023 - Approved by Governor 3/7/2023 - Chapter 154, Acts, Regular Session, 2023
- 3286. By Del. Criss - **Relating to an additional modification decreasing federal taxable income** - Passed 3/9/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 319, Acts, Regular Session, 2023
- 3299. By Del. Storch, Pritt, C., Anderson, Kump, Marple, Pritt, E. and Hornbuckle - **Relating to Natural Resource Police Officer Retirement** - Passed 3/8/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 250, Acts, Regular Session, 2023
- *3302. By Del. Westfall, Burkhammer, Pinson, Capito, Kelly, Steele, Fast, Kimble, Martin, Kump and Pritt, C. - **To recognize unborn child as distinct victim in a DUI causing death** - Passed 3/11/2023 - To Governor 3/15/2023 - Approved by Governor 3/15/2023 - Chapter 104, Acts, Regular Session, 2023
- *3303. By Del. Reynolds, Bridges, Sheedy, Crouse, Hott, Zatezalo, Willis, Phillips, Ward and Brooks - **Clarifying and expanding the powers and duties of the director of the Coalfield Community Development Office** (original similar to SB157) - Passed 3/13/2023 - To Governor 3/20/2023 - Approved by Governor 3/22/2023 - Chapter 122, Acts, Regular Session, 2023
- *3306. By Del. Summers, Tully and Heckert - **Relating to the organizational structure of the Office of Drug Control Policy** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 270, Acts, Regular Session, 2023

3307. By Del. Hanshaw (Mr. Speaker), Street, Zatezalo, Ward, Fluharty, Phillips, McGeehan and Howell - **Establishing the West Virginia-Ireland Trade Commission** - Passed 3/2/2023; Effective March 17, 2023 - To Governor 3/15/2023 - Approved by Governor 3/17/2023 - Chapter 170, Acts, Regular Session, 2023
- *3308. By Del. Criss, Hardy, Householder, Storch, Ferrell, Howell, Reynolds, Anderson, Gearheart, Zatezalo and Espinosa - **Authorizing PSC consider and issue financing orders to certain utilities to permit the recovery of certain costs through securitization via consumer rate relief bonds** (original similar to SB564) - Passed 2/28/2023; Effective from passage - To Governor 3/6/2023 - Approved by Governor 3/11/2023 - Chapter 293, Acts, Regular Session, 2023
- *3311. By Del. Hornby, Phillips, Westfall, Willis, Hardy, Chiarelli, Maynor, Dean, Hite, Espinosa and McGeehan - **Relating to wine alcohol by volume as compared to beer** - Passed 3/10/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 5, Acts, Regular Session, 2023
- *3315. By Del. Cooper and Heckert - **Relating generally to readiness enhancement and commission bonuses** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 287, Acts, Regular Session, 2023
- *3317. By Del. Summers and Tully - **Relating to removing specific continuing education requirements** - Passed 3/3/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/23/2023 - Chapter 239, Acts, Regular Session, 2023
3328. By Del. Howell, Dean, Heckert and Zatezalo - **Authorizing the Hatfield-McCoy Regional Recreation Authority to contract to build and maintain trails on privately owned property** - Passed 3/8/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 224, Acts, Regular Session, 2023
- *3332. By Del. Hanshaw (Mr. Speaker) (By Request), Pritt, C. and Vance - **Creating judicial circuits and assigning the number of circuit judges in each circuit to be elected in the 2024 election** - Passed 3/11/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 98, Acts, Regular Session, 2023
- *3337. By Del. Heckert, Fehrenbacher, Cooper, Foggin, Hott, Criss, Hanshaw (Mr. Speaker), Rohrbach, Petitto, Hall, A. and Anderson - **Prohibiting additional drug and alcohol treatment facilities and services in a certain county** - Passed 3/8/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/23/2023 - Chapter 271, Acts, Regular Session, 2023
3340. By Del. Hardy, Espinosa, Storch, Statler, Hott, Hite, Horst and Toney - **To revise the West Virginia Tax Increment Financing Act** - Passed 2/27/2023; Effective from passage - To Governor 3/2/2023 - Became law without Governor's signature 3/8/2023 - Chapter 93, Acts, Regular Session, 2023
- *3344. By Del. Criss, Storch, Riley, Gearheart, Reynolds, Hott, Statler, Rowe, Espinosa, Anderson and Horst - **To pay certain moral obligations of the state**

- Passed 3/9/2023; Effective from passage - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 68, Acts, Regular Session, 2023
- *3354. By Del. Rowe, Hanshaw (Mr. Speaker), Foster and Steele - **To authorize municipalities to combine operations with other municipalities and counties to provide governmental services** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 94, Acts, Regular Session, 2023
3360. By Del. Kelly and Hott - **Creating an office of the Inspector General within the Department of Homeland Security** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 171, Acts, Regular Session, 2023
- *3364. By Del. Storch - **Requiring the closure of certain municipal policemen's and firemen's pension and relief funds as condition of issuance of pension funding revenue bonds** - Passed 3/3/2023; Effective from passage - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 95, Acts, Regular Session, 2023
- *3369. By Del. Kelly, Hott, Garcia, Worrell, Westfall, Fast and Kimble - **Creating a School Safety Unit within the Division of Protective Services** (original similar to SB614) - Passed 3/9/2023 - To Governor 3/20/2023 - Approved by Governor 3/21/2023 - Chapter 288, Acts, Regular Session, 2023
- *3370. By Del. Howell and Storch - **Creating loan program for certain properties and developments on U. S. Army Corps of Engineers land, state parks and resorts** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 225, Acts, Regular Session, 2023
3371. By Del. Ellington, Statler and Toney - **Relating to federal funds for land-grant institutions** - Passed 3/9/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 182, Acts, Regular Session, 2023
3387. By Del. Hardy, Storch, Westfall and Espinosa - **Extending the moratorium on the authorization of new convention and visitors bureaus for an additional two years** - Passed 3/6/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 96, Acts, Regular Session, 2023
3391. By Del. Householder and Gearheart - **Establishing filing deadlines for appeals of property tax valuations and issues involving property tax classification and taxability to the West Virginia Office of Tax Appeals** - Passed 3/3/2023; Effective from passage - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 320, Acts, Regular Session, 2023
3396. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing, amending, and increasing existing items of appropriation from the State Road Fund to the Department of Transportation, Division of Highways** (original similar to SB711) - Passed 3/8/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 30, Acts, Regular Session, 2023

- *3398. By Del. McGeehan - **Relating to the establishment of the West Virginia Memorial to Fallen Heroes of the Global War on Terrorism** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 327, Acts, Regular Session, 2023
3428. By Del. Howell - **Relating to the West Virginia Business Ready Sites Program** - Passed 3/2/2023; Effective from passage - To Governor 3/13/2023 - Approved by Governor 3/23/2023 - Chapter 294, Acts, Regular Session, 2023
3432. By Del. Hanshaw (Mr. Speaker) - **Relating to statutory construction** - Passed 3/11/2023; Effective from passage - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 303, Acts, Regular Session, 2023
3439. By Del. Pinson, Westfall and Burkhammer - **To limit the civil liability of child placing agencies that obtain an insurance policy in an amount not less than \$1 million per incident** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 65, Acts, Regular Session, 2023
3441. By Del. Ellington - **Revising the training requirements for members of the Higher Education Policy Commission, Council for Community and Technical College Education and the institutional governing boards** - Passed 3/9/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 183, Acts, Regular Session, 2023
3443. By Del. Maynor, Linville, Hall, A. and Ridenour - **Relating to a development or improvement on land subject to review by the State Historic Preservation Office** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 197, Acts, Regular Session, 2023
3444. By Del. Phillips - **Relating to the creation of the West Virginia Semiquincentennial Commission and Fund** - Passed 3/7/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/23/2023 - Chapter 172, Acts, Regular Session, 2023
3448. By Del. Kelly and Hott - **Relating generally to probation officer field training** - Passed 3/7/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 111, Acts, Regular Session, 2023
- *3450. By Del. Espinosa, Willis, Householder, Hardy, Criss, Zatezalo, Storch, Clark, Fluharty and Shamblyn - **Relating generally to racetrack video lottery and the Licensed Racetrack Modernization Fund** (original similar to SB636) - Passed 3/6/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 161, Acts, Regular Session, 2023
3451. By Del. Hillenbrand, Ridenour, Sheedy, Street and Cooper - **Updating the veteran preference ratings in state code for state employment** - Passed 3/11/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 328, Acts, Regular Session, 2023
3473. By Del. Linville and Maynor - **Creating a workgroup relating to Dig Once Policy** - Passed 3/11/2023; Effective July 1, 2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 191, Acts, Regular Session, 2023

- *3479. By Del. Fehrenbacher, Espinosa, Mallow, Adkins, DeVault, Riley, Fast, Hillenbrand, Westfall, Anderson and Zatezalo - **Creating requirements for use of unmanned aerial vehicles** - Passed 3/9/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 105, Acts, Regular Session, 2023
- *3482. By Del. Howell - **To create the Coal Fired Grid Stabilization and Security Act of 2023** - Passed 3/11/2023 - To Governor 3/20/2023 - Approved by Governor 3/22/2023 - Chapter 123, Acts, Regular Session, 2023
3499. By Del. Fast, Petitto, Warner, Lucas, Pritt, C., Cooper and Steele - **To permit joint tenancy with rights of survivorship when transfer on death deeds specify a joint tenancy with right of survivorship** - Passed 3/10/2023 - To Governor 3/21/2023 - Approved by Governor 3/29/2023 - Chapter 155, Acts, Regular Session, 2023
3500. By Del. Westfall, Barnhart and Hott - **Allowing consumer lenders to permit employees to conduct certain business at locations other than the licensee's designated office** - Passed 3/10/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 158, Acts, Regular Session, 2023
3509. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission – Consumer Advocate Fund** (original similar to SB709) - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 31, Acts, Regular Session, 2023
3510. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Administration, Office of Technology – Chief Technology Officer Administration Fund** (original similar to SB712) - Passed 3/8/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 32, Acts, Regular Session, 2023
3511. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Education, State Board of Education – School Lunch Program** (original similar to SB708) - Passed 3/8/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 33, Acts, Regular Session, 2023
3512. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services** (original similar to SB724) - Passed 3/9/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 34, Acts, Regular Session, 2023
3513. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority** (original similar to SB714) - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 35, Acts, Regular Session, 2023

3514. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Birth-to-Three Fund** (original similar to SB715) - Passed 3/9/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 36, Acts, Regular Session, 2023
3515. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Veterans' Assistance, Veterans' Facilities Support Fund** (original similar to SB716) - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 37, Acts, Regular Session, 2023
3516. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Safe Drinking Water Treatment** (original similar to SB717) - Passed 3/9/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 38, Acts, Regular Session, 2023
3517. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Division of Human Services – Child Care and Development** (original similar to SB718) - Passed 3/9/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 39, Acts, Regular Session, 2023
3518. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Agriculture** (original similar to SB723) - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 40, Acts, Regular Session, 2023
3519. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Transportation, Division of Motor Vehicles** (original similar to SB703) - Passed 3/3/2023; Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/16/2023 - Chapter 41, Acts, Regular Session, 2023
3520. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Education, State Board of Education – Vocational Division** (original similar to SB704) - Passed 3/3/2023; Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/16/2023 - Chapter 42, Acts, Regular Session, 2023
3521. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Division of Health – Maternal and Child Health** (original similar to SB705) - Passed 3/3/2023; Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/16/2023 - Chapter 43, Acts, Regular Session, 2023
3522. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Commerce, Division of Natural Resources – License Fund – Wildlife Resources**

(original similar to SB702) - Passed 3/3/2023; Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/16/2023 - Chapter 44, Acts, Regular Session, 2023

3523. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to Miscellaneous Boards and Commissions, Economic Development Authority** (original similar to SB707) - Passed 3/3/2023; Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/16/2023 - Chapter 45, Acts, Regular Session, 2023
3524. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Agriculture – West Virginia Spay Neuter Assistance Fund** (original similar to SB706) - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 46, Acts, Regular Session, 2023
3526. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission** (original similar to SB720) - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 47, Acts, Regular Session, 2023
3527. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to Department of Education, School Building Authority** - Passed 3/3/2023; Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/16/2023 - Chapter 48, Acts, Regular Session, 2023
3528. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – Hospital Services Revenue Account Special Fund Capital Improvement, Renovation and Operations** - Passed 3/3/2023; Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/16/2023 - Chapter 49, Acts, Regular Session, 2023
3529. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Commerce, State Board of Rehabilitation – Division of Rehabilitation Services** (original similar to SB722) - Passed 3/8/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 50, Acts, Regular Session, 2023
3542. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Expiring funds to the Department of Administration, Board of Risk and Insurance Management, Public Entity Insurance Trust Fund** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 51, Acts, Regular Session, 2023
3547. By Del. Clark, Ferrell, Longanacre, Maynor, Jennings, Walker, Ellington and Toney - **Increasing the number of personal leave days that county board of education employees may use** - Passed 3/6/2023; Effective July 1, 2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 302, Acts, Regular Session, 2023

3552. By Del. Brooks, Phillips, Honaker, Hott and Heckert (Originating in House Jails and Prisons) - **Relating to per diem jail costs** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 79, Acts, Regular Session, 2023
3553. By Del. Summers, Espinosa, Gearheart, Horst, Hott, Riley, Barnhart, Mazzocchi, Anderson and Rowe (Originating in House Finance) - **Supplementing and amending appropriations to Department of Health and Human Resources** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 52, Acts, Regular Session, 2023
3555. By Del. Statler, Toney, Foggin, Hornby, Lucas, Mazzocchi, Pritt, E. and Willis (Originating in House Education) - **Relating to student purchase and refunds of course material** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 184, Acts, Regular Session, 2023
3557. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Veterans' Assistance** - Passed 3/9/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 53, Acts, Regular Session, 2023
3559. By Del. Westfall, Fluharty, Hillenbrand, Steele, Ward, Ridenour, Warner, Martin, Kump, Marple and Kimble (Originating in House Judiciary) - **Relating to defining a newborn safety device** - Passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 66, Acts, Regular Session, 2023
3560. By Del. Howell (Originating in House Economic Development and Tourism) - **Relating to expanding the definitions of land and recreational purposes** - Passed 3/10/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 3, Acts, Regular Session, 2023
3563. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 54, Acts, Regular Session, 2023
3564. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Division of Human Services - Energy Assistance** - Passed 3/10/2023; Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 55, Acts, Regular Session, 2023

HOUSE CONCURRENT RESOLUTIONS ADOPTED BY LEGISLATURE

1. By Del. Hanshaw (Mr. Speaker) - **Raising a Joint Assembly to hear remarks of the Governor** - Adopted 1/11/2023

- *2. By Del. Cooper, Longanacre, Anderson, Heckert, Reynolds, Sheedy and Smith - **U. S. Army Cpl. Billy F. Mann Memorial Bridge** - Adopted 3/8/2023
4. By Del. Reynolds, Cooper, Sheedy, Zatezalo, Miller, Horst, Jeffries, Willis, Hall, W., Nestor and Kelly - **U. S. Army MSG Jon D. Wayt Memorial Bridge** - Adopted 3/7/2023
9. By Del. Rowe - **U. S. Army PFC Walter C. Horner Memorial Bridge** - Adopted 3/7/2023
10. By Del. Rowe - **Shelby “Cubby” Foster and Robert “Robbie” Collins Memorial Road** - Adopted 3/11/2023
11. By Del. Hanshaw (Mr. Speaker), Anderson, Brooks, Cannon, Chiarelli, Ellington, Foster, Garcia, Gearheart, Hall, A., Hornbuckle, Hott, Householder, Linville, Lucas, McGeehan, Phillips, Riley, Rohrbach, Smith, Statler, Steele, Storch, Street, Thorne, Vance, Warner, Westfall, Worrell, Young and Zatezalo - **Relating to Higher Education Consortium for Emerging Energy Technologies** - Adopted 3/1/2023
13. By Del. Chiarelli, Devault, Warner, Householder, Sheedy, Horst, Mallow, Street, Pritt, C., Hillenbrand and Brooks - **Make 2nd week of February of every year a week of recognition of the Boy Scouts of America.** - Adopted 2/17/2023
15. By Del. Hillenbrand, Cooper, Ridenour, Sheedy, Heckert, Kirby, Crouse, Nestor, Kimble, Griffith and Mazzocchi - **Requesting That the Joint Committee on Government and Finance send official correspondence to West Virginia’s federal delegations stating West Virginia veterans’ concerns and objections to the two TRICARE for Life (“TFL”) proposals** - Adopted 3/9/2023
21. By Del. Westfall - **Michael Lee “Rube” Ruben Memorial Bridge** - Adopted 3/7/2023
22. By Del. Hanshaw (Mr. Speaker) - **U.S. Army T/5 Doyle Bedell Taylor Memorial Bridge** - Adopted 3/7/2023
23. By Del. Holstein - **U.S. Army SGT Theron Turner Memorial Bridge** - Adopted 3/11/2023
24. By Del. Linville - **U. S. Army PFC Herman H. Lucas Memorial Bridge** - Adopted 3/7/2023
25. By Del. Hite, Hardy, Hornby, Horst, Reynolds, Riley, Hanna, Ridenour, Espinosa, Maynor and Garcia - **U. S. Marine Corps, PFC John Louis “Johnny” Brumbaugh, Jr. Memorial Bridge** - Adopted 3/7/2023
26. By Del. Capito - **U.S. Army SGT Samuel D. Roberts Sr. Memorial Bridge** - Adopted 3/7/2023

29. By Del. Hanshaw (Mr. Speaker) - **Amending Joint Rule 13 of the Joint Rules of the Senate and House that clarifies that when two or more bills amending the same statute are passed in the same session, the last passed controls** - Adopted 2/16/2023
33. By Del. Skaff, Pushkin and Fluharty - **Lt. Col. Mitchell M. Mickel Memorial Bridge** - Adopted 3/11/2023
34. By Del. Hite, Horst, Reynolds, Storch, Hanna, Willis and Barnhart - **William N. "Shug" Kisner Memorial Bridge** - Adopted 3/7/2023
40. By Del. Toney - **USMC Corporal Larry Allen "Crocky" Holstein, Jr. Memorial Bridge** - Adopted 3/7/2023
42. By Del. Ellington, Gearheart, Smith and Ridenour - **U. S. Army SSG William Joseph "Will" Thompson Memorial Bridge** - Adopted 3/11/2023
47. By Del. Hott, Kelly, Reynolds, Coop-Gonzalez, Ward, Heckert, Riley, Smith, Petitto, Mazzocchi and Marple - **U. S. Army SGT Walter Hedrick Memorial Bridge** - Adopted 3/7/2023
49. By Del. Ward, Smith, Crouse, Hott, Ridenour, Thorne, Maynor, Marple, Dean, Lucas and Keaton - **U. S. Army 1SG Elmer C. Lofton Memorial Bridge** - Adopted 3/7/2023
51. By Del. Coop-Gonzalez and Nestor - **U. S. Army SFC Samuel Evans Miller Memorial Bridge** - Adopted 3/9/2023
52. By Del. Barnhart - **Study the financial effects of raising the threshold from \$25,000 to \$50,000 for the requirement of bids for municipal, public service district, county and state public works project.** - Adopted 3/11/2023
54. By Del. Foster - **U.S. Army PFC Russell Richard Ferguson Memorial Bridge** - Adopted 3/7/2023
58. By Del. Jennings, Street, Storch, Barnhart, Reynolds, Cooper, Dittman, Smith, Jeffries, Tully and Hornby - **U. S. Army SSG Steven "Todd" Shay Memorial Bridge** - Adopted 3/7/2023
61. By Del. Jeffries - **U.S. Army Sgt. John Edsel Edens Memorial Road** - Adopted 3/11/2023
62. By Del. Mazzocchi, Holstein, Adkins, Ridenour, Bridges, Butler, Honaker, Heckert, Smith, Longanacre and Cooper - **U.S. Army PFC Clayton Collins Memorial Bridge** - Adopted 3/7/2023
78. By Del. Hanshaw (Mr. Speaker) - **Proclaiming the extension of a state of emergency in our correctional institutions** - Adopted 3/11/2023
80. By Del. Holstein, Adkins, Anderson, Barnhart, Brooks, Burkhammer, Butler, Cannon, Capito, Chiarelli, Clark, Cooper, Coop-Gonzalez, Criss, Crouse, Dean, DeVault, Dittman, Ellington, Espinosa, Fast, Fehrenbacher, Ferrell, Fluharty, Forsht, Foster, Garcia, Gearheart, Griffith, Hall, A., Hall, W., Hanna, Hansen,

Hanshaw (Mr. Speaker), Hardy, Heckert, Hillenbrand, Hite, Honaker, Hornbuckle, Hornby, Horst, Hott, Householder, Howell, Jeffries, Jennings, Keaton, Kelly, Kimble, Kirby, Linville, Longanacre, Lucas, Marple, Maynor, Mazzocchi, McGeehan, Miller, Petitto, Phillips, Pinson, Pritt, C., Pritt, E., Pushkin, Reynolds, Ridenour, Riley, Rohrbach, Rowe, Shamblin, Sheedy, Skaff, Smith, Statler, Steele, Storch, Street, Summers, Thorne, Toney, Tully, Vance, Walker, Ward, Warner, Westfall, Williams, Willis, Young and Zatezalo - **To study pediatric cancer in Appalachia and to provide directive language asking for a report on this issue in the appalachian region.** - Adopted 3/11/2023

82. By Del. Capito, Westfall, Fast, Hornby, Criss and Summers - **February to be designated annually as West Virginia Cancer Prevention Month.** - Adopted 3/11/2023

SENATE BILLS VETOED BY GOVERNOR

- *667. By Sen. Grady, Weld, Smith and Taylor - **Requiring periodic performance audits of WV Secondary School Activities Commission** - Passed 3/11/2023 - To Governor 3/17/2023 - Vetoed by Governor 3/29/2023

ALL SENATE BILLS INTRODUCED

1. By Sen. Takubo, Queen, Maroney, Nelson, Plymale and Hamilton - **Requiring Higher Education Policy Commission to create and administer PROMISE Plus Program** - Introduced 1/11/2023 - To Education then Finance - To Finance 2/22/2023
2. By Sen. Maynard and Rucker - **Allowing private schools option of making vaccinations required for enrollment** - Introduced 1/11/2023 - To Health and Human Resources
3. By Sen. Maynard and Karnes - **Requiring parental notification of school-based dispensaries of contraceptives to minors** - Introduced 1/11/2023 - To Health and Human Resources
4. By Sen. Maynard, Smith, Maroney, Woodrum, Plymale, Jeffries, Hunt and Caputo - **Creating Adopt-A-Trail volunteer programs for public land under DNR jurisdiction** (original similar to HB3102) - Introduced 1/11/2023 - To Outdoor Recreation then Finance - 2nd reference dispensed - Passed Senate 1/25/2023 - To House 1/26/2023 - To Economic Development and Tourism - 2nd reference dispensed - Passed House 2/7/2023 - To Governor 2/13/2023 - Approved by Governor 2/17/2023 - Chapter 216, Acts, Regular Session, 2023
5. By Sen. Maynard, Karnes, Azinger and Taylor - **Requiring parental notification of minors being prescribed contraceptives** - Introduced 1/11/2023 - To Health and Human Resources
6. By Sen. Grady, Roberts and Phillips - **Providing protection for property owner when someone visiting private cemetery causes damage to property** - Introduced 1/11/2023 - To Judiciary

- *7. By Sen. Clements, Smith, Stuart, Plymale and Jeffries - **Returning refundable exemption for road construction contractors to State Road Fund** - Introduced 1/11/2023 - To Transportation and Infrastructure then Finance - Com. sub. reported 1/17/2023 - To Finance 1/17/2023
8. By Sen. Woelfel and Phillips - **Clarifying that tenancy includes persons who reside in sober living home** - Introduced 1/11/2023 - To Judiciary
9. By Sen. Maynard, Karnes, Rucker, Woodrum, Azinger, Maroney and Taylor - **WV Monument and Memorial Protection Act of 2023** (original similar to HB2790) - Introduced 1/11/2023 - To Government Organization
- *10. By Sen. Phillips, Karnes, Martin, Maynard, Tarr, Grady, Taylor, Roberts, Smith, Rucker, Hamilton, Barrett, Woodrum, Hunt, Azinger, Stuart and Deeds - **Campus Self-Defense Act** (original similar to SB434) - Introduced 1/11/2023 - To Judiciary - Com. sub. reported 1/19/2023 - Passed Senate 1/24/2023 - Effective from passage - To House 1/25/2023 - To Judiciary - Passed House 2/21/2023 - Effective from passage - To Governor 2/24/2023 - Approved by Governor 3/1/2023 - Chapter 174, Acts, Regular Session, 2023
11. By Sen. Grady, Roberts, Phillips, Tarr, Woodrum, Maynard, Rucker, Taylor, Martin, Karnes and Smith - **Prohibiting excessive government limitations on exercise of religion** (original similar to HB2492) - Introduced 1/11/2023 - To Judiciary
12. By Sen. Karnes, Rucker and Woelfel - **Increasing limit on value of agricultural products under Farm-To-Food Bank Tax Credit** - Introduced 1/11/2023 - To Agriculture and Natural Resources then Finance
13. By Sen. Smith - **Establishing annual oversight fee for wells producing more than 10,000 cubic feet of gas per day** - Introduced 1/11/2023 - To Energy, Industry, and Mining then Finance - To Finance 2/3/2023
14. By Sen. Smith and Hunt - **Allocating proceeds of sales tax from sale of parts, tires, repair and maintenance services for motor vehicles to State Road Fund** - Introduced 1/11/2023 - To Transportation and Infrastructure then Finance
15. By Sen. Smith, Clements and Maroney - **Relating to apportionment of oil and gas severance taxes and funding WV DEP Office of Oil and Gas** - Introduced 1/11/2023 - To Finance
16. By Sen. Swope - **Local Government Labor and Consumer Marketing Regulatory Limitation Act** - Introduced 1/11/2023 - To Government Organization then Finance
17. By Sen. Woodrum - **Extending expiration date of current cap on per diem cost for incarcerated inmates in regional jail** - Introduced 1/11/2023 - To Government Organization then Finance

18. By Sen. Woodrum, Phillips and Hunt - **Clarifying amount of deputy sheriff annual salary increase** (original similar to SB294) - Introduced 1/11/2023 - To Government Organization
19. By Sen. Woodrum - **Revised Uniform Athlete Agents Act** - Introduced 1/11/2023 - To Judiciary
20. By Sen. Woodrum - **Relating to authorization and administration of county sales and use taxes** - Introduced 1/11/2023 - To Government Organization
21. By Sen. Swope and Roberts - **Requiring certain documents that contain wage records be considered confidential** - Introduced 1/11/2023 - To Workforce then Finance - 2nd reference dispensed - Passed Senate 1/26/2023 - To House 2/3/2023 - To Judiciary
22. By Sen. Swope - **Local Government Labor and Consumer Marketing Regulatory Limitation Act** - Introduced 1/11/2023 - To Government Organization then Finance
23. By Sen. Smith, Karnes and Phillips - **Fetal Heartbeat Act** - Introduced 1/11/2023 - To Health and Human Resources then Finance
24. By Sen. Smith and Hamilton - **Relating to long-term care and substance abuse treatment** - Introduced 1/11/2023 - To Health and Human Resources then Finance
25. By Sen. Smith - **Requiring disclaimers on third-party, nongovernment solicitations of services for filing business annual reports with Secretary of State** - Introduced 1/11/2023 - To Government Organization then Finance
26. By Sen. Phillips, Maroney, Hamilton and Oliverio - **Requiring WV State Police to provide medical care for illness or injury received in line of duty** - Introduced 1/11/2023 - To Government Organization then Finance
27. By Sen. Smith, Phillips, Rucker and Hunt - **Assessing wildlife impact fee on wind power projects** - Introduced 1/11/2023 - To Agriculture and Natural Resources then Finance
28. By Sen. Smith - **Relating to nonferrous metal sales and transportation to secondary recycler** - Introduced 1/11/2023 - To Energy, Industry, and Mining then Finance
29. By Sen. Smith and Phillips - **Relating to funding for volunteer fire departments and emergency medical services units** - Introduced 1/11/2023 - To Government Organization then Finance
30. By Sen. Smith - **Transferring child welfare enforcement responsibilities to WV State Police** - Introduced 1/11/2023 - To Health and Human Resources then Finance
- *31. By Sen. Swope, Jeffries, Maynard and Plymale - **Relating to permissible expenditures by Water Development Authority from Infrastructure Fund**

- Introduced 1/11/2023 - To Finance - Com. sub. reported 2/9/2023 - Passed Senate 2/14/2023 - To House 2/15/2023 - To Finance
32. By Sen. Karnes, Rucker and Maynard - **Allowing parents to decline required medication administered to newborns** - Introduced 1/11/2023 - To Health and Human Resources
33. By Sen. Karnes - **Prohibiting certain divisive acts or concepts from schools, state agencies and any groups receiving state funding** (original similar to HB2423) - Introduced 1/11/2023 - To Education then Finance
34. By Sen. Karnes - **Establishing 80 miles per hour speed limit on interstate highways** - Introduced 1/11/2023 - To Transportation and Infrastructure
35. By Sen. Karnes - **Limiting DEP employees entering private lands for environmental purposes only** - Introduced 1/11/2023 - To Judiciary
36. By Sen. Woelfel - **Authorizing child or child care tax credit** - Introduced 1/11/2023 - To Finance
37. - **Granting all public employees 10 percent per year permanent pay increase** - Introduced 1/11/2023 - To Finance
38. - **Eliminating restrictions on voting rights for formerly incarcerated individuals** - Introduced 1/11/2023 - To Judiciary
- *39. - **Relating to assessment of real property** - Introduced 1/11/2023 - To Government Organization then Finance - Com. sub. reported 2/17/2023 - To Finance 2/17/2023
40. By Sen. Weld, Phillips and Oliverio - **Providing waiver of fees for emergency responders disabled in line of duty for hunting, trapping, and fishing licenses** - Introduced 1/11/2023 - To Agriculture and Natural Resources then Finance
41. By Sen. Clements, Grady and Queen - **Establishing minimum student enrollment for school aid formula** - Introduced 1/11/2023 - To Education then Finance - To Finance 1/13/2023
42. By Sen. Clements - **Adjusting interest rate paid in condemnation cases** - Introduced 1/11/2023 - To Judiciary then Finance
43. By Sen. Clements, Phillips and Jeffries - **Permitting Commissioner of DOH to make money transfers within State Road Fund** - Introduced 1/11/2023 - To Finance
44. By Sen. Hamilton - **Requiring certain municipalities pay for incarceration of inmates** - Introduced 1/11/2023 - To Government Organization
45. By Sen. Rucker - **Requiring coverage of treatment for certain pediatric autoimmune neuropsychiatric disorders in certain circumstances** - Introduced 1/11/2023 - To Health and Human Resources then Finance

46. By Sen. Rucker and Deeds - **Allowing WV Professional Charter School Board to vote for employees to participate in Teachers' Retirement System** - Introduced 1/11/2023 - To Pensions
- *47. By Sen. Rucker, Oliverio and Roberts - **Creating Charter Schools Stimulus Fund** - Introduced 1/11/2023 - To School Choice then Finance - Com. sub. reported 1/26/2023 - To Finance 1/26/2023 - Com. sub. for com. sub. reported 2/8/2023 - Passed Senate 2/13/2023 - To House 2/14/2023 - To Education then Finance - To House Finance - Passed House 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 124, Acts, Regular Session, 2023
48. By Sen. Rucker - **Relating to licensed school psychologists salary supplement and expense reimbursements** - Introduced 1/11/2023 - To Education then Finance
49. By Sen. Hamilton and Hunt - **Establishing criminal offense for being under influence of controlled substance unless specifically prescribed** - Introduced 1/11/2023 - To Judiciary
- *50. By Sen. Hamilton - **Requiring one-year residency within district or county to fill vacancy in Legislature** - Introduced 1/11/2023 - To Judiciary - Com. sub. reported 2/2/2023 - Passed Senate 2/7/2023 - To House 2/8/2023 - To Judiciary
- *51. By Sen. Rucker, Grady, Maynard and Chapman - **Requiring impact statement in certain instances of school closing or consolidation** - Introduced 1/11/2023 - To Education - Com. sub. reported 1/25/2023 - Passed Senate 1/30/2023 - To House 1/31/2023 - To Education - Passed House 3/7/2023 - To Governor 3/10/2023 - Approved by Governor 3/23/2023 - Chapter 125, Acts, Regular Session, 2023
52. By Sen. Rucker, Taylor, Woodrum, Smith, Maynard, Hunt, Karnes, Caputo, Martin, Queen and Roberts - **Relating to administration of anesthetics** - Introduced 1/11/2023 - To Health and Human Resources
- *53. By Sen. Rucker, Woodrum, Woelfel, Stuart, Hunt, Plymale, Taylor and Maynard - **Relating to DNA data maintained for law enforcement purposes** - Introduced 1/11/2023 - To Judiciary then Finance - Com. sub. reported 1/17/2023 - To Finance 1/17/2023
54. By Sen. Karnes - **Authorizing public retirement system participants to receive cash value of retirement benefits in lieu of regular payments** - Introduced 1/11/2023 - To Pensions then Finance
55. By Sen. Karnes, Maynard and Taylor - **WV Freedom of Conscience Protection Act** - Introduced 1/11/2023 - To Judiciary
56. By Sen. Weld and Roberts - **Relating to employment of retired bus operators as substitutes in areas of critical need and shortage** - Introduced 1/11/2023 - To Education then Finance - To Finance 1/13/2023

57. By Sen. Hamilton - **Requiring political action committee to disclose contributors' names and addresses to Secretary of State** - Introduced 1/11/2023 - To Government Organization then Judiciary
58. By Sen. Hamilton - **Creating mechanism for enforcement of spousal support** - Introduced 1/11/2023 - To Judiciary then Finance
- *59. By Sen. Takubo, Woodrum, Hunt and Barrett - **Requiring work search activities to qualify for unemployment benefits** (original similar to HB2589) - Introduced 1/11/2023 - To Government Organization - Com. sub. reported 1/18/2023 - Passed Senate 1/23/2023 - Effective January 1, 2024 - To House 2/14/2023 - To Workforce Development then Finance
60. By Sen. Trump - **Relating to tax on income of nonresidents from natural resources royalty payments** - Introduced 1/11/2023 - To Agriculture and Natural Resources then Finance
- *61. By Sen. Nelson, Phillips and Queen - **Providing personal property tax credit to graduates of certain higher education institutions or trade schools** - Introduced 1/11/2023 - To Education then Finance - Com. sub. reported 2/15/2023 - To Finance 2/15/2023
- *62. By Sen. Nelson - **Establishing secondary location for racetrack video lottery terminals** - Introduced 1/11/2023 - To Government Organization - Com. sub. reported 2/24/2023 - Amended - Passed Senate with amended title 2/28/2023 - To House 3/2/2023 - To Finance
63. By Sen. Nelson - **Relating to wages and salary under Parental Leave Act** - Introduced 1/11/2023 - To Finance
64. By Sen. Nelson - **Relating to WV Public Employees Retirement Act** - Introduced 1/11/2023 - To Pensions then Finance
- *65. By Sen. Nelson, Hamilton and Stuart - **Granting municipal fire marshal authority to assist law-enforcement officer** - Introduced 1/11/2023 - To Government Organization then Judiciary - Com. sub. reported 1/12/2023 - To Judiciary 1/12/2023 - Com. sub. for com. sub. reported 1/18/2023 - Passed Senate 1/23/2023 - To House 1/24/2023 - To Political Subdivisions then Judiciary
66. By Sen. Nelson and Hamilton - **Relating to regulation and control of elections** - Introduced 1/11/2023 - To Government Organization
67. By Sen. Smith - **Requiring DHHR file petition to terminate parental rights under certain circumstances** - Introduced 1/11/2023 - To Judiciary then Finance
68. By Sen. Smith, Hunt, Chapman and Maynard - **Relating to use of force, including deadly force, in defense of self, real, and personal property** - Introduced 1/11/2023 - To Judiciary then Finance
69. By Sen. Phillips and Hunt - **Patrolman Cassie Johnson Memorial Act** - Introduced 1/11/2023 - To Judiciary

70. By Sen. Phillips and Rucker - **Permitting special registration plates for persons with medical conditions that cause erratic behavior** - Introduced 1/11/2023 - To Transportation and Infrastructure then Finance
71. By Sen. Weld - **Relating to real property conveyed by land installment agreement** - Introduced 1/11/2023 - To Judiciary
72. By Sen. Weld, Woelfel, Jeffries and Caputo - **Modifying definition of sexual contact** - Introduced 1/11/2023 - To Judiciary
73. By Sen. Weld - **Removing PEIA exemption from provisions of chapters 5 and 33 of Code of WV** - Introduced 1/11/2023 - To Banking and Insurance
74. By Sen. Weld, Roberts and Rucker - **Providing for substantial deference to State Superintendent's interpretations of school laws** - Introduced 1/11/2023 - To Judiciary - Passed Senate 1/19/2023 - To House 1/20/2023 - To Judiciary
75. By Sen. Weld - **Exempting certain persons from hunting, trapping, and fishing license fees** - Introduced 1/11/2023 - To Agriculture and Natural Resources then Finance
76. By Sen. Weld and Smith - **Modifying requirement that racetrack participate in WV Thoroughbred Development Fund by certain date** - Introduced 1/11/2023 - To Finance
77. By Sen. Weld and Caputo - **Updating language regarding Fairmont State University alumni license plates** - Introduced 1/11/2023 - To Transportation and Infrastructure
78. By Sen. Weld and Woelfel - **Creating felony offense of aggravated cruelty to animals** - Introduced 1/11/2023 - To Judiciary
- *79. By Sen. Weld, Hamilton, Woelfel, Queen, Barrett and Oliverio - **Relating to compensable diseases of certain firefighters covered by workers' compensation** (original similar to HB2128) - Introduced 1/11/2023 - To Government Organization then Finance - Com. sub. reported 1/12/2023 - To Finance 1/12/2023 - Com. sub. for com. sub. reported 2/21/2023 - Passed Senate 2/24/2023 - Effective from passage - To House 2/24/2023 - To Finance
- *80. By Sen. Grady, Phillips and Smith - **Modifying witness fee and mileage rate paid by state to match federal court system** - Introduced 1/11/2023 - To Judiciary then Finance - Com. sub. reported 1/25/2023 - To Finance 1/25/2023
81. By Sen. Grady and Queen - **Allowing Tier II Teachers Retirement System members to apply accrued annual and sick leave toward an increase in retirement benefits** - Introduced 1/11/2023 - To Pensions then Finance
82. By Sen. Takubo - **Relating to unemployment benefits program** (original similar to HB2588) - Introduced 1/11/2023 - To Government Organization
- *83. By Sen. Takubo, Phillips and Hamilton - **Authorizing tactical medical professionals to carry firearms** - Introduced 1/11/2023 - To Health and

Human Resources - Com. sub. reported 1/13/2023 - Passed Senate 1/18/2023 - To House 1/20/2023 - To Government Organization - Amended - Passed House 1/31/2023 - Senate concurred in House amendments and passed bill 2/2/2023 - To Governor 2/6/2023 - Approved by Governor 2/9/2023 - Chapter 226, Acts, Regular Session, 2023

84. By Sen. Takubo - **Tobacco Products Excise Tax Act** - Introduced 1/11/2023 - To Health and Human Resources then Finance
- *85. By Sen. Takubo, Phillips, Plymale and Woodrum - **Establishing tax credit for certain physicians who locate to practice in WV** - Introduced 1/11/2023 - To Health and Human Resources then Finance - Com. sub. reported 1/18/2023 - To Finance 1/18/2023
86. By Sen. Takubo and Phillips - **Exempting physicians from specified traffic laws when responding to emergencies** - Introduced 1/11/2023 - To Transportation and Infrastructure
87. By Sen. Phillips - **Restoring major health care benefits to certain public employees who retired and then returned to employment** - Introduced 1/11/2023 - To Banking and Insurance then Finance
88. By Sen. Woelfel and Caputo - **Permitting medical marijuana be prescribed in edible form** (original similar to HB2219) - Introduced 1/11/2023 - To Health and Human Resources
- *89. By Sen. Woelfel, Grady, Woodrum, Hamilton, Rucker and Plymale - **Requiring hospitals to staff qualified personnel to perform sexual assault forensic exams** - Introduced 1/11/2023 - To Health and Human Resources - Com. sub. reported 1/18/2023 - Passed Senate 1/23/2023 - To House 1/24/2023 - To Health and Human Resources - Amended - Passed House 2/20/2023 - Title amended - Senate concurred in House amendments and passed bill 2/21/2023 - To Governor 2/23/2023 - Approved by Governor 3/1/2023 - Chapter 275, Acts, Regular Session, 2023
90. By Sen. Woelfel - **Amending penalty of simple possession of marijuana from misdemeanor crime to civil violation** - Introduced 1/11/2023 - To Judiciary
- *91. By Sen. Phillips, Caputo, Woodrum, Hamilton, Oliverio and Plymale - **Relating to distribution of certain taxes and surcharges to benefit fire departments and emergency medical services providers** - Introduced 1/11/2023 - To Government Organization then Finance - Com. sub. reported 2/24/2023 - To Finance 2/24/2023 - Com. sub. for com. sub. reported 2/27/2023 - On 2nd reading to Finance 2/27/2023 - Amended - Passed Senate with amended title 3/1/2023 - Effective January 1, 2024 - To House 3/2/2023 - To Finance
92. By Sen. Phillips, Rucker and Stuart - **Providing compensation to victims of abusive lawsuits** - Introduced 1/11/2023 - To Judiciary then Finance
93. By Sen. Azinger, Roberts, Karnes and Maynard - **Prohibiting teaching of divisive acts and critical race theory in public schools** - Introduced 1/11/2023 - To Education

94. By Sen. Rucker - **Removing limitations on nonintoxicating craft beer delivery licenses** - Introduced 1/11/2023 - To Judiciary
95. By Sen. Nelson, Woelfel and Plymale - **Establishing WV business growth in low-income communities tax credit** - Introduced 1/11/2023 - To Economic Development then Finance
96. By Sen. Azinger - **Timber Co-tenancy Modernization and Majority Protection Act and Unknown and Unlocatable Timber Interest Owners Act** - Introduced 1/11/2023 - To Judiciary then Finance
97. By Sen. Nelson - **Modifying contribution levels of certain judges who participate in retirement system** - Introduced 1/11/2023 - To Pensions then Finance
98. By Sen. Nelson and Chapman - **Exempting capital gains from personal and corporate taxation** - Introduced 1/11/2023 - To Finance
99. By Sen. Nelson, Roberts and Oliverio - **Relating to meetings among county boards of education** - Introduced 1/11/2023 - To Education - Passed Senate with amended title 2/14/2023 - To House 2/15/2023 - To Education - Passed House 3/8/2023 - To Governor 3/13/2023 - Approved by Governor 3/29/23 - Chapter 126, Acts, Regular Session, 2023
100. By Sen. Nelson, Woodrum and Jeffries - **Permitting newly hired 911 personnel to participate in Emergency Medical Services Retirement System** - Introduced 1/11/2023 - To Pensions then Finance
101. By Sen. Nelson, Roberts, Queen, Woelfel, Chapman, Taylor, Smith, Stuart and Rucker - **Exempting Social Security from personal income tax** - Introduced 1/11/2023 - To Finance
102. By Sen. Takubo, Grady, Woodrum, Woelfel and Queen - **Prohibiting smoking in vehicle when minor 16 or under is present.** - Introduced 1/11/2023 - To Health and Human Resources
103. By Sen. Tarr, Roberts, Karnes and Maynard - **Prohibiting certain funding and attendance of minors to drag shows** - Introduced 1/11/2023 - To Judiciary then Finance
104. By Sen. Karnes, Tarr, Woodrum and Maynard - **Campus Self-Defense Act** (original similar to HB2421, HB2633) - Introduced 1/11/2023 - To Judiciary
- *105. By Sen. Smith and Hamilton - **Allowing county commissions to impose amusement tax** - Introduced 1/11/2023 - To Government Organization then Finance - Com. sub. reported 1/18/2023 - To Finance 1/18/2023
106. By Sen. Smith - **Protecting albino deer** - Introduced 1/11/2023 - To Agriculture and Natural Resources then Finance
107. By Sen. Smith, Caputo and Takubo - **Relating to time limitation for filing occupational pneumoconiosis claims** - Introduced 1/11/2023 - To Banking and Insurance then Finance

108. By Sen. Smith - **Requiring certain probationers to participate in work release program and spend six months in work release center** - Introduced 1/11/2023 - To Judiciary then Finance
109. By Sen. Smith - **Orphan Oil and Gas Well Prevention Act** - Introduced 1/11/2023 - To Energy, Industry, and Mining then Finance
110. By Sen. Smith, Chapman and Taylor - **Relating to maintenance and repair of roads and highways** - Introduced 1/11/2023 - To Transportation and Infrastructure then Finance
111. By Sen. Smith - **Relating to pollution control facilities tax treatment** - Introduced 1/11/2023 - To Finance
112. By Sen. Karnes, Taylor, Hunt, Martin, Azinger and Maynard - **Relating to financial institutions engaged in boycotts of firearms companies** - Introduced 1/11/2023 - To Judiciary then Finance
113. By Sen. Karnes - **Restricting participation in Teachers Retirement System by members who serve as officer in professional teaching association** - Introduced 1/11/2023 - To Pensions
114. By Sen. Karnes, Taylor, Rucker and Roberts - **Prohibiting abortion coverage in certain qualified health care plans** - Introduced 1/11/2023 - To Health and Human Resources then Finance
115. By Sen. Karnes and Taylor - **Providing procedure for WV to select delegates to Article V Convention** - Introduced 1/11/2023 - To Judiciary - Passed Senate 1/20/2023 - To House 1/23/2023 - To Judiciary
116. By Sen. Karnes - **Collecting and analyzing statistical information pertaining to terminating pregnancies under Medicaid Program** - Introduced 1/11/2023 - To Health and Human Resources then Finance
117. By Sen. Karnes and Chapman - **Relating to mandatory state inspections of motor vehicles** - Introduced 1/11/2023 - To Transportation and Infrastructure then Finance
118. By Sen. Karnes - **Relating to outdoor advertising regulated by DOH** - Introduced 1/11/2023 - To Transportation and Infrastructure then Finance
119. By Sen. Rucker - **Requiring notice be sent to owners of record before real property can be sold due to nonpayment of taxes** - Introduced 1/11/2023 - To Government Organization
120. By Sen. Azinger, Tarr, Hunt and Jeffries - **Requiring registered sex offenders pay annual fee** - Introduced 1/11/2023 - To Judiciary then Finance
- *121. By Sen. Azinger, Roberts, Tarr and Maynard - **Creating Student Journalist Press Freedom Protection Act** - Introduced 1/11/2023 - To Education - Com. sub. reported 1/20/2023 - Passed Senate 1/25/2023 - To House 1/26/2023 - To Education then Judiciary - To House Judiciary - Amended - Passed House

3/10/2023 - Senate concurred in House amendments and passed bill 3/11/2023
- To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 175,
Acts, Regular Session, 2023

122. By Sen. Martin, Roberts, Phillips, Stover and Maynard - **Preventing public water and sewer utilities from prohibiting customer from constructing, installing, or maintaining connection to public utility** (original similar to HB2456) - Introduced 1/11/2023 - To Government Organization then Finance
- *123. By Sen. Hamilton, Deeds, Stuart, Oliverio and Hunt - **Creating enhanced penalties for fleeing officer** - Introduced 1/11/2023 - To Judiciary then Finance - Com. sub. reported 2/25/2023 - 2nd reference dispensed - Passed Senate 3/1/2023 - To House 3/2/2023 - To Judiciary
- *124. By Sen. Woelfel and Plymale - **Authorizing child sexual abuse and sexual violence prevention program and in-service training in child sexual abuse prevention** - Introduced 1/11/2023 - To Education - Com. sub. reported 1/17/2023 - Passed Senate 1/20/2023 - To House 1/23/2023 - To Education
125. By Sen. Rucker, Azinger, Chapman, Deeds, Maynard, Roberts, Smith, Karnes, Phillips, Tarr, Hamilton, Maroney, Woodrum, Hunt and Taylor - **Safeguarding concealed carry permit holder's information** - Introduced 1/11/2023 - To Judiciary
126. By Sen. Trump, Deeds, Oliverio, Azinger, Stuart, Clements, Barrett, Phillips, Roberts, Swope, Grady, Tarr, Boley, Smith, Maynard, Rucker, Taylor, Weld, Hamilton, Maroney and Woodrum - **Reorganizing DHHR** (original similar to HB2006) - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Health and Human Resources then Finance
127. By Sen. Weld, Maroney, Nelson, Takubo, Oliverio, Azinger, Clements, Barrett, Roberts, Woodrum, Queen, Swope, Hamilton, Boley, Smith, Plymale, Woelfel, Caputo and Chapman - **Relating to reimbursement of hospital inpatient rates by PEIA** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Amended - Passed Senate 1/11/2023 - Effective from passage - To House 1/16/2023 - To Banking and Insurance then Finance
128. By Sen. Smith, Tarr, Azinger, Roberts, Deeds, Boley, Rucker, Taylor, Karnes and Woodrum - **Clarifying authority of Governor and Legislature to proclaim and declare state of emergency and preparedness** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - Effective from passage - To House 1/16/2023 - To Government Organization - Amended - Passed House 1/24/2023 - Title amended - Effective from passage - Senate amended House amendment and passed 2/1/2023 - Effective from passage - Senate reconsidered amendment - Substitute amendment adopted - Passed Senate 2/23/2023 - Effective from passage - House concurred in Senate amendment and passed 2/23/2023 - Effective from passage - To Governor 2/27/2023 - Became law without Governor's signature 3/4/2023 - Chapter 276, Acts, Regular Session, 2023
129. By Sen. Tarr, Smith, Taylor and Woodrum - **Limiting gubernatorial authority to spend certain federal funds without appropriation of Legislature** -

Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - Effective from passage - To House 1/16/2023 - To Government Organization then Finance - To House Finance 3/7/2023

130. By Sen. Tarr, Rucker, Azinger, Karnes, Maynard, Deeds, Phillips, Roberts, Woodrum, Swope, Smith, Taylor, Grady and Maroney - **Anti-Racism Act of 2023** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Education then Judiciary - To House Judiciary 1/31/2023
131. By Sen. Nelson, Woodrum, Jeffries, Phillips, Trump, Deeds, Stuart, Queen, Smith, Rucker, Hamilton and Maroney - **Allowing municipal fire marshals to receive service weapon upon retirement** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - Effective from passage - To House 1/16/2023 - To Fire Departments and Emergency Medical Services then Judiciary - 2nd reference dispensed - Passed House 3/4/2023 - Effective ninety days from passage - To Governor 3/8/2023 - Approved by Governor 3/29/23 - Chapter 80, Acts, Regular Session, 2023
132. By Sen. Boley, Hamilton, Clements, Grady, Jeffries, Karnes, Nelson, Roberts, Stover, Trump, Weld, Woelfel, Phillips, Plymale, Martin, Rucker, Takubo, Smith, Woodrum, Deeds, Oliverio, Azinger, Stuart, Barrett, Queen and Maroney - **Clarifying criminal offense of harassment** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Judiciary - Passed House 1/31/2023 - Title amended - Senate concurred in House amendments and passed bill 2/1/2023 - To Governor 2/3/2023 - Approved by Governor 2/6/2023 - Chapter 99, Acts, Regular Session, 2023
133. By Sen. Rucker, Woodrum, Clements, Smith, Maroney, Trump, Azinger, Stuart, Barrett, Phillips, Roberts, Maynard, Martin, Karnes and Hamilton - **Adding definition of “ammunition” for purposes of obtaining state license to carry concealed deadly weapon** (original similar to HB2187) - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - Effective from passage - To House 1/16/2023 - To Judiciary
134. By Sen. Jeffries, Caputo, Woelfel, Hamilton, Rucker, Trump, Oliverio, Azinger, Stuart, Roberts, Woodrum, Queen, Smith and Maroney - **Protecting consumers against businesses using automatic renewals without consent** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Judiciary
135. By Sen. Weld, Trump, Deeds, Jeffries, Stuart, Hamilton and Maroney - **Relating to Uniform Controlled Substances Act** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Judiciary
136. By Sen. Trump, Deeds, Oliverio, Stuart, Phillips, Woodrum and Grady - **Requiring persons convicted of certain offenses to undergo psychological or psychiatric testing and have treatment plan to be eligible for probation** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Judiciary -

Passed House 3/2/2023 - To Governor 3/6/2023 - Approved by Governor 3/11/2023 - Chapter 106, Acts, Regular Session, 2023

137. By Sen. Trump, Woelfel, Phillips, Deeds, Oliverio, Stuart, Clements, Queen, Grady, Hamilton and Woodrum - **Clarifying offenses of kidnapping and unlawful restraint** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Judiciary
138. By Sen. Azinger, Trump and Clements - **Clarifying secondary sources are not law and public policy of WV in certain instances** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Judiciary
139. By Sen. Roberts, Azinger, Boley, Grady, Karnes, Maynard, Phillips, Smith, Tarr, Trump, Woodrum, Takubo, Martin, Deeds, Jeffries, Stuart, Clements, Barrett, Rucker, Taylor, Nelson, Hamilton and Maroney - **Requiring each county BOE to ensure all its meetings are open to public through in-person attendance and broadcast live on its website** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - Effective July 1, 2023 - To House 1/16/2023 - To Education
140. By Sen. Woelfel, Grady, Caputo, Woodrum, Hamilton, Trump, Deeds, Jeffries, Azinger, Stuart, Barrett, Phillips and Roberts - **Updating offenses of extortion and attempted extortion** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Judiciary
141. By Sen. Trump, Hamilton, Oliverio, Jeffries, Stuart, Clements, Barrett, Phillips, Queen and Maroney - **Adding Division of Corrections and Rehabilitation employees working at certain institutions to WV Emergency Responders Survivor Benefits Act** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - Effective from passage - To House 1/16/2023 - To Jails and Prisons then Finance - To House Finance 1/30/2023
142. By Sen. Trump, Oliverio, Stuart, Clements, Barrett, Phillips, Woodrum, Nelson and Maroney - **Modifying procedures to settle estates of decedents** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Judiciary - Amended - Passed House 3/6/2023 - Title amended - Senate concurred in House amendments and passed bill 3/7/2023 - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 152, Acts, Regular Session, 2023
143. By Sen. Smith, Phillips, Caputo, Woodrum, Jeffries, Hamilton, Trump, Maynard, Rucker, Taylor and Maroney - **Relating to Adopt-A-Stream Program** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Government Organization - Amended - Passed House 1/27/2023 - Senate concurred in House amendments and passed bill 1/30/2023 - To Governor 2/1/2023 - Approved by Governor 2/6/2023 - Chapter 147, Acts, Regular Session, 2023

144. By Sen. Karnes - **Regulating schools for students with disabilities** - Introduced 1/11/2023 - To Education
145. By Sen. Grady, Azinger, Karnes, Rucker, Trump, Oliverio, Stuart, Clements, Phillips, Roberts and Smith - **Allowing county BOE participating in operation of multicounty vocational center to withdraw** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Education
146. By Sen. Trump, Woelfel, Oliverio, Jeffries, Azinger, Stuart, Phillips and Maynard - **Modifying regulations of peer-to-peer car sharing program** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Banking and Insurance then Judiciary - To House Judiciary - Amended - Passed House 3/9/2023 - Senate concurred in House amendments and passed bill 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 208, Acts, Regular Session, 2023
147. By Sen. Woelfel, Trump, Plymale, Azinger, Stuart, Barrett, Phillips, Nelson, Grady and Maroney - **Creating pilot program for recovery residences in Cabell County** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - Effective from passage - To House 1/16/2023 - To Health and Human Resources then Judiciary - Committee reference change - To Prevention and Treatment of Substance Abuse - 2nd reference dispensed to Health and Human Resources and commit to Judiciary - To House Judiciary 2/10/2023 - Amended - House rejected 3/10/2023
148. By Sen. Swope, Martin, Hamilton, Jeffries, Roberts, Tarr, Woelfel, Woodrum, Trump, Oliverio, Stuart, Clements, Phillips and Queen - **Relating to municipalities required to be represented on county authority boards** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Political Subdivisions then Judiciary
149. By Sen. Roberts, Trump, Phillips, Deeds, Azinger, Stuart, Clements, Maynard, Maroney and Karnes - **Exempting certain organizations from property taxation** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Finance - Passed House 3/9/2023 - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 304, Acts, Regular Session, 2023
- *150. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Budget Bill** - Introduced 1/11/2023 - To Finance 1/11/2023 - Com. sub. reported 2/24/2023 - Constitutional rule suspended - Passed Senate 2/25/2023 - Effective from passage - To House 2/27/2023 - To Finance
- *151. By Sen. Oliverio, Nelson, Martin, Trump and Maroney - **Levying tax on pass-through entity's income** - Introduced 1/12/2023 - To Finance - Com. sub. reported 2/14/2023 - Passed Senate 2/17/2023 - Effective July 1, 2023 - To House 2/20/2023 - To Finance - Amended - Passed House 3/9/2023 - Title amended - Senate concurred in House amendments and passed bill 3/10/2023 -

- Effective ninety days from passage - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 305, Acts, Regular Session, 2023
152. By Sen. Oliverio - **Moving state primaries to August** (original similar to HB3488) - Introduced 1/12/2023 - To Government Organization then Judiciary
153. By Sen. Rucker, Azinger, Deeds, Maynard, Roberts, Smith, Woodrum, Karnes and Taylor - **WV Chemical Abortion Prohibition Act** - Introduced 1/12/2023 - To Health and Human Resources then Judiciary
154. By Sen. Hamilton, Deeds and Stuart - **Penalizing removal of serial number from firearm or to possess firearm with missing serial number** - Introduced 1/12/2023 - To Judiciary then Finance
155. By Sen. Rucker, Azinger, Deeds, Maynard, Roberts, Smith, Grady, Karnes and Taylor - **Requiring medical professionals to report injuries and side effects from vaccines to Bureau for Public Health** (original similar to HB3069) - Introduced 1/12/2023 - To Health and Human Resources
156. By Sen. Caputo - **Relating to modernization of procedures for voting in public elections** - Introduced 1/12/2023 - To Judiciary
157. By Sen. Phillips, Clements, Stuart and Maroney - **Clarifying and expanding powers and duties of director of Coalfield Community Development Office** (original similar to HB3303) - Introduced 1/12/2023 - To Energy, Industry, and Mining - Referred to Finance 1/18/2023
158. By Sen. Trump, Caputo, Grady, Woelfel and Maroney - **Prohibiting person under age of 18 from entering into marriage** - Introduced 1/12/2023 - To Judiciary
159. By Sen. Trump and Rucker - **Relating to treatment of persistent symptoms of hypothyroidism** - Introduced 1/12/2023 - To Health and Human Resources
- *160. By Sen. Trump, Barrett, Plymale, Maroney, Woodrum, Woelfel, Deeds and Taylor - **WV Rail Trails Program** - Introduced 1/12/2023 - To Outdoor Recreation - Com. sub. reported 1/26/2023 - Passed Senate 1/31/2023 - To House 2/1/2023 - To Economic Development and Tourism - On 2nd reading, House Calendar 3/11/2023
161. By Sen. Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel and Woodrum - **Authorizing DNR to manage and dispose of property** - Introduced 1/12/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/12/2023 - Effective from passage - To House 1/13/2023 - To Judiciary - Amended - Passed House 1/19/2023 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 1/20/2023 - Effective from passage - To Governor 1/23/2023 - Approved by Governor 1/24/2023 - Chapter 217, Acts, Regular Session, 2023

162. By Sen. Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel and Woodrum - **Authorizing director of DNR to lease state-owned pore spaces in certain areas for carbon sequestration** - Introduced 1/12/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/12/2023 - Effective from passage - To House 1/13/2023 - To Judiciary - Amended - Passed House 1/19/2023 - Effective from passage - Senate concurred in House amendments and passed bill 1/20/2023 - Effective from passage - To Governor 1/23/2023 - Approved by Governor 1/24/2023 - Chapter 218, Acts, Regular Session, 2023
163. By Sen. Caputo - **Relating to absentee voting** - Introduced 1/13/2023 - To Judiciary then Finance
164. By Sen. Caputo - **Prohibiting legislators and part-time public officials from having interest in public contracts under certain circumstances** - Introduced 1/13/2023 - To Government Organization
165. By Sen. Caputo - **Creating personal income tax credit for nurses in WV** - Introduced 1/13/2023 - To Health and Human Resources then Finance
- *166. By Sen. Caputo, Nelson and Barrett - **WV Public Employees Retirement Act** - Introduced 1/13/2023 - To Pensions then Finance - Com. sub. reported 1/26/2023 - 2nd reference dispensed - Passed Senate 1/31/2023 - To House 2/1/2023 - To Pensions and Retirement then Finance
167. By Sen. Caputo - **Legalizing cannabis production, sales, and adult consumption** - Introduced 1/13/2023 - To Judiciary then Finance
168. By Sen. Phillips, Stuart, Hunt and Chapman - **Providing exemption from state severance tax for coal sold to coal-fired power plants located in WV** (original similar to HB3304) - Introduced 1/13/2023 - To Energy, Industry, and Mining then Finance - To Finance 2/10/2023
169. By Sen. Caputo - **Requiring certain movie theaters to provide open captioning during certain showings** - Introduced 1/13/2023 - To Economic Development then Judiciary
170. By Sen. Caputo - **Increasing transparency in apportionment process for congressional and legislative districts** - Introduced 1/13/2023 - To Judiciary then Finance
171. By Sen. Phillips and Hunt - **Establishing road or highway infrastructure improvement projects or coal production and processing facilities tax credit** - Introduced 1/13/2023 - To Economic Development then Finance
- *172. By Sen. Trump and Hamilton - **Increasing number of members on WV Parole Board** (original similar to HB2472) - Introduced 1/13/2023 - To Judiciary then Finance - Com. sub. reported 1/19/2023 - To Finance 1/19/2023

173. By Sen. Caputo - **Establishing program to pay monthly allotment to certain veterans** - Introduced 1/13/2023 - To Military then Finance
174. By Sen. Caputo - **Increasing required medical coverage for autism spectrum disorders** - Introduced 1/13/2023 - To Health and Human Resources then Finance
175. By Sen. Caputo - **Requiring medical insurance providers to include infertility services in their policies** - Introduced 1/13/2023 - To Health and Human Resources then Finance
176. By Sen. Trump - **Allowing Tax Commissioner to process certain early refunds** - Introduced 1/13/2023 - To Government Organization
177. By Sen. Trump and Woelfel - **Increasing minimum salaries for Bureau for Child Support Enforcement attorneys** - Introduced 1/13/2023 - To Health and Human Resources then Finance - To Finance 1/18/2023
- *178. By Sen. Rucker and Woelfel - **Adding grievance and appellate procedures for individuals participating in DMV safety and treatment program** - Introduced 1/13/2023 - To Judiciary then Finance - Com. sub. reported 1/19/2023 - To Finance 1/19/2023
179. By Sen. Trump and Stuart - **Relating to controlled substances schedule** - Introduced 1/13/2023 - To Health and Human Resources
180. By Sen. Trump, Barrett, Hamilton and Rucker - **Relating to number of state troopers in county** - Introduced 1/13/2023 - To Government Organization - Rereferred to Government Organization 1/19/2023
181. By Sen. Caputo - **Creating Closed Captioning Act** - Introduced 1/13/2023 - To Government Organization
182. By Sen. Martin, Rucker, Maynard and Maroney - **Prohibiting discriminatory practices by financial institution or government entity against firearms manufacturers** - Introduced 1/13/2023 - To Judiciary
183. By Sen. Martin, Hunt and Maynard - **Creating Natural Resources Anti-Commandeering Act** - Introduced 1/13/2023 - To Agriculture and Natural Resources then Judiciary
184. By Sen. Martin, Phillips, Karnes, Hunt, Rucker, Maynard and Maroney - **Declaring sale and manufacture of firearms essential business during declared emergency** - Introduced 1/13/2023 - To Judiciary
185. By Sen. Martin - **Prohibiting parking fee for accessible parking space bearing international symbol of access** - Introduced 1/13/2023 - To Transportation and Infrastructure then Finance
186. By Sen. Caputo - **Repealing WV Workplace Freedom Act** - Introduced 1/13/2023 - To Workforce then Judiciary

- *187. By Sen. Clements, Woelfel, Roberts, Stuart, Plymale, Hunt, Rucker, Deeds and Grady - **Making it felony offense for school employee or volunteer to engage in sexual contact with students** - Introduced 1/13/2023 - To Education then Judiciary - Com. sub. reported 1/17/2023 - To Judiciary 1/17/2023 - Com. sub. for com. sub. reported 2/8/2023 - Passed Senate 2/13/2023 - To House 2/14/2023 - To Judiciary - Amended - Passed House 3/10/2023 - Title amended - Senate refused to concur in House amendment 3/11/2023 - House receded and passed 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 100, Acts, Regular Session, 2023
- *188. By Sen. Trump, Woelfel, Queen, Plymale, Hamilton and Nelson - **Grid Stabilization and Security Act of 2023** - Introduced 1/13/2023 - To Economic Development - Com. sub. reported 1/26/2023 - Passed Senate 2/1/2023 - To House 2/7/2023 - To Economic Development and Tourism - Amended - Passed House 3/3/2023 - Senate concurred in House amendments and passed bill 3/6/2023 - To Governor 3/8/2023 - Approved by Governor 3/28/2023 - Chapter 115, Acts, Regular Session, 2023
189. By Sen. Phillips - **Allowing special purpose vehicles access to any public road that is not limited access road** - Introduced 1/13/2023 - To Transportation and Infrastructure
190. By Sen. Phillips, Deeds, Karnes, Hunt and Maroney - **Allowing children and grandchildren of WV landowner to hunt and fish on private land without permit or license** - Introduced 1/13/2023 - To Agriculture and Natural Resources
- *191. By Sen. Trump and Hunt - **Relating to liability for payment of court costs as condition of pretrial diversion agreement** - Introduced 1/13/2023 - To Judiciary - Com. sub. reported 2/15/2023 - Passed Senate 2/20/2023 - To House 2/20/2023 - To Judiciary - Amended - Passed House 3/8/2023 - Title amended - Senate amended House amendment and passed 3/9/2023 - House concurred in Senate title amendment 3/11/2023 - Passed House 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 107, Acts, Regular Session, 2023
192. By Sen. Trump and Oliverio - **Relating to Uniform Real Property Transfer on Death Act** - Introduced 1/13/2023 - To Judiciary - Passed Senate 1/25/2023 - To House 1/26/2023 - To Judiciary
193. By Sen. Chapman, Roberts, Maynard, Maroney and Rucker - **Exempting Social Security payments from state income tax** (original similar to HB2152) - Introduced 1/13/2023 - To Finance
194. By Sen. Trump - **Relating to general provisions concerning crimes** - Introduced 1/13/2023 - To Judiciary
- *195. By Sen. Rucker - **Glucagon for Schools Act** - Introduced 1/13/2023 - To Health and Human Resources then Education - Com. sub. reported 2/8/2023 - To Education 2/8/2023 - Com. sub. for com. sub. reported 2/17/2023 - Amended - Passed Senate 2/23/2023 - To House 2/23/2023 - To Health and Human Resources then Education

196. By Sen. Stuart, Hunt and Maroney - **Creating Substance Abuse Intervention Act** - Introduced 1/13/2023 - To Judiciary
197. By Sen. Trump, Woelfel and Jeffries - **Creating Paid Parental Leave Pilot Program** - Introduced 1/13/2023 - To Judiciary then Finance
- *198. By Sen. Hamilton and Maroney - **Requiring counties to register automated external defibrillators with Office of Emergency Medical Services** - Introduced 1/13/2023 - To Government Organization then Finance - Com. sub. reported 1/31/2023 - To Finance 1/31/2023
- *199. By Sen. Hamilton, Karnes, Phillips, Barrett, Martin, Queen, Maroney and Oliverio - **Requiring purchases of certain commodities and services from state use program partners** - Introduced 1/13/2023 - To Government Organization - Com. sub. reported 2/7/2023 - Referred to Finance 2/7/2023 - Com. sub. for com. sub. reported 2/27/2023 - Passed Senate 3/1/2023 - To House 3/2/2023 - To Government Organization then Finance
- *200. By Sen. Hamilton, Roberts and Jeffries - **Allowing leashed dogs to track wounded elk, turkey, and wild boar when hunting** - Introduced 1/13/2023 - To Agriculture and Natural Resources - Com. sub. reported 1/17/2023 - Amended - Passed Senate with amended title 1/23/2023 - To House 1/24/2023 - To Agriculture and Natural Resources then Judiciary - To House Judiciary - Amended - Passed House 3/10/2023 - Title amended - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 219, Acts, Regular Session, 2023
201. By Sen. Oliverio, Queen, Caputo, Hunt, Rucker and Maroney - **Increasing Homestead Property Tax Exemption for homeowners** (original similar to HB2566) - Introduced 1/13/2023 - To Finance
- *202. By Sen. Hamilton and Woelfel - **Increasing terms of Natural Resources Commission members from four to seven years** - Introduced 1/13/2023 - To Agriculture and Natural Resources - Com. sub. reported 1/24/2023 - Passed Senate 1/27/2023 - To House 1/30/2023 - To Agriculture and Natural Resources then Government Organization
203. By Sen. Trump - **Modifying minimum requirements for motor vehicle alcohol and drug test and lock systems** - Introduced 1/13/2023 - To Judiciary
204. By Sen. Trump - **Increasing salary for teachers with less than eight years of experience** - Introduced 1/13/2023 - To Education then Finance - To Finance 2/7/2023
- *205. By Sen. Clements - **Relating to registration plates** (original similar to HB2565) - Introduced 1/13/2023 - To Transportation and Infrastructure - Com. sub. reported 1/31/2023 - Passed Senate 2/3/2023 - To House 2/6/2023 - To Technology and Infrastructure - Amended - Passed House 3/4/2023 - Title amended - Senate concurred in House amendments and passed bill 3/8/2023 - To Governor 3/10/2023 - Approved by Governor 3/23/2023 - Chapter 209, Acts, Regular Session, 2023

206. By Sen. Deeds, Hamilton and Queen - **Increasing retirement benefit multiplier of Deputy Sherriff Retirement System Act** (original similar to HB2889) - Introduced 1/13/2023 - To Government Organization then Finance
207. By Sen. Jeffries and Plymale - **Relating to state allocation of funding to regional councils** (original similar to HB2750) - Introduced 1/13/2023 - To Economic Development - Passed Senate 1/24/2023 - To House 1/25/2023 - To Economic Development and Tourism - Passed House 2/1/2023 - To Governor 2/6/2023 - Approved by Governor 2/9/2023 - Chapter 116, Acts, Regular Session, 2023
- *208. By Sen. Caputo, Woelfel, Oliverio, Rucker, Hamilton, Hunt, Chapman, Stuart and Deeds - **Relating to criminal justice training for all law-enforcement and correction officers regarding individuals with autism spectrum disorders** - Introduced 1/13/2023 - To Judiciary - Com. sub. reported 1/20/2023 - Passed Senate 1/25/2023 - To House 1/26/2023 - To Judiciary - Passed House 3/2/2023 - To Governor 3/6/2023 - Approved by Governor 3/11/2023 - Chapter 227, Acts, Regular Session, 2023
- *209. By Sen. Trump, Oliverio and Chapman - **Permitting resident individuals to deduct medical expenses not reimbursed by insurance policy** - Introduced 1/13/2023 - To Banking and Insurance then Finance - Com. sub. reported 1/24/2023 - To Finance 1/24/2023
210. By Sen. Phillips, Chapman and Maynard - **Providing that all coal severance tax shall be provided to county that produced coal** - Introduced 1/13/2023 - To Energy, Industry, and Mining then Finance
- *211. By Sen. Clements and Rucker - **Relating to permanent windshield placard to be valid for duration of applicant's life** (original similar to HB2533) - Introduced 1/13/2023 - To Transportation and Infrastructure - Com. sub. reported 1/24/2023 - Referred to Rules 1/24/2023
212. By Sen. Woodrum and Caputo - **Establishing rebate for registration fees for hybrid vehicles** - Introduced 1/13/2023 - To Transportation and Infrastructure then Finance
- *213. By Sen. Clements - **Relating to responsibility for reimbursement of training cost of law-enforcement employees who leave original jurisdiction** - Introduced 1/13/2023 - To Government Organization then Finance - Com. sub. reported 2/10/2023 - To Finance 2/10/2023
214. By Sen. Woodrum and Roberts - **Prohibiting certain advertising by adult venues on public billboards** - Introduced 1/13/2023 - To Judiciary
215. By Sen. Woodrum, Swope, Trump, Woelfel, Taylor, Jeffries, Hunt, Hamilton and Maroney - **Creating No TikTok on Government Devices Act** (original similar to HB2542) - Introduced 1/13/2023 - To Government Organization
- *216. By Sen. Woodrum and Rucker - **Requiring all schools to instruct students on Holocaust, other genocides and financial literacy** - Introduced 1/13/2023 - To Education - Com. sub. reported 2/6/2023 - Passed Senate 2/9/2023 - To House 2/10/2023 - To Education then Finance - To House Finance 3/4/2023

217. By Sen. Chapman - **Requiring animal owners protect animals in cold weather** - Introduced 1/13/2023 - To Agriculture and Natural Resources then Judiciary
218. By Sen. Oliverio - **Establishing presidential primary election in presidential election years** (original similar to HB3406) - Introduced 1/13/2023 - To Government Organization then Judiciary
219. By Sen. Woodrum, Deeds and Maynard - **Requiring medically necessary care and treatment to address congenital anomalies associated with cleft lip and cleft palate** - Introduced 1/13/2023 - To Health and Human Resources then Finance
- *220. By Sen. Woodrum, Deeds, Rucker, Stuart, Hamilton and Trump - **Industrial Hemp Development Act** - Introduced 1/13/2023 - To Judiciary - Com. sub. reported 2/24/2023 - Amended - Passed Senate with amended title 3/1/2023 - To House 3/2/2023 - To Judiciary - Amended - Passed House 3/10/2023 - Title amended - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 173, Acts, Regular Session, 2023
221. By Sen. Clements and Barrett - **Creating title clearinghouse for non-resident businesses** (original similar to HB2506) - Introduced 1/13/2023 - To Finance
- *222. By Sen. Rucker and Hunt - **Creating adult education taskforce** - Introduced 1/13/2023 - To Education - Com. sub. reported 1/26/2023 - Passed Senate 1/31/2023 - To House 2/1/2023 - To Education
223. By Sen. Tarr - **Permitting Legislature to file suit in limited circumstances against Executive branch to faithfully execute laws passed** - Introduced 1/16/2023 - To Judiciary
224. By Sen. Tarr - **Establishing revocation of authority for spending by agency in support of challenge to WV law** (original similar to SB239) - Introduced 1/16/2023 - To Finance - Referred to Rules on 2nd reading 2/2/2023
225. By Sen. Stuart, Deeds, Hunt, Smith and Maynard - **Banning sale of Kratom in WV** (original similar to HB3106) - Introduced 1/16/2023 - To Judiciary
226. By Sen. Swope and Nelson - **Expiring funds from Coronavirus State Fiscal Recovery Fund to Reclamation of Abandoned and Dilapidated Properties Program Fund** (original similar to HB2617) - Introduced 1/16/2023 - To Finance
227. By Sen. Stuart and Maynard - **Promise for Promise Act** - Introduced 1/16/2023 - To Education then Finance
228. By Sen. Woelfel, Deeds and Plymale - **Mandating extended supervision for persons convicted of stalking and related felonious acts** - Introduced 1/16/2023 - To Judiciary

229. By Sen. Maynard, Karnes and Rucker - **Limiting liability of landowners when land is used for noncommercial recreational purposes** - Introduced 1/16/2023 - To Judiciary
230. By Sen. Roberts, Azinger, Deeds, Phillips, Rucker, Smith, Stuart, Trump, Martin, Maynard, Chapman, Taylor and Karnes - **Allowing voluntary immunization of students in private schools** - Introduced 1/16/2023 - To Health and Human Resources
231. By Sen. Swope, Hamilton, Jeffries, Martin, Nelson, Roberts, Rucker, Tarr, Trump, Woelfel, Phillips, Clements, Plymale and Hunt - **Transferring administration of WV Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program to Department of Economic Development** (original similar to HB2512) - Introduced 1/16/2023 - To Economic Development - Passed Senate 1/24/2023 - To House 1/25/2023 - Reference dispensed - Passed House 1/27/2023 - Effective from passage - Senate concurred in House changed effective date 1/30/2023 - Effective from passage - To Governor 2/1/2023 - Approved by Governor 2/6/2023 - Chapter 117, Acts, Regular Session, 2023
- *232. By Sen. Trump and Rucker - **Creating study group to make recommendations regarding diversion of persons with disabilities from criminal justice system** - Introduced 1/16/2023 - To Judiciary - Com. sub. reported 2/1/2023 - Passed Senate 2/6/2023 - Effective from passage - To House 2/7/2023 - To Judiciary - Amended - Passed House 3/10/2023 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 3/11/2023 - Effective from passage - To Governor 3/17/2023 - Approved by Governor 3/29/23 - Chapter 77, Acts, Regular Session, 2023
- *233. By Sen. Clements, Trump, Phillips, Rucker and Chapman - **Extending expiration of temporary registration plates from 60 to 90 days** (original similar to HB2530) - Introduced 1/16/2023 - To Transportation and Infrastructure - Com. sub. reported 1/24/2023 - Referred to Rules 1/24/2023
234. By Sen. Jeffries and Woelfel - **Clarifying uniform statewide deadline for electronically submitted voter registration applications** (original similar to HB3008) - Introduced 1/16/2023 - To Government Organization - Passed Senate 2/10/2023 - Effective from passage - To House 2/13/2023 - To Judiciary
235. By Sen. Jeffries, Grady, Woelfel and Hamilton - **Relating to voting rights of formerly incarcerated individuals** - Introduced 1/16/2023 - To Judiciary
- *236. By Sen. Maynard, Rucker, Karnes and Queen - **Motorsports Responsibility Act** (original similar to HB2569) - Introduced 1/16/2023 - To Outdoor Recreation then Judiciary - Com. sub. reported 1/20/2023 - To Judiciary 1/20/2023
237. By Sen. Nelson, Queen, Swope, Grady, Boley, Azinger, Hamilton, Plymale, Roberts, Deeds, Barrett, Hunt, Trump and Jeffries - **Relating to Public Employees Retirement System and State Teachers Retirement System** - Introduced 1/16/2023 - To Pensions then Finance - To Finance 1/20/2023 - Amended - Passed Senate 2/13/2023 - Effective July 1, 2023 - To House 2/14/2023 - To Pensions and Retirement then Finance - To House Finance -

Passed House 3/6/2023 - Effective July 1, 2023 - To Governor 3/9/2023 - Approved by Governor 3/13/2023 - Chapter 240, Acts, Regular Session, 2023

238. By Sen. Nelson and Swope - **Specifying when public employee's spouse may be covered by PEIA** - Introduced 1/16/2023 - To Health and Human Resources then Finance
- *239. By Sen. Azinger, Takubo and Deeds - **Requiring Commissioner of Bureau for Behavioral Health to engage certain providers and leaders to study homeless demographic** (original similar to HB2545, SB224) - Introduced 1/16/2023 - To Health and Human Resources - Com. sub. reported 1/25/2023 - Passed Senate 1/30/2023 - To House 1/31/2023 - To Prevention and Treatment of Substance Abuse then Health and Human Resources - 2nd reference dispensed - Passed House 2/15/2023 - To Governor 2/20/2023 - Approved by Governor 2/24/2023 - Chapter 186, Acts, Regular Session, 2023
240. By Sen. Woodrum - **Requiring state board of examination or registration proceedings to be open to public inspection** - Introduced 1/16/2023 - To Government Organization - Amended - Passed Senate 2/1/2023 - To House 2/2/2023 - To Government Organization - Amended - Passed House 3/10/2023 - Title amended - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/23 - Chapter 228, Acts, Regular Session, 2023
241. By Sen. Azinger, Woelfel and Plymale - **Patient Brokering Act** (original similar to HB2544) - Introduced 1/16/2023 - To Health and Human Resources - Passed Senate 1/30/2023 - To House 1/31/2023 - To Health and Human Resources - Amended - Passed House 2/8/2023 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 2/9/2023 - Effective from passage - To Governor 2/13/2023 - Approved by Governor 2/17/2023 - Chapter 251, Acts, Regular Session, 2023
- *242. By Sen. Azinger and Maynard - **Relating to residential substance use disorder programs** (original similar to HB2543) - Introduced 1/16/2023 - To Health and Human Resources then Judiciary - Com. sub. reported 2/1/2023 - To Judiciary 2/1/2023
- *243. By Sen. Azinger and Deeds - **Requiring substance use disorder inpatient providers to provide transportation to patients** (original similar to HB2546) - Introduced 1/16/2023 - To Health and Human Resources - Com. sub. reported 1/25/2023 - Passed Senate 1/30/2023 - To House 1/31/2023 - To Prevention and Treatment of Substance Abuse then Health and Human Resources - 2nd reference dispensed - Amended - Passed House 2/15/2023 - Senate amended House amendment and passed 2/20/2023 - House refused to concur
244. By Sen. Woodrum and Trump - **Making rosters of individuals who obtain professional, occupational, and trade licenses, registrations, and certificates available to public** - Introduced 1/16/2023 - To Government Organization - Passed Senate 1/25/2023 - To House 1/26/2023 - To Government Organization - Passed House 3/9/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 229, Acts, Regular Session, 2023

245. By Sen. Woodrum and Deeds - **Making rules and regulations promulgated by PSC subject to legislative rule-making review procedures** - Introduced 1/16/2023 - To Government Organization - Passed Senate 1/25/2023 - To House 1/26/2023 - To Government Organization then Judiciary
246. By Sen. Woodrum - **Revising membership of Broadband Enhancement Council** - Introduced 1/16/2023 - To Government Organization - Amended - Passed Senate with amended title 1/25/2023 - To House 1/26/2023 - To Technology and Infrastructure - Passed House 3/4/2023 - To Governor 3/8/2023 - Approved by Governor 3/29/23 - Chapter 57, Acts, Regular Session, 2023
- *247. By Sen. Woodrum - **Making administrative appeals and judicial review of board action subject to provisions of Administrative Procedures Act** - Introduced 1/16/2023 - To Judiciary - Com. sub. reported 2/2/2023 - Passed Senate 2/7/2023 - To House 2/8/2023 - To Judiciary - Passed House 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 230, Acts, Regular Session, 2023
- *248. By Sen. Woodrum - **Clarifying when excess funds accumulated by boards are to be transferred to General Revenue Fund** - Introduced 1/16/2023 - To Finance - Com. sub. reported 1/25/2023 - Passed Senate 1/30/2023 - To House 1/31/2023 - To Finance
- *249. By Sen. Woodrum - **WV Real Estate License Act** - Introduced 1/16/2023 - To Government Organization - Com. sub. reported 1/26/2023 - Passed Senate 1/31/2023 - To House 2/1/2023 - To Government Organization
- *250. By Sen. Clements and Woelfel - **Requiring certain drivers display student driver sign on rear of vehicle** - Introduced 1/17/2023 - To Transportation and Infrastructure - Com. sub. reported 1/31/2023 - Rereferred to Transportation and Infrastructure 2/1/2023 - Rev. com. sub. reported 2/7/2023 - Passed Senate 2/10/2023 - Effective July 1, 2023 - To House 2/13/2023 - To Technology and Infrastructure
251. By Sen. Azinger, Roberts, Deeds, Maynard, Trump, Grady and Stover - **Displaying official motto of United States in public schools and institutions of higher education** - Introduced 1/17/2023 - To Education - Passed Senate 1/30/2023 - To House 1/31/2023 - To Education then Judiciary - To House Judiciary 3/6/2023
252. By Sen. Azinger, Deeds and Maynard - **Prohibiting obscene materials in or within 2,500 feet of WV schools** - Introduced 1/17/2023 - To Judiciary
253. By Sen. Azinger and Karnes - **Criminalizing engaging in adult cabaret performance where it may be viewed by minor** - Introduced 1/17/2023 - To Judiciary
- *254. By Sen. Stuart - **Relating generally to mandatory state inspection of certain motor vehicles** - Introduced 1/17/2023 - To Transportation and Infrastructure then Finance - Com. sub. reported 1/24/2023 - 2nd reference dispensed - Amended - Passed Senate with amended title 1/27/2023 - Effective January 1, 2024 - To House 1/30/2023 - To Technology and Infrastructure then Finance - To House Finance 2/1/2023

255. By Sen. Maynard and Karnes - **Prohibiting discrimination against patients for declining or delaying vaccines** - Introduced 1/17/2023 - To Health and Human Resources then Finance
- *256. By Sen. Jeffries, Queen, Deeds, Plymale, Hamilton, Roberts and Hunt - **Relating to WV Economic Development Authority** - Introduced 1/17/2023 - To Economic Development - Com. sub. reported 2/2/2023 - Referred to Finance 2/2/2023
257. By Sen. Oliverio and Woelfel - **Providing for nonpartisan election of county sheriffs, prosecutors, assessors, county clerks, and circuit clerks** - Introduced 1/17/2023 - To Government Organization then Judiciary
- *258. By Sen. Trump and Deeds - **Eliminating ceiling on fair market value of consumer goods and permitting dealer to require security deposit** - Introduced 1/17/2023 - To Judiciary - Com. sub. reported 1/25/2023 - Passed Senate 1/30/2023 - To House 1/31/2023 - To Judiciary - Passed House 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 296, Acts, Regular Session, 2023
259. By Sen. Jeffries - **Relating to regulation of pawnbrokers** - Introduced 1/17/2023 - To Judiciary
260. By Sen. Jeffries - **Prohibiting Natural Resources Commission from establishing bag limit for antlered deer** - Introduced 1/17/2023 - To Agriculture and Natural Resources
261. By Sen. Jeffries and Woelfel - **Eliminating suspension of driver's license for failure to pay court fines and costs** - Introduced 1/17/2023 - To Judiciary then Finance
262. By Sen. Weld, Rucker, Oliverio, Phillips and Deeds - **Allowing students to transfer schools and retain athletic eligibility** - Introduced 1/17/2023 - To Education - Passed Senate with amended title 1/25/2023 - To House 1/26/2023 - To Education - On 1st reading, House Calendar 3/11/2023
263. By Sen. Phillips and Smith - **Requiring PSC to be involved in all construction contracts between utility companies and vendors** - Introduced 1/17/2023 - To Judiciary then Finance
- *264. By Sen. Weld, Hamilton, Woelfel, Jeffries, Deeds, Karnes, Chapman, Hunt, Oliverio and Plymale - **Prohibiting persons who have been convicted of certain crimes against minors from holding positions on boards of education** - Introduced 1/17/2023 - To Education - Com. sub. reported 1/20/2023 - Passed Senate 1/25/2023 - To House 1/26/2023 - To Judiciary
265. By Sen. Weld, Caputo, Phillips, Clements, Hunt and Rucker - **Allowing special license plate for antique motor vehicle to be permanent for life of vehicle** - Introduced 1/17/2023 - To Transportation and Infrastructure

- *266. By Sen. Takubo, Woelfel, Queen and Plymale - **Relating to tobacco usage restrictions** - Introduced 1/17/2023 - To Health and Human Resources then Finance - Com. sub. reported 2/3/2023 - To Finance 2/3/2023
- *267. By Sen. Takubo, Grady and Plymale - **Updating law regarding prior authorizations** (original similar to HB2535) - Introduced 1/17/2023 - To Health and Human Resources - Com. sub. reported 2/3/2023 - Referred to Finance 2/3/2023 - Amended - Passed Senate 2/27/2023 - To House 2/28/2023 - To Health and Human Resources - Passed House 3/7/2023 - Title amended - Senate concurred in House title amendment 3/8/2023 - Passed Senate 3/8/2023 - To Governor 3/10/2023 - Approved by Governor 3/23/2023 - Chapter 192, Acts, Regular Session, 2023
- *268. By Sen. Takubo, Hamilton, Queen, Plymale, Deeds and Nelson - **Relating to PEIA** (original similar to HB2534) - Introduced 1/17/2023 - To Health and Human Resources - Com. sub. reported 2/10/2023 - Referred to Finance 2/10/2023 - Com. sub. for com. sub. reported 2/22/2023 - Amended on 3rd reading - Passed Senate 2/25/2023 - Effective from passage - To House 2/27/2023 - To Finance - Amended - Passed House 3/4/2023 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 3/6/2023 - Effective from passage - To Governor 3/7/2023 - Approved by Governor 3/17/2023 - Chapter 241, Acts, Regular Session, 2023
- *269. By Sen. Takubo, Woelfel, Roberts, Deeds, Oliverio, Nelson and Queen - **Increasing dental coverage limit for Medicaid enrollees** - Introduced 1/17/2023 - To Health and Human Resources then Finance - Com. sub. reported 1/20/2023 - To Finance 1/20/2023
- *270. By Sen. Takubo - **Adding exemption to permit requirement for cremation** - Introduced 1/17/2023 - To Government Organization - Com. sub. reported 1/25/2023 - Passed Senate 1/30/2023 - To House 1/31/2023 - To Government Organization - Passed House 3/2/2023 - To Governor 3/6/2023 - Approved by Governor 3/11/2023 - Chapter 101, Acts, Regular Session, 2023
- *271. By Sen. Trump - **Modifying approval process requirements for First Responders Honor Board** (original similar to HB2873) - Introduced 1/17/2023 - To Government Organization - Com. sub. reported 1/25/2023 - Passed Senate 1/30/2023 - To House 1/31/2023 - To Fire Departments and Emergency Medical Services then Government Organization - To House Government Organization - Passed House 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 277, Acts, Regular Session, 2023
272. By Sen. Swope and Woelfel - **Authorizing use of Reclamation of Abandoned and Dilapidated Properties Program Fund** (original similar to HB2618) - Introduced 1/18/2023 - To Government Organization
- *273. By Sen. Trump, Woelfel, Plymale, Rucker, Barrett and Deeds - **Relating to allocation of child protective workers in counties based upon population of county** - Introduced 1/18/2023 - To Health and Human Resources then Finance - Com. sub. reported 1/27/2023 - To Finance 1/27/2023 - Com. sub. for com. sub. reported 2/17/2023 - Passed Senate 2/22/2023 - To House 2/24/2023 - To Health and Human Resources - Amended - Passed House 3/9/2023 - Title amended - Effective from passage - Senate amended House amendment and

passed 3/11/2023 - Effective from passage - House concurred in Senate title amendment 3/11/2023 - Passed House 3/11/2023 - Effective from passage - To Governor 3/17/2023 - Approved by Governor 3/29/23 - Chapter 59, Acts, Regular Session, 2023

- *274. By Sen. Grady, Woelfel, Queen, Roberts, Plymale, Nelson, Taylor, Deeds, Oliverio and Barrett - **Third Grade Success Act** - Introduced 1/18/2023 - To Education then Finance - Com. sub. reported 1/20/2023 - To Finance 1/20/2023 - Com. sub. for com. sub. reported 2/9/2023 - Amended - Passed Senate 2/14/2023 - Effective July 1, 2023 - To House 2/15/2023 - To Education then Finance - To House Finance 3/7/2023
275. By Sen. Trump, Deeds and Phillips - **Adding State Fire Marshals to statute included with law enforcement and first responders that receive information on school safety requirements** (original similar to HB2819) - Introduced 1/18/2023 - To Education - Passed Senate 2/3/2023 - To House 2/6/2023 - To Fire Departments and Emergency Medical Services then Education - To House Education - Passed House 2/16/2023 - Title amended - Senate concurred in House title amendment 2/17/2023 - Passed Senate 2/17/2023 - To Governor 2/20/2023 - Approved by Governor 2/24/2023 - Chapter 127, Acts, Regular Session, 2023
276. By Sen. Trump, Deeds and Phillips - **Awarding service weapon of retiring State Fire Marshal** (original similar to HB2871) - Introduced 1/18/2023 - To Judiciary - Passed Senate 1/27/2023 - Effective from passage - To House 1/30/2023 - To Judiciary - Passed House 3/2/2023 - Effective from passage - To Governor 3/6/2023 - Approved by Governor 3/11/2023 - Chapter 278, Acts, Regular Session, 2023
277. By Sen. Swope and Maynard - **WV Native American Tribes Unique Recognition, Authentication, and Listing Act** (original similar to HB2974) - Introduced 1/18/2023 - To Judiciary
278. By Sen. Azinger - **Protecting minors from exposure to indecent displays of sexually explicit nature** - Introduced 1/18/2023 - To Judiciary
279. By Sen. Azinger and Rucker - **Increasing protection for minor victims of human trafficking** - Introduced 1/18/2023 - To Judiciary
280. By Sen. Tarr and Taylor - **Relating to electoral reforms of WV judiciary** - Introduced 1/18/2023 - To Judiciary
281. By Sen. Tarr - **Precluding Department of Agriculture from cancellation of certain leases** - Introduced 1/18/2023 - To Agriculture and Natural Resources
- *282. By Sen. Tarr, Chapman, Grady, Deeds and Phillips - **Creating WV Guardian Program** - Introduced 1/18/2023 - To Education - Com. sub. reported 1/25/2023 - Passed Senate 1/30/2023 - To House 1/31/2023 - To Education then Judiciary - To House Judiciary 3/4/2023
283. By Sen. Weld and Deeds - **Relating to Military Incentive Program** - Introduced 1/18/2023 - To Military then Finance - 2nd reference dispensed -

- Passed Senate with amended title 1/30/2023 - To House 1/31/2023 - To Veterans' Affairs and Homeland Security then Finance
284. By Sen. Clements - **Relating to repeal of administrative hearing procedures for DUI offenses** (original similar to HB2564) - Introduced 1/18/2023 - To Judiciary
285. By Sen. Smith, Boley, Hunt, Phillips and Stuart - **Creating WV Coal Marketing Program** - Introduced 1/18/2023 - To Energy, Industry, and Mining then Finance
286. By Sen. Smith - **Relating to proceeds and application of hotel occupancy tax** - Introduced 1/18/2023 - To Economic Development
287. By Sen. Smith and Woelfel - **Prohibiting turkey hunting with rifle** - Introduced 1/18/2023 - To Agriculture and Natural Resources
288. By Sen. Karnes, Azinger, Barrett, Boley, Deeds, Grady, Hunt, Martin, Maynard, Phillips, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Woodrum, Trump, Clements and Hamilton - **Relating to Sexual Assault Examination Network** - Introduced 1/18/2023 - To Health and Human Resources
289. By Sen. Jeffries and Plymale - **Establishing Minority Health Advisory Team** - Introduced 1/18/2023 - To Health and Human Resources
- *290. By Sen. Takubo, Roberts, Clements, Barrett and Plymale - **Relating to dental health care service plans** - Introduced 1/18/2023 - To Health and Human Resources - Com. sub. reported 2/8/2023 - Passed Senate 2/13/2023 - To House 2/14/2023 - To Banking and Insurance then Health and Human Resources
291. By Sen. Maynard, Smith, Rucker, Hamilton and Karnes - **Eliminating restriction to carry firearm on State Capitol Complex grounds** - Introduced 1/18/2023 - To Judiciary
- *292. By Sen. Azinger, Deeds and Karnes - **Health Care Sharing Ministries Freedom to Share Act** - Introduced 1/18/2023 - To Banking and Insurance then Finance - Com. sub. reported 1/24/2023 - 2nd reference dispensed - Passed Senate 1/27/2023 - To House 1/30/2023 - To Banking and Insurance then Health and Human Resources then Judiciary - 2nd reference dispensed - To House Judiciary 2/24/2023
- *293. By Sen. Woodrum, Deeds and Hamilton - **Increasing fees charged by sheriff** (original similar to HB3466) - Introduced 1/18/2023 - To Government Organization - Com. sub. reported 2/15/2023 - Passed Senate 2/20/2023 - To House 2/20/2023 - To Finance - On 2nd reading, House Calendar 3/11/2023
- *294. By Sen. Woodrum and Deeds - **Clarifying amount of deputy sheriff annual salary increase** (original similar to SB18) - Introduced 1/18/2023 - To Government Organization then Finance - Com. sub. reported 1/31/2023 - 2nd reference dispensed - Passed Senate 2/3/2023 - To House 2/6/2023 - To Finance - Passed House 3/9/2023 - To Governor 3/15/2023 - Approved by Governor 3/15/2023 - Chapter 81, Acts, Regular Session, 2023

- *295. By Sen. Woodrum - **Extending time that prescription for spectacles remains valid** - Introduced 1/19/2023 - To Government Organization - Com. sub. reported 2/3/2023 - Amended - Passed Senate 2/8/2023 - To House 2/9/2023 - To Government Organization
296. By Sen. Woodrum, Trump, Karnes and Maynard - **Uniform Public Meetings During Emergencies Act** (original similar to HB3146) - Introduced 1/19/2023 - To Judiciary - Amended - Passed Senate 2/7/2023 - To House 2/8/2023 - To Government Organization
- *297. By Sen. Tarr, Woodrum, Phillips, Plymale and Queen - **Mountain Homes Act** - Introduced 1/19/2023 - To Economic Development then Finance - Com. sub. reported 2/9/2023 - To Finance 2/9/2023 - Passed Senate 2/22/2023 - To House 2/23/2023 - To Economic Development and Tourism then Finance
- *298. By Sen. Trump, Woodrum, Plymale and Deeds - **Relating to non-federally declared emergencies and non-states of emergency** - Introduced 1/19/2023 - To Judiciary - Com. sub. reported 1/24/2023 - Passed Senate 1/27/2023 - Effective from passage - To House 1/30/2023 - To Veterans' Affairs and Homeland Security then Judiciary - To House Judiciary - Passed House 3/10/2023 - Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 279, Acts, Regular Session, 2023
- *299. By Sen. Hunt, Azinger, Barrett, Chapman, Deeds, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Queen, Roberts, Rucker, Smith, Stover, Stuart, Takubo, Weld, Woelfel, Woodrum, Swope, Clements and Plymale - **Relating to crime of trespass generally** - Introduced 1/19/2023 - To Judiciary - Com. sub. reported 2/3/2023 - Passed Senate 2/8/2023 - To House 2/9/2023 - To Judiciary
- *300. By Sen. Trump, Caputo, Plymale and Hamilton - **Relating to law-enforcement training and certification** - Introduced 1/19/2023 - To Government Organization - Com. sub. reported 2/3/2023 - Passed Senate 2/8/2023 - To House 2/9/2023 - To Government Organization - Passed House 3/2/2023 - To Governor 3/6/2023 - Approved by Governor 3/11/2023 - Chapter 231, Acts, Regular Session, 2023
301. By Sen. Stuart and Hamilton - **Relating to Community Crime Prevention Act** - Introduced 1/20/2023 - To Transportation and Infrastructure
- *302. By Sen. Stuart and Hamilton - **Relating to Law Enforcement Safety Act** - Introduced 1/20/2023 - To Government Organization - Com. sub. reported 2/7/2023 - Passed Senate 2/10/2023 - To House 2/13/2023 - To Judiciary - Passed House 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 280, Acts, Regular Session, 2023
- *303. By Sen. Stuart and Hamilton - **Relating to Violent Crime Prevention Act** - Introduced 1/20/2023 - To Government Organization - Com. sub. reported 2/15/2023 - Passed Senate 2/20/2023 - To House 2/20/2023 - To Judiciary
304. By Sen. Stuart, Plymale, Hamilton, Maynard and Smith - **Increasing criminal penalty for fentanyl** - Introduced 1/20/2023 - To Judiciary

305. By Sen. Stuart - **Relating to dog racing requirements** (original similar to HB3137) - Introduced 1/20/2023 - To Judiciary then Finance
306. By Sen. Woelfel, Plymale, Grady and Deeds - **Establishing Summer Feeding for All Program** - Introduced 1/20/2023 - To Education - Passed Senate 1/31/2023 - To House 2/1/2023 - To Education then Finance
307. By Sen. Woodrum - **Authorizing Department of Administration to promulgate legislative rule relating to purchasing** (original similar to HB2638) - Introduced 1/20/2023 - To Judiciary
308. By Sen. Woodrum - **Authorizing Department of Administration to promulgate legislative rule relating to parking** (original similar to HB2639) - Introduced 1/20/2023 - To Judiciary
309. By Sen. Woodrum - **Authorizing DEP to promulgate legislative rule relating to standards of performance for new stationary sources** (original similar to HB2640) - Introduced 1/20/2023 - To Judiciary
310. By Sen. Woodrum - **Authorizing DEP to promulgate legislative rule relating to requirements for operating permits** (original similar to HB2641) - Introduced 1/20/2023 - To Judiciary
311. By Sen. Woodrum - **Authorizing DEP to promulgate legislative rule relating to emission standards for hazardous air pollutants** (original similar to HB2642) - Introduced 1/20/2023 - To Judiciary
312. By Sen. Woodrum - **Authorizing DEP to promulgate legislative rule relating to control of ozone season nitrogen oxides emissions** (original similar to HB2643) - Introduced 1/20/2023 - To Judiciary
313. By Sen. Woodrum - **Authorizing DEP to promulgate legislative rule relating to rules for quarrying and reclamation** (original similar to HB2644) - Introduced 1/20/2023 - To Judiciary
314. By Sen. Woodrum - **Authorizing DEP to promulgate legislative rule relating to recycling assistance grant program** (original similar to HB2645) - Introduced 1/20/2023 - To Judiciary
315. By Sen. Woodrum - **Authorizing DEP to promulgate legislative rule relating to Reclamation of Abandoned and Dilapidated Properties Grant Program** (original similar to HB2646) - Introduced 1/20/2023 - To Judiciary
316. By Sen. Woodrum - **Authorizing DEP to promulgate legislative rule relating to reclamation of solar and wind electricity generating facilities** (original similar to HB2647) - Introduced 1/20/2023 - To Judiciary
317. By Sen. Woodrum - **Authorizing DHHR to promulgate legislative rule relating to procedures pertaining to Dangerousness Assessment Advisory Board** (original similar to HB2648) - Introduced 1/20/2023 - To Judiciary

318. By Sen. Woodrum - **Authorizing DHHR to promulgate legislative rule relating to standards for local boards of health** (original similar to HB2649) - Introduced 1/20/2023 - To Judiciary
319. By Sen. Woodrum - **Authorizing DHHR to promulgate legislative rule relating to medical examiner requirements for postmortem inquiries** (original similar to HB2650) - Introduced 1/20/2023 - To Judiciary
320. By Sen. Woodrum - **Authorizing DHHR to promulgate legislative rule relating to Medical Cannabis Program grower and processors** (original similar to HB2651) - Introduced 1/20/2023 - To Judiciary
321. By Sen. Woodrum - **Authorizing DHHR to promulgate legislative rule relating to Medical Cannabis Program dispensaries** (original similar to HB2652) - Introduced 1/20/2023 - To Judiciary
322. By Sen. Woodrum - **Authorizing Health Care Authority to promulgate legislative rule relating to financial disclosure** (original similar to HB2653) - Introduced 1/20/2023 - To Judiciary
323. By Sen. Woodrum - **Authorizing DHHR to promulgate legislative rule relating to Uniform Bill Database** (original similar to HB2654) - Introduced 1/20/2023 - To Judiciary
324. By Sen. Woodrum - **Authorizing DHHR to promulgate legislative rule relating to development of methodologies to examine needs for substance use disorder treatment facilities within the state** (original similar to HB2655) - Introduced 1/20/2023 - To Judiciary
325. By Sen. Woodrum - **Authorizing DHHR to promulgate legislative rule relating to Core Behavioral Health Crisis Services System** (original similar to HB2656) - Introduced 1/20/2023 - To Judiciary
326. By Sen. Woodrum - **Authorizing DHHR to promulgate legislative rule relating to child care centers licensing** (original similar to HB2657) - Introduced 1/20/2023 - To Judiciary
327. By Sen. Woodrum - **Authorizing DHHR to promulgate legislative rule relating to minimum licensing requirements for residential childcare and treatment facilities for children and transitioning adults and vulnerable and transitioning youth group homes and programs in WV** (original similar to HB2658) - Introduced 1/20/2023 - To Judiciary
328. By Sen. Woodrum - **Authorizing DHHR to promulgate legislative rule relating to family child care facility licensing requirements** (original similar to HB2659) - Introduced 1/20/2023 - To Judiciary
329. By Sen. Woodrum - **Authorizing DHHR to promulgate legislative rule relating to family child care home registration requirements** (original similar to HB2660) - Introduced 1/20/2023 - To Judiciary
330. By Sen. Woodrum - **Authorizing DHHR to promulgate legislative rule relating to informal and relative family child care home registration**

- requirements** (original similar to HB2661) - Introduced 1/20/2023 - To Judiciary
331. By Sen. Woodrum - **Authorizing DHHR to promulgate legislative rule relating to out-of-school-time child care center licensing requirements** (original similar to HB2662) - Introduced 1/20/2023 - To Judiciary
332. By Sen. Woodrum - **Authorizing DHHR to promulgate legislative rule relating to goals for foster children** (original similar to HB2663) - Introduced 1/20/2023 - To Judiciary
333. By Sen. Woodrum - **Authorizing DHHR to promulgate legislative rule relating to deemed head start child care center licenses** (original similar to HB2664) - Introduced 1/20/2023 - To Judiciary
334. By Sen. Woodrum - **Authorizing DHHR and Insurance Commissioner to promulgate legislative rule relating to All-Payers Claims Database, Submission Manual** (original similar to HB2665) - Introduced 1/20/2023 - To Judiciary
- *335. By Sen. Woodrum - **Authorizing Department of Homeland Security to promulgate legislative rules** (original similar to HB2666) - Introduced 1/20/2023 - To Judiciary - Com. sub. reported 1/26/2023 - Passed Senate 1/31/2023 - Effective from passage - To House 2/1/2023 - To Judiciary - Passed House 3/6/2023 - Effective from passage - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 198, Acts, Regular Session, 2023
336. By Sen. Woodrum - **Authorizing Division of Emergency Management to promulgate legislative rule relating to National Flood Insurance Program** (original similar to HB2667) - Introduced 1/20/2023 - To Judiciary
337. By Sen. Woodrum - **Authorizing Fire Commission to promulgate legislative rule relating to hazardous substance emergency response training programs** (original similar to HB2668) - Introduced 1/20/2023 - To Judiciary
338. By Sen. Woodrum - **Authorizing Fire Commission to promulgate legislative rule relating to certification of home inspectors** (original similar to HB2669) - Introduced 1/20/2023 - To Judiciary
339. By Sen. Woodrum - **Authorizing Fire Commission to promulgate legislative rule relating to volunteer firefighters' training, equipment, and operating standards** (original similar to HB2670) - Introduced 1/20/2023 - To Judiciary
340. By Sen. Woodrum - **Authorizing Fire Marshal to promulgate legislative rule relating to certification of electrical inspectors** (original similar to HB2671) - Introduced 1/20/2023 - To Judiciary
341. By Sen. Woodrum - **Authorizing Fire Marshal to promulgate legislative rule relating to supervision of fire protection work** (original similar to HB2672) - Introduced 1/20/2023 - To Judiciary

342. By Sen. Woodrum - **Authorizing Fire Marshal to promulgate legislative rule relating to electrician licensing** (original similar to HB2673) - Introduced 1/20/2023 - To Judiciary
343. By Sen. Woodrum - **Authorizing Fire Marshal to promulgate legislative rule relating to certification of home inspectors** (original similar to HB2674) - Introduced 1/20/2023 - To Judiciary
344. By Sen. Woodrum - **Authorizing State Police to promulgate legislative rule relating to WV State Police professional standards investigations, employee rights, early identification system, psychological assessment, and progressive discipline** (original similar to HB2675) - Introduced 1/20/2023 - To Judiciary
- *345. By Sen. Woodrum - **Authorizing Department of Revenue to promulgate legislative rules** (original similar to HB2676) - Introduced 1/20/2023 - To Judiciary - Com. sub. reported 1/31/2023 - Passed Senate 2/3/2023 - Effective from passage - To House 2/6/2023 - To Judiciary - Amendment pending - Amended - Passed House 3/9/2023 - Effective from passage - Senate concurred in House amendments and passed bill 3/10/2023 - Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 199, Acts, Regular Session, 2023
346. By Sen. Woodrum - **Authorizing Insurance Commission to promulgate legislative rule relating to suitability in annuity transactions** (original similar to HB2677) - Introduced 1/20/2023 - To Judiciary
347. By Sen. Woodrum - **Authorizing Insurance Commission to promulgate legislative rule relating to pharmacy auditing entities and pharmacy benefit managers** (original similar to HB2678) - Introduced 1/20/2023 - To Judiciary
348. By Sen. Woodrum - **Authorizing Insurance Commission to promulgate legislative rule relating to bail bondsmen in criminal case** (original similar to HB2679) - Introduced 1/20/2023 - To Judiciary
349. By Sen. Woodrum - **Authorizing Lottery Commission to promulgate legislative rule relating to WV lottery sports wagering** (original similar to HB2680) - Introduced 1/20/2023 - To Judiciary
350. By Sen. Woodrum - **Authorizing Tax Department to promulgate legislative rule relating to Valuation of producing and reserve oil, natural gas liquids, and natural gas for ad valorem property tax purposes** (original similar to HB2681) - Introduced 1/20/2023 - To Judiciary
351. By Sen. Woodrum - **Authorizing Tax Department to promulgate legislative rule relating to Farm-to-Food Bank tax credit** (original similar to HB2683) - Introduced 1/20/2023 - To Judiciary
352. By Sen. Woodrum - **Authorizing Tax Department to promulgate legislative rule relating to WV Film Industry Investment Act** (original similar to HB2682) - Introduced 1/20/2023 - To Judiciary

353. By Sen. Woodrum - **Authorizing Tax Department to promulgate legislative rule relating to property transfer tax** (original similar to HB2684) - Introduced 1/20/2023 - To Judiciary
354. By Sen. Woodrum - **Authorizing Tax Department to promulgate legislative rule relating to municipal sales and use tax administration** (original similar to HB2685) - Introduced 1/20/2023 - To Judiciary
355. By Sen. Woodrum - **Authorizing Tax Department to promulgate legislative rule relating to personnel rule for Tax Division** (original similar to HB2686) - Introduced 1/20/2023 - To Judiciary
- *356. By Sen. Woodrum - **Authorizing DOT to promulgate legislative rules** (original similar to HB2687) - Introduced 1/20/2023 - To Judiciary - Com. sub. reported 1/26/2023 - Amended - Passed Senate with amended title 2/2/2023 - Effective from passage - To House 2/3/2023 - To Judiciary - Passed House 3/8/2023 - Effective from passage - To Governor 3/13/2023 - Approved by Governor 3/23/2023 - Chapter 200, Acts, Regular Session, 2023
357. By Sen. Woodrum - **Authorizing DMV to promulgate legislative rule relating to examination and issuance of driver's license** (original similar to HB2688) - Introduced 1/20/2023 - To Judiciary
358. By Sen. Woodrum - **Authorizing DMV to promulgate legislative rule relating to denial, suspension, revocation, disqualification, restriction, non-renewal, cancellation, administrative appeals, and reinstatement of driving privileges** (original similar to HB2689) - Introduced 1/20/2023 - To Judiciary
359. By Sen. Woodrum - **Authorizing DOH to promulgate legislative rule relating to disposal, lease and management of real property and appurtenant structures and relocation assistance** (original similar to HB2690) - Introduced 1/20/2023 - To Judiciary
360. By Sen. Woodrum - **Authorizing DOH to promulgate legislative rule relating to construction and reconstruction of state roads** (original similar to HB2691) - Introduced 1/20/2023 - To Judiciary
- *361. By Sen. Woodrum - **Authorizing miscellaneous boards and agencies to promulgate legislative rules** (original similar to HB2692) - Introduced 1/20/2023 - To Judiciary - Com. sub. reported 2/2/2023 - Passed Senate 2/7/2023 - Effective from passage - To House 2/8/2023 - To Judiciary - Amended - Passed House 3/10/2023 - Title amended - Effective from passage - Senate amended House amendment and passed 3/11/2023 - Effective from passage - House concurred in Senate amendment and passed 3/11/2023 - Effective from passage - To Governor 3/17/2023 - Approved by Governor 3/29/23 - Chapter 201, Acts, Regular Session, 2023
362. By Sen. Woodrum - **Authorizing Board of Acupuncture to promulgate legislative rule relating to advertising by licensed acupuncturists** (original similar to HB2693) - Introduced 1/20/2023 - To Judiciary
363. By Sen. Woodrum - **Authorizing Board of Acupuncture to promulgate legislative rule relating to standards of practice of acupuncture by licensed**

- acupuncturists** (original similar to HB2694) - Introduced 1/20/2023 - To Judiciary
364. By Sen. Woodrum - **Authorizing Board of Acupuncture to promulgate legislative rule relating to continuing education requirements** (original similar to HB2695) - Introduced 1/20/2023 - To Judiciary
365. By Sen. Woodrum - **Authorizing Department of Agriculture to promulgate legislative rule relating to WV apiary rule** (original similar to HB2696) - Introduced 1/20/2023 - To Judiciary
366. By Sen. Woodrum - **Authorizing Department of Agriculture to promulgate legislative rule relating to schedule of charges for inspection services: Fruit** (original similar to HB2697) - Introduced 1/20/2023 - To Judiciary
367. By Sen. Woodrum - **Authorizing Department of Agriculture to promulgate legislative rule relating to noxious weeds rule** (original similar to HB2698) - Introduced 1/20/2023 - To Judiciary
368. By Sen. Woodrum - **Authorizing Department of Agriculture to promulgate legislative rule relating to Grade "A" pasteurized milk** (original similar to HB2699) - Introduced 1/20/2023 - To Judiciary
369. By Sen. Woodrum - **Authorizing Agriculture Commissioner to promulgate legislative rule relating to inspection of nontraditional, domesticated animals** (original similar to HB2700) - Introduced 1/20/2023 - To Judiciary
370. By Sen. Woodrum - **Authorizing Department of Agriculture to promulgate legislative rule relating to hemp products** (original similar to HB2701) - Introduced 1/20/2023 - To Judiciary
371. By Sen. Woodrum - **Authorizing Department of Agriculture to promulgate legislative rule relating to livestock care standards** (original similar to HB2702) - Introduced 1/20/2023 - To Judiciary
372. By Sen. Woodrum - **Authorizing Department of Agriculture to promulgate legislative rule relating to farm-to-food bank tax credit** (original similar to HB2703) - Introduced 1/20/2023 - To Judiciary
373. By Sen. Woodrum - **Authorizing Department of Agriculture to promulgate legislative rule relating to farmers markets** (original similar to HB2704) - Introduced 1/20/2023 - To Judiciary
374. By Sen. Woodrum - **Authorizing Athletic Commission to promulgate legislative rule relating to administrative rules of WV State Athletic Commission** (original similar to HB2705) - Introduced 1/20/2023 - To Judiciary
375. By Sen. Woodrum - **Authorizing Athletic Commission to promulgate legislative rule relating to regulation of mixed martial arts** (original similar to HB2706) - Introduced 1/20/2023 - To Judiciary

376. By Sen. Woodrum - **Authorizing State Auditor to promulgate legislative rule relating to standards for voluntary payroll deductions** (original similar to HB2707) - Introduced 1/20/2023 - To Judiciary
377. By Sen. Woodrum - **Authorizing Conservation Agency to promulgate legislative rule relating to operation of WV State Conservation Committee and conservation districts** (original similar to HB2708) - Introduced 1/20/2023 - To Judiciary
378. By Sen. Woodrum - **Authorizing Conservation Agency to promulgate legislative rule relating to conservation district accounting and auditing standards** (original similar to HB2709) - Introduced 1/20/2023 - To Judiciary
379. By Sen. Woodrum - **Authorizing Board of Dentistry to promulgate legislative rule relating to dental recovery networks** (original similar to HB2710) - Introduced 1/20/2023 - To Judiciary
380. By Sen. Woodrum - **Authorizing Board of Funeral Service Examiners to promulgate legislative rule relating to funeral director, embalmer, apprentice, courtesy card holders, and funeral establishment requirements** (original similar to HB2711) - Introduced 1/20/2023 - To Judiciary
381. By Sen. Woodrum - **Authorizing Board of Funeral Service Examiners to promulgate legislative rule relating to crematory requirements** (original similar to HB2712) - Introduced 1/20/2023 - To Judiciary
382. By Sen. Woodrum - **Authorizing Board of Funeral Service Examiners to promulgate legislative rule relating to fee schedule** (original similar to HB2713) - Introduced 1/20/2023 - To Judiciary
383. By Sen. Woodrum - **Authorizing Board of Landscape Architects to promulgate legislative rule relating to registration of landscape architects** (original similar to HB2714) - Introduced 1/20/2023 - To Judiciary
384. By Sen. Woodrum - **Authorizing Board of Medicine to promulgate legislative rule relating to licensing of physicians and podiatric physicians and disciplinary procedures for applicants, licensees, credential holders** (original similar to HB2715) - Introduced 1/20/2023 - To Judiciary
385. By Sen. Woodrum - **Authorizing Board of Medicine to promulgate legislative rule relating to licensure, practice requirements, disciplinary and complaint procedures, continuing education, physician assistants** (original similar to HB2716) - Introduced 1/20/2023 - To Judiciary
386. By Sen. Woodrum - **Authorizing Board of Medicine to promulgate legislative rule relating to collaborative pharmacy practice** (original similar to HB2717) - Introduced 1/20/2023 - To Judiciary
387. By Sen. Woodrum - **Authorizing Board of Medicine to promulgate legislative rule relating to prohibiting sexual misconduct by health care practitioners** (original similar to HB2718) - Introduced 1/20/2023 - To Judiciary

388. By Sen. Woodrum - **Authorizing Board of Optometry to promulgate legislative rule relating to optometric telehealth practice** (original similar to HB2719) - Introduced 1/20/2023 - To Judiciary
389. By Sen. Woodrum - **Authorizing Board of Osteopathic Medicine to promulgate legislative rule relating to osteopathic physician assistants** (original similar to HB2720) - Introduced 1/20/2023 - To Judiciary
390. By Sen. Woodrum - **Authorizing Board of Pharmacy to promulgate legislative rule relating to licensure and practice of pharmacy** (original similar to HB2721) - Introduced 1/20/2023 - To Judiciary
391. By Sen. Woodrum - **Authorizing Board of Pharmacy to promulgate legislative rule relating to Uniform Controlled Substance Act** (original similar to HB2722) - Introduced 1/20/2023 - To Judiciary
392. By Sen. Woodrum - **Authorizing Board of Pharmacy to promulgate legislative rule relating to Board of Pharmacy rules for registration of pharmacy technicians** (original similar to HB2723) - Introduced 1/20/2023 - To Judiciary
393. By Sen. Woodrum - **Authorizing Board of Pharmacy to promulgate legislative rule relating to regulations governing pharmacy permits** (original similar to HB2724) - Introduced 1/20/2023 - To Judiciary
394. By Sen. Woodrum - **Authorizing Board of Pharmacy to promulgate legislative rule relating to inspections** (original similar to HB2725) - Introduced 1/20/2023 - To Judiciary
395. By Sen. Woodrum - **Authorizing Board of Pharmacy to promulgate legislative rule relating to Donated Drug Repository Program** (original similar to HB2726) - Introduced 1/20/2023 - To Judiciary
396. By Sen. Woodrum - **Authorizing Psychologists to promulgate legislative rule relating to code of conduct** (original similar to HB2727) - Introduced 1/20/2023 - To Judiciary
397. By Sen. Woodrum - **Authorizing Board of Registered Nurses to promulgate legislative rule relating to requirements for registration and licensure and conduct constituting professional misconduct** (original similar to HB2734) - Introduced 1/20/2023 - To Judiciary
398. By Sen. Woodrum - **Authorizing Board of Registered Nurses to promulgate legislative rule relating to advanced practice registered nurse licensure requirements** (original similar to HB2733) - Introduced 1/20/2023 - To Judiciary
399. By Sen. Woodrum - **Authorizing Board of Registered Nurses to promulgate legislative rule relating to limited prescriptive authority for nurses in advanced practice** (original similar to HB2732) - Introduced 1/20/2023 - To Judiciary

400. By Sen. Woodrum - **Authorizing Board of Registered Nurses to promulgate legislative rule relating to continuing education and competence** (original similar to HB2731) - Introduced 1/20/2023 - To Judiciary
401. By Sen. Woodrum - **Authorizing Board of Registered Nurses to promulgate legislative rule relating to fees for services rendered by board** (original similar to HB2730) - Introduced 1/20/2023 - To Judiciary
402. By Sen. Woodrum - **Authorizing Board of Registered Nurses to promulgate legislative rule relating to practitioner requirements for accessing WV Controlled Substance Monitoring Program database** (original similar to HB2729) - Introduced 1/20/2023 - To Judiciary
403. By Sen. Woodrum - **Authorizing Board of Registered Nurses to promulgate legislative rule relating to telehealth practice** (original similar to HB2728) - Introduced 1/20/2023 - To Judiciary
404. By Sen. Woodrum - **Authorizing Secretary of State to promulgate legislative rule relating to early voting in-person satellite precincts** (original similar to HB2735) - Introduced 1/20/2023 - To Judiciary
405. By Sen. Woodrum - **Authorizing Secretary of State to promulgate legislative rule relating to Combined Voter Registration and Driver Licensing Fund** (original similar to HB2736) - Introduced 1/20/2023 - To Judiciary
406. By Sen. Woodrum - **Authorizing Secretary of State to promulgate legislative rule relating to administrative procedures for Nonpublic Funding for Election Administration Fund** (original similar to HB2737) - Introduced 1/20/2023 - To Judiciary
407. By Sen. Woodrum - **Authorizing State Treasurer to promulgate legislative rule relating to enforcement of Uniform Unclaimed Property Act** (original similar to HB2738) - Introduced 1/20/2023 - To Judiciary
408. By Sen. Woodrum - **Authorizing State Treasurer to promulgate legislative rule relating to Jumpstart Savings Program** (original similar to HB2739) - Introduced 1/20/2023 - To Judiciary
- *409. By Sen. Woodrum - **Authorizing Department of Commerce to promulgate legislative rules** (original similar to HB2740) - Introduced 1/20/2023 - To Judiciary - Com. sub. reported 2/9/2023 - Passed Senate 2/14/2023 - Effective from passage - To House 2/15/2023 - To Judiciary - Passed House 3/10/2023 - Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 202, Acts, Regular Session, 2023
410. By Sen. Woodrum - **Authorizing Division of Labor to promulgate legislative rule relating to WV Board of Manufactured Housing construction and safety** (original similar to HB2741) - Introduced 1/20/2023 - To Judiciary
411. By Sen. Woodrum - **Authorizing Division of Labor to promulgate legislative rule relating to supervision of plumbing work** (original similar to HB2742) - Introduced 1/20/2023 - To Judiciary

412. By Sen. Woodrum - **Authorizing Division of Labor to promulgate legislative rule relating to regulation of heating, ventilating, and cooling work** (original similar to HB2743) - Introduced 1/20/2023 - To Judiciary
413. By Sen. Woodrum - **Authorizing Division of Labor to promulgate legislative rule relating to registration of service persons and service agencies** (original similar to HB2744) - Introduced 1/20/2023 - To Judiciary
414. By Sen. Woodrum - **Authorizing Division of Labor to promulgate legislative rule relating to registration of weighing and measuring devices used by businesses in commercial transactions** (original similar to HB2745) - Introduced 1/20/2023 - To Judiciary
415. By Sen. Woodrum - **Authorizing Division of Natural Resources to promulgate legislative rule relating to hunting, fishing, and other outfitters and guides** (original similar to HB2746) - Introduced 1/20/2023 - To Judiciary
416. By Sen. Woodrum - **Authorizing Division of Natural Resources to promulgate legislative rule relating to commercial whitewater outfitters** (original similar to HB2747) - Introduced 1/20/2023 - To Judiciary
417. By Sen. Woodrum - **Authorizing Division of Natural Resources to promulgate legislative rule relating to special motorboating regulations** (original similar to HB2748) - Introduced 1/20/2023 - To Judiciary
418. By Sen. Woodrum - **Authorizing Division of Natural Resources to promulgate legislative rule relating to miscellaneous permits and licenses** (original similar to HB2749) - Introduced 1/20/2023 - To Judiciary
- *419. By Sen. Weld and Deeds - **Establishing standards for licensure of military trained applicants** - Introduced 1/23/2023 - To Military then Government Organization - Com. sub. reported 1/24/2023 - To Government Organization 1/24/2023 - Com. sub. for com. sub. reported 2/3/2023 - Passed Senate 2/8/2023 - To House 2/9/2023 - To Veterans' Affairs and Homeland Security then Government Organization - To House Government Organization 2/23/2023
420. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Establishing one-time bonus payment for certain retirants** (original similar to HB2893) - Introduced 1/23/2023 - To Pensions then Finance
421. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Updating federal taxable income and other terms in WV Corporation Net Income Tax Act** (original similar to HB2777) - Introduced 1/23/2023 - To Finance
- *422. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Requiring public schools to publish curriculum online at beginning of each new school year** (original similar to HB2778) - Introduced 1/23/2023 - To Education - Com. sub. reported 2/24/2023 - Amended - Passed Senate 2/28/2023 - To House 3/1/2023 - To Education - Amended - Passed House 3/10/2023 - Title amended - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/21/2023 - Chapter 128, Acts, Regular Session, 2023

- *423. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Increasing salary for certain state employees** - Introduced 1/23/2023 - To Finance - Com. sub. reported 2/22/2023 - Passed Senate 2/25/2023 - Effective July 1, 2023 - To House 2/27/2023 - To Finance - Amended - Passed House 3/4/2023 - Effective July 1, 2023 - Senate concurred in House amendments and passed bill 3/6/2023 - Effective July 1, 2023 - To Governor 3/7/2023 - Approved by Governor 3/17/2023 - Chapter 242, Acts, Regular Session, 2023
- *424. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Authorizing refundable tax credit applied against personal income tax or corporation net income tax** (original similar to HB2894) - Introduced 1/23/2023 - To Finance - Com. sub. reported 2/8/2023 - Constitutional rule suspended - Passed Senate 2/8/2023 - Effective from passage - Senate reconsidered action - Amended on 3rd reading - Passed Senate 2/9/2023 - Effective from passage - To House 2/10/2023 - To Finance
425. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Granting cost-of-living stipend to correctional officers employed by Division of Corrections and Rehabilitation** (original similar to HB2895) - Introduced 1/23/2023 - To Finance
- *426. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Banning use of certain products and platforms deemed unsafe or high risk on government systems** (original similar to HB2898) - Introduced 1/23/2023 - To Judiciary - Com. sub. reported 1/25/2023 - Amended - Passed Senate 2/1/2023 - To House 2/2/2023 - To Judiciary - Amended - Passed House 3/10/2023 - Title amended - Senate amended House amendment and passed 3/11/2023 - House refused to concur and requested Senate to recede 3/11/2023 - Senate refused to recede and requests House to reconsider 3/11/2023
427. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Updating meaning of federal adjusted gross income and certain other terms used in WV Personal Income Tax Act** (original similar to HB2776) - Introduced 1/23/2023 - To Finance
428. By Sen. Grady, Roberts and Plymale - **Revising requirements of local school improvement councils** - Introduced 1/23/2023 - To Education - Passed Senate with amended title 1/31/2023 - To House 2/1/2023 - To Education
- *429. By Sen. Smith and Taylor - **Establishing statewide health and safety fee for tourism and recreational activities by county commissions** - Introduced 1/23/2023 - To Government Organization - Com. sub. reported 2/17/2023 - Amended - Passed Senate with amended title 2/22/2023 - To House 2/23/2023 - To Economic Development and Tourism then Finance
- *430. By Sen. Tarr - **Relating to State Treasurer's authority to contract with financial institutions for banking goods and services** - Introduced 1/23/2023 - To Banking and Insurance - Com. sub. reported 2/15/2023 - Passed Senate 2/20/2023 - To House 2/24/2023 - To Government Organization then Judiciary - 2nd reference dispensed - Passed House 3/3/2023 - To Governor 3/8/2023 - Approved by Governor 3/28/2023 - Chapter 272, Acts, Regular Session, 2023

431. By Sen. Tarr - **Modifying permissible percentage of light transmission for sun screening devices used in automotive safety glazing** - Introduced 1/23/2023 - To Transportation and Infrastructure
432. By Sen. Woodrum - **Granting Fleet Management Division oversight authority of state vehicle fleet** (original similar to HB2878) - Introduced 1/23/2023 - To Government Organization
433. By Sen. Rucker, Hamilton, Oliverio, Stover, Martin, Queen, Barrett and Chapman - **Establishing requirements for state board and local education agency to screen for dyslexia** - Introduced 1/23/2023 - To Education then Finance
434. By Sen. Taylor, Azinger, Chapman, Karnes, Martin, Maynard, Phillips, Smith and Clements - **School Safety Act** (original similar to SB10) - Introduced 1/23/2023 - To Education then Judiciary
435. By Sen. Woodrum - **Recognizing Commission on Uniform State Laws as presumptive provider of continuing legal education** (original similar to HB3145) - Introduced 1/23/2023 - To Judiciary
- *436. By Sen. Tarr, Swope, Jeffries and Barrett - **Prompt Payment Act of 2023** - Introduced 1/23/2023 - To Government Organization then Finance - Com. sub. reported 2/3/2023 - To Finance 2/3/2023 - Com. sub. for com. sub. reported 2/17/2023 - Amended - Passed Senate 2/22/2023 - Effective July 1, 2023 - To House 2/23/2023 - To Government Organization then Finance - To House Finance 3/6/2023
437. By Sen. Chapman, Woelfel and Weld - **Relating to payment of state funds to qualified childcare entities** - Introduced 1/23/2023 - To Health and Human Resources then Finance
438. By Sen. Clements, Swope, Chapman and Nelson - **Return to WV Tax Credit Act** - Introduced 1/23/2023 - To Finance - Passed Senate 2/27/2023 - To House 2/28/2023 - To Finance
- *439. By Sen. Smith, Caputo, Hamilton, Phillips, Taylor, Swope and Nelson - **Establishing design-build program for DEP** (original similar to HB3129) - Introduced 1/23/2023 - To Energy, Industry, and Mining - Com. sub. reported 1/25/2023 - Passed Senate 1/30/2023 - To House 1/31/2023 - To Energy and Manufacturing then Technology and Infrastructure - To House Technology and Infrastructure - Amended - Passed House 3/4/2023 - Effective from passage - Senate concurred in House amendments and passed bill 3/7/2023 - Effective from passage - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 162, Acts, Regular Session, 2023
- *440. By Sen. Clements, Swope and Jeffries - **Authorizing DOH pay current obligations from State Road Fund** - Introduced 1/23/2023 - To Transportation and Infrastructure then Finance - Com. sub. reported 2/15/2023 - To Finance 2/15/2023 - Com. sub. for com. sub. reported 2/24/2023 - Passed Senate 2/28/2023 - To House 3/1/2023 - To Finance

441. By Sen. Tarr and Chapman - **Removing additional one and one-half percent interest rate for tax underpayments** (original similar to HB3246) - Introduced 1/23/2023 - To Finance - Removed from calendar by action of Committee on Rules on 2nd reading
442. By Sen. Tarr, Martin and Oliverio - **Providing option for pass-through entities to pay income tax at entity level** (original similar to HB3245) - Introduced 1/23/2023 - To Finance
443. By Sen. Tarr - **Directing payment of estate administration fee to State Auditor** (original similar to HB3239) - Introduced 1/23/2023 - To Finance - Passed Senate 1/31/2023 - Effective July 1, 2023 - To House 2/1/2023 - To Finance - Passed House 3/10/2023 - Effective July 1, 2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 153, Acts, Regular Session, 2023
444. By Sen. Tarr - **Transferring moneys in WV Future Fund to General Revenue Fund** (original similar to HB3240) - Introduced 1/23/2023 - To Finance - Passed Senate 1/31/2023 - Effective July 1, 2023 - To House 2/1/2023 - To Finance - Passed House 3/10/2023 - Effective July 1, 2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 273, Acts, Regular Session, 2023
445. By Sen. Grady, Plymale and Woelfel - **Repealing outdated section of WV code relating to WV Graduate College and Marshall University** (original similar to HB2835) - Introduced 1/23/2023 - To Education - Referred to Rules on 1st reading 2/1/2023
446. By Sen. Tarr - **Removing methanol and methanol fuel from definition of special fuel** (original similar to HB3238) - Introduced 1/23/2023 - To Finance - Passed Senate 1/31/2023 - Effective July 1, 2023 - To House 2/1/2023 - To Finance - Passed House 3/10/2023 - Title amended - Effective July 1, 2023 - Senate concurred in House title amendment 3/11/2023 - Passed Senate 3/11/2023 - Effective July 1, 2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 306, Acts, Regular Session, 2023
- *447. By Sen. Smith, Deeds, Chapman, Taylor, Caputo and Maynard - **Providing tax credit to certain disabled veterans for lifetime hunting, trapping, and fishing license** - Introduced 1/24/2023 - To Military then Finance - Com. sub. reported 2/8/2023 - To Finance 2/8/2023
- *448. By Sen. Smith, Clements and Woodrum - **Providing funding for DEP Office of Oil and Gas** (original similar to HB3110) - Introduced 1/24/2023 - To Energy, Industry, and Mining then Finance - Com. sub. reported 2/1/2023 - To Finance 2/1/2023
449. By Sen. Nelson, Deeds, Oliverio and Hunt - **Updating terms for Natural Resources Police Officers Retirement System and retirement systems for charter schools** (original similar to HB3235) - Introduced 1/24/2023 - To Pensions then Finance - 2nd reference dispensed - Passed Senate 2/8/2023 - To House 2/9/2023 - To Pensions and Retirement then Finance - To House Finance - Amended - Passed House 3/6/2023 - Senate concurred in House amendments

and passed bill 3/7/2023 - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 243, Acts, Regular Session, 2023

- *450. By Sen. Nelson and Hunt - **Defining medical examination for disability purposes in retirement plans administered by Consolidated Public Retirement Board** (original similar to HB3234) - Introduced 1/24/2023 - To Pensions then Finance - Com. sub. reported 2/3/2023 - 2nd reference dispensed - Passed Senate 2/8/2023 - To House 2/9/2023 - To Pensions and Retirement then Finance - To House Finance - Amended - Passed House 3/6/2023 - Senate concurred in House amendments and passed bill 3/7/2023 - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 244, Acts, Regular Session, 2023
- *451. By Sen. Nelson and Hunt - **Relating to Teachers Retirement System and Teachers' Defined Contribution Retirement System** (original similar to HB3236) - Introduced 1/24/2023 - To Pensions then Finance - Com. sub. reported 2/2/2023 - 2nd reference dispensed - Passed Senate 2/8/2023 - To House 2/9/2023 - To Pensions and Retirement then Finance - To House Finance - Passed House 3/8/2023 - Title amended - Senate concurred in House title amendment 3/9/2023 - Passed Senate 3/9/2023 - To Governor 3/13/2023 - Approved by Governor 3/23/2023 - Chapter 245, Acts, Regular Session, 2023
452. By Sen. Nelson and Hunt - **Relating to Emergency Medical Services Retirement System** (original similar to HB3242) - Introduced 1/24/2023 - To Pensions then Finance - 2nd reference dispensed - Removed from calendar by action of Committee on Rules on 2nd reading - Passed Senate 2/17/2023 - To House 2/20/2023 - To Pensions and Retirement then Finance - To House Finance - Passed House 3/8/2023 - To Governor 3/13/2023 - Approved by Governor 3/23/2023 - Chapter 246, Acts, Regular Session, 2023
- *453. By Sen. Nelson and Hunt - **Ensuring retirement contributions and delinquency charges of charter school employees be paid upon school closure or by successor** (original similar to HB3237) - Introduced 1/24/2023 - To School Choice then Pensions - To Pensions 2/2/2023 - Com. sub. reported 2/9/2023 - Removed from calendar by action of Committee on Rules on 2nd reading - Passed Senate 2/17/2023 - To House 2/20/2023 - To Pensions and Retirement then Finance - To House Finance - Passed House 3/6/2023 - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 129, Acts, Regular Session, 2023
454. By Sen. Jeffries, Woelfel, Caputo, Queen and Taylor - **WV Children's Vision Act** - Introduced 1/24/2023 - To Education then Finance
- *455. By Sen. Phillips - **Modifying certain used car restrictions** - Introduced 1/24/2023 - To Transportation and Infrastructure - Com. sub. reported 2/15/2023 - Passed Senate 2/20/2023 - To House 2/20/2023 - To Technology and Infrastructure - Passed House 3/6/2023 - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 210, Acts, Regular Session, 2023
456. By Sen. Clements, Plymale and Smith - **Authorizing DOH to prescribe restrictions, conditions, and regulations for railways crossing state roads** (original similar to HB2531) - Introduced 1/24/2023 - To Transportation and Infrastructure

457. By Sen. Barrett - **Removing certain activities Alcohol Beverage Control Commission licensee is prohibited to permit on private club premises** - Introduced 1/24/2023 - To Government Organization - Passed Senate 2/3/2023 - To House 2/6/2023 - To Judiciary - Amended - Passed House 3/8/2023 - Senate concurred in House amendments and passed bill 3/9/2023 - To Governor 3/13/2023 - Approved by Governor 3/23/2023 - Chapter 159, Acts, Regular Session, 2023
458. By Sen. Nelson - **Setting rate of interest on delinquent retirement contribution submissions** (original similar to HB3241) - Introduced 1/24/2023 - To Pensions then Finance - 2nd reference dispensed - Removed from calendar by action of Committee on Rules on 2nd reading - Passed Senate 2/17/2023 - To House 2/20/2023 - To Pensions and Retirement then Finance - To House Finance - Passed House 3/6/2023 - To Governor 3/9/2023 - Approved by Governor 3/22/2023 - Chapter 163, Acts, Regular Session, 2023
459. By Sen. Rucker and Smith - **Clarifying residency requirements for voter registration** - Introduced 1/24/2023 - To Judiciary
460. By Sen. Clements - **Relating to WV Grant Transparency and Accountability Act** - Introduced 1/24/2023 - To Finance
- *461. By Sen. Clements and Rucker - **Relating to WV public employees grievance procedure** (original similar to HB2507) - Introduced 1/24/2023 - To Judiciary - Com. sub. reported 1/31/2023 - Passed Senate 2/3/2023 - To House 2/6/2023 - To Judiciary - Amended - Passed House 3/10/2023 - Title amended - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 247, Acts, Regular Session, 2023
- *462. By Sen. Phillips, Woelfel, Woodrum and Barrett - **Modifying certain guidelines for motor vehicle dealers, distributors, wholesalers, and manufacturers** - Introduced 1/24/2023 - To Judiciary - Com. sub. reported 2/22/2023 - Passed Senate 2/25/2023 - To House 2/27/2023 - To Judiciary - On 2nd reading, House Calendar 3/11/2023
- *463. By Sen. Clements and Plymale - **Increasing validity of CDL instruction permit** (original similar to HB3032) - Introduced 1/24/2023 - To Transportation and Infrastructure - Com. sub. reported 1/31/2023 - Passed Senate 2/6/2023 - To House 2/7/2023 - To Technology and Infrastructure - Amended - Passed House 3/4/2023 - Title amended - Senate concurred in House amendments and passed bill 3/8/2023 - To Governor 3/10/2023 - Approved by Governor 3/23/2023 - Chapter 211, Acts, Regular Session, 2023
- *464. By Sen. Barrett, Deeds, Trump, Rucker and Clements - **Authorizing locality pay to correctional officers working at facilities having critical staffing shortages** - Introduced 1/24/2023 - To Government Organization - Com. sub. reported 2/24/2023 - Referred to Finance 2/24/2023
465. By Sen. Clements, Azinger, Caputo, Chapman, Maroney, Oliverio, Weld, Woodrum, Deeds, Plymale and Jeffries - **Increasing limit on moneys placed in county's rainy day fund** - Introduced 1/25/2023 - To Government

Organization - Passed Senate 2/8/2023 - To House 2/9/2023 - To Finance - Passed House 3/9/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 82, Acts, Regular Session, 2023

466. By Sen. Phillips, Smith, Barrett and Maynard - **Prohibiting financial institutions from discriminating against firearms businesses** - Introduced 1/25/2023 - To Judiciary
- *467. By Sen. Woodrum and Deeds - **Providing county commissioners ongoing mechanism to consider compensation increases for elected officials every two years** - Introduced 1/25/2023 - To Government Organization - Com. sub. reported 2/10/2023 - Passed Senate 2/15/2023 - To House 2/16/2023 - To Government Organization - On 1st reading, House Calendar 3/11/2023
- *468. By Sen. Hamilton, Maynard, Plymale, Taylor, Stuart and Karnes - **Continuing Cabwaylingo State Forest Trail System** - Introduced 1/25/2023 - To Outdoor Recreation - Com. sub. reported 2/27/2023 - Passed Senate 3/1/2023 - To House 3/2/2023 - To Economic Development and Tourism - Amended - Passed House 3/6/2023 - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 220, Acts, Regular Session, 2023
- *469. By Sen. Grady, Jeffries, Deeds, Queen, Caputo, Takubo, Tarr, Woelfel, Nelson, Woodrum, Oliverio, Taylor and Phillips - **Providing funding for CPR instruction to high school students** (original similar to HB3501) - Introduced 1/25/2023 - To Education then Finance - To Finance 1/31/2023 - Com. sub. reported 2/22/2023 - Passed Senate 2/25/2023 - Effective July 1, 2023 - To House 2/27/2023 - To Finance - Passed House 3/10/2023 - Effective July 1, 2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 130, Acts, Regular Session, 2023
- *470. By Sen. Azinger, Maynard and Karnes - **Making adoption records accessible for medical purposes** - Introduced 1/25/2023 - To Judiciary - Com. sub. reported 2/25/2023 - On 2nd reading to Judiciary 2/25/2023 - Amended - Passed Senate with amended title 3/1/2023 - To House 3/2/2023 - To Judiciary
471. By Sen. Weld - **Amending modification date for federal adjusted gross income** - Introduced 1/25/2023 - To Finance
- *472. By Sen. Weld, Grady, Deeds, Rucker, Woelfel, Phillips, Tarr, Woodrum and Hunt - **Creating criminal offense of indecent exposure in front of minors** - Introduced 1/25/2023 - To Judiciary - Com. sub. reported 1/31/2023 - Removed from calendar by action of Committee on Rules on 3rd reading
473. By Sen. Weld, Rucker, Woodrum, Martin and Maynard - **Exempting certain irrevocable trusts from personal income tax** - Introduced 1/25/2023 - To Finance
474. By Sen. Nelson, Plymale and Oliverio - **Requiring municipal pensions oversight board to propose legislative rules** (original similar to HB3244) - Introduced 1/25/2023 - To Pensions - Removed from calendar by action of Committee on Rules on 2nd reading - Passed Senate 2/17/2023 - To House 2/20/2023 - To Finance

- *475. By Sen. Nelson and Plymale - **Modifying examinations for disability pensions** (original similar to HB3243) - Introduced 1/25/2023 - To Pensions - Com. sub. reported 2/2/2023 - Passed Senate 2/7/2023 - To House 2/8/2023 - To Pensions and Retirement then Finance - To House Finance - Passed House 3/6/2023 - Effective July 1, 2023 - Senate concurred in House changed effective date 3/7/2023 - Effective July 1, 2023 - To Governor 3/9/2023 - Approved by Governor 3/29/23 - Chapter 83, Acts, Regular Session, 2023
- *476. By Sen. Tarr - **Exempting managed care contracts from purchasing requirements** - Introduced 1/25/2023 - To Health and Human Resources - Com. sub. reported 2/24/2023 - Passed Senate 2/28/2023 - To House 3/1/2023 - To Health and Human Resources - Amended - Passed House 3/7/2023 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 3/8/2023 - Effective from passage - To Governor 3/10/2023 - Approved by Governor 3/29/23 - Chapter 187, Acts, Regular Session, 2023
477. By Sen. Nelson and Plymale - **Relating to financing municipal policemen's and firemen's pension and relief funds** (original similar to HB3148) - Introduced 1/26/2023 - To Pensions
- *478. By Sen. Grady and Plymale - **Relating to Jumpstart Savings Program** - Introduced 1/26/2023 - To Finance - Com. sub. reported 2/9/2023 - Passed Senate 2/14/2023 - Effective from passage - To House 2/15/2023 - To Finance - Amended - Passed House 3/9/2023 - Effective from passage - Senate concurred in House amendments and passed bill 3/10/2023 - Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 307, Acts, Regular Session, 2023
- *479. By Sen. Grady, Plymale, Deeds, Woelfel and Caputo - **Expanding certain insurance coverages for pregnant women** - Introduced 1/26/2023 - To Health and Human Resources then Finance - Com. sub. reported 2/1/2023 - To Finance 2/1/2023
- *480. By Sen. Oliverio, Azinger, Barrett and Queen - **Modifying group accident and sickness insurance requirements** - Introduced 1/26/2023 - To Banking and Insurance - Com. sub. reported 2/21/2023 - Passed Senate 2/23/2023 - To House 2/23/2023 - To Health and Human Resources then Government Organization
481. By Sen. Roberts, Caputo, Jeffries, Nelson, Smith, Stover, Woodrum, Phillips and Deeds - **Extending sunset provision of Upper Kanawha Valley Resiliency and Revitalization Program** - Introduced 1/26/2023 - To Economic Development - Passed Senate 2/14/2023 - To House 2/15/2023 - To Government Organization - Passed House 3/2/2023 - To Governor 3/6/2023 - Approved by Governor 3/11/2023 - Chapter 118, Acts, Regular Session, 2023
- *482. By Sen. Trump, Woodrum, Barrett, Deeds and Rucker - **Relating to circuit composition and staffing of circuit courts, family courts, and magistrates** - Introduced 1/26/2023 - To Judiciary then Finance - Com. sub. reported 2/9/2023 - To Finance 2/9/2023

483. By Sen. Barrett and Woelfel - **Relating to taxation of gambling and lottery winnings** (original similar to HB2377, HB2808, HB2821) - Introduced 1/26/2023 - To Finance
- *484. By Sen. Rucker, Deeds, Barrett, Woodrum, Martin and Hamilton - **Clarifying terms and offense of human smuggling** - Introduced 1/26/2023 - To Judiciary - Com. sub. reported 2/7/2023 - Passed Senate 2/10/2023 - To House 2/13/2023 - To Judiciary
- *485. By Sen. Trump, Smith, Caputo, Oliverio, Jeffries, Plymale, Rucker, Woodrum, Barrett, Queen, Woelfel, Chapman and Hamilton - **PFAS Protection Act** - Introduced 1/26/2023 - To Agriculture and Natural Resources then Finance - Com. sub. reported 2/7/2023 - To Finance 2/7/2023
486. By Sen. Woodrum and Trump - **Uniform Collaborative Law Act** (original similar to HB3149) - Introduced 1/27/2023 - To Judiciary
487. By Sen. Weld and Chapman - **Extending additional modification reducing federal adjusted gross income** - Introduced 1/27/2023 - To Finance - Passed Senate 2/13/2023 - To House 2/14/2023 - To Finance - Passed House 3/8/2023 - To Governor 3/13/2023 - Approved by Governor 3/29/23 - Chapter 308, Acts, Regular Session, 2023
488. By Sen. Rucker - **Aligning state and federal accreditation rules** - Introduced 1/27/2023 - To Education - Passed Senate 2/21/2023 - To House 2/21/2023 - To Education - Passed House 3/9/2023 - Title amended - Senate concurred in House title amendment 3/11/2023 - Passed Senate 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 176, Acts, Regular Session, 2023
489. By Sen. Grady, Woelfel and Plymale - **Requiring BOE provide free feminine hygiene products in certain grades** - Introduced 1/27/2023 - To Education - Passed Senate with amended title 2/8/2023 - To House 2/9/2023 - To Education then Finance - To House Finance 3/8/2023
- *490. By Sen. Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Phillips, Stuart, Trump, Weld, Woodrum, Plymale, Swope, Roberts, Grady, Nelson and Taylor - **Patrol Officer Cassie Marie Johnson Memorial Act** - Introduced 1/27/2023 - To Judiciary - Com. sub. reported 2/7/2023 - Passed Senate 2/10/2023 - To House 2/13/2023 - To Judiciary - Amendment pending - Amended - Passed House 3/3/2023 - Title amended - Senate concurred in House amendments and passed bill 3/6/2023 - To Governor 3/8/2023 - Approved by Governor 3/13/2023 - Chapter 102, Acts, Regular Session, 2023
491. By Sen. Woodrum, Swope and Roberts - **Authorizing Treasurer's Office to promulgate legislative rule relating to Hope Scholarship Program** (original similar to HB3123) - Introduced 1/27/2023 - To Judiciary
492. By Sen. Chapman, Azinger, Deeds, Grady, Hamilton, Hunt, Maynard, Phillips, Rucker, Smith, Stuart, Tarr, Woodrum, Swope, Martin, Roberts and Karnes - **Requiring legislators who hold current concealed carry permit to register with Capitol Police** (original similar to HB3267) - Introduced 1/27/2023 - To Judiciary

493. By Sen. Weld, Deeds, Phillips, Chapman and Caputo - **Exempting WV veterans from certain fees and charges at state parks** - Introduced 1/27/2023 - To Military - Passed Senate 2/10/2023 - To House 2/13/2023 - To Government Organization
494. By Sen. Caputo, Hamilton, Stover and Plymale - **Creating WV Black Lung Program** - Introduced 1/27/2023 - To Judiciary then Finance
- *495. By Sen. Trump, Takubo, Clements, Woelfel, Deeds and Rucker - **Providing correctional institutions and juvenile facilities video and audio records be confidential** - Introduced 1/27/2023 - To Judiciary - Com. sub. reported 2/6/2023 - Passed Senate 2/9/2023 - Effective from passage - To House 2/10/2023 - To Judiciary - Amended - Passed House 3/10/2023 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 3/11/2023 - Effective from passage - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 78, Acts, Regular Session, 2023
496. By Sen. Trump and Weld - **Allowing tax pass through entities to pay state and local taxes at entity level** (original similar to HB2934) - Introduced 1/27/2023 - To Finance
497. By Sen. Trump, Caputo, Chapman, Takubo, Weld, Plymale, Woelfel and Nelson - **Repealing common law rule against perpetuities by extending it to 1,000 years for trust** - Introduced 1/27/2023 - To Judiciary
498. By Sen. Trump, Weld, Azinger, Caputo, Grady, Karnes, Phillips, Rucker, Smith, Stover, Takubo, Woelfel, Woodrum, Deeds, Maynard, Chapman, Plymale, Queen, Swope, Clements, Roberts, Martin and Nelson - **Relating to employee jury service tax credit** - Introduced 1/27/2023 - To Judiciary then Finance - To Finance 2/3/2023
499. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Expiring unappropriated funds in General Revenue from Excess Lottery Revenue Fund** (original similar to HB2915) - Introduced 1/27/2023 - To Finance
500. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Expiring unappropriated funds in General Revenue from Lottery Net Profits** (original similar to HB2906) - Introduced 1/27/2023 - To Finance
501. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Department of Administration, Public Defender Services** (original similar to HB2910) - Introduced 1/27/2023 - To Finance
502. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to Department of Education** (original similar to HB3066) - Introduced 1/27/2023 - To Finance
503. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to DHS, WV State Police** (original similar to HB3064) - Introduced 1/27/2023 - To Finance

504. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to DHHR, Consolidated Medical Services Fund** (original similar to HB2913) - Introduced 1/27/2023 - To Finance
- *505. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to Department of Administration, Office of Secretary** (original similar to HB3040) - Introduced 1/27/2023 - To Finance - Com. sub. reported 2/8/2023 - Passed Senate 2/13/2023 - Effective from passage - To House 2/14/2023 - To Finance
506. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to Department of Education, Hope Scholarship** (original similar to HB2912) - Introduced 1/27/2023 - To Finance
507. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to DHS, Division of Administrative Services** (original similar to HB2911) - Introduced 1/27/2023 - To Finance
508. By Sen. Azinger, Trump and Weld - **Clarifying reporting and disclosure requirements for grassroots lobbying expenditures** (original similar to HB3062) - Introduced 1/27/2023 - To Judiciary - Passed Senate 2/13/2023 - To House 2/14/2023 - To Judiciary - House rejected 3/10/2023 - Motion to table the motion to reconsider rejected - Passed House 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 207, Acts, Regular Session, 2023
509. By Sen. Rucker, Chapman, Grady, Phillips and Woelfel - **Requiring that free feminine hygiene products be provided to female prisoners** (original similar to HB3014) - Introduced 1/27/2023 - To Government Organization
510. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to BOE, Department of Education** (original similar to HB3167) - Introduced 1/27/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/27/2023 - Effective from passage - To House 1/30/2023 - To Finance - Passed House 3/3/2023 - Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/16/2023 - Chapter 6, Acts, Regular Session, 2023
511. By Sen. Woodrum, Deeds and Hamilton - **Ensuring certain amount of vehicle registration renewal fee be dedicated to Deputy Sheriff's Retirement System** - Introduced 1/30/2023 - To Government Organization
512. By Sen. Woodrum - **Providing that continuing education credits shall be valid for three years** (original similar to HB3171) - Introduced 1/30/2023 - To Government Organization
513. By Sen. Woodrum and Plymale - **Relating to brewer and resident brewer licenses** (original similar to HB3136) - Introduced 1/30/2023 - To Judiciary

- *514. By Sen. Woodrum - **Clarifying procedure for administrative dissolution of corporations by Secretary of State** - Introduced 1/30/2023 - To Government Organization - Com. sub. reported 2/3/2023 - Passed Senate 2/8/2023 - Effective from passage - To House 2/9/2023 - To Government Organization
- *515. By Sen. Woodrum, Trump and Hamilton - **Clarifying deadline to file annual report for companies authorized to do business in WV** - Introduced 1/30/2023 - To Judiciary - Com. sub. reported 2/7/2023 - Passed Senate 2/10/2023 - To House 2/13/2023 - To Government Organization
- *516. By Sen. Azinger, Trump and Weld - **Relating to requirements for disclosure of donor contributions** (original similar to HB3063) - Introduced 1/30/2023 - To Judiciary - Com. sub. reported 2/8/2023 - Passed Senate 2/13/2023 - To House 2/14/2023 - To Judiciary - Passed House 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 144, Acts, Regular Session, 2023
517. By Sen. Maynard and Rucker - **Medical Ethics Defense Act** - Introduced 1/30/2023 - To Health and Human Resources then Judiciary
518. By Sen. Rucker - **Establishing dual enrollment pilot program** (original similar to HB2005) - Introduced 1/30/2023 - To Education
- *519. By Sen. Grady, Rucker, Tarr, Trump, Woodrum, Deeds, Roberts, Plymale and Maroney - **School Personnel Whistle-Blower Law** - Introduced 1/30/2023 - To Education then Judiciary - Com. sub. reported 2/7/2023 - To Judiciary 2/7/2023
520. By Sen. Nelson, Deeds, Queen, Barrett, Hamilton and Oliverio - **Removing decrease in amount of certain benefits PEIA employees are entitled to at 65** - Introduced 1/31/2023 - To Banking and Insurance then Finance
521. By Sen. Takubo, Woelfel, Caputo, Queen, Barrett, Nelson and Maroney - **Improving patient safety in medical cannabis program** - Introduced 1/31/2023 - To Health and Human Resources
- *522. By Sen. Tarr and Woodrum - **Allocating percentage of county excise taxes for funding improvements to election administration** - Introduced 1/31/2023 - To Government Organization - Com. sub. reported 2/10/2023 - Referred to Finance 2/10/2023 - Com. sub. for com. sub. reported 2/23/2023 - Passed Senate 2/27/2023 - To House 2/28/2023 - To Finance - Amended - Passed House 3/10/2023 - Title amended - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 309, Acts, Regular Session, 2023
- *523. By Sen. Tarr, Caputo and Maroney - **Clarifying purpose and use of Economic Development Project Fund** - Introduced 1/31/2023 - To Finance - Com. sub. reported 2/17/2023 - Passed Senate 2/22/2023 - Effective from passage - To House 2/23/2023 - To Finance - Motion for previous question rejected - Passed House 3/10/2023 - Effective ninety days from passage - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 119, Acts, Regular Session, 2023

524. By Sen. Tarr and Deeds - **Relating to family planning services** - Introduced 1/31/2023 - To Health and Human Resources then Finance
525. By Sen. Plymale, Caputo and Woelfel - **Providing benefits to employees with occupational pneumoconiosis** - Introduced 1/31/2023 - To Health and Human Resources then Finance
- *526. By Sen. Takubo, Tarr, Woelfel, Deeds, Rucker, Grady and Nelson - **Including Alzheimer's disease in existing public health programs** - Introduced 1/31/2023 - To Health and Human Resources - Com. sub. reported 2/15/2023 - Constitutional rule suspended - Passed Senate 2/16/2023 - To House 2/17/2023 - To Health and Human Resources - Amended - Passed House 3/3/2023 - Title amended - Senate concurred in House amendments and passed bill 3/6/2023 - To Governor 3/8/2023 - Approved by Governor 3/22/2023 - Chapter 252, Acts, Regular Session, 2023
- *527. By Sen. Trump, Azinger, Grady, Rucker, Stover, Stuart, Takubo, Tarr, Taylor, Weld, Woodrum, Caputo, Deeds, Smith, Clements, Hamilton and Maynard - **Allowing family members of military personnel access to discharge records** - Introduced 1/31/2023 - To Military - Com. sub. reported 2/8/2023 - Amended on 3rd reading - Passed Senate 2/14/2023 - To House 2/15/2023 - To Veterans' Affairs and Homeland Security then Judiciary - To House Judiciary - Passed House 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 326, Acts, Regular Session, 2023
528. By Sen. Barrett, Hunt, Maynard, Rucker and Karnes - **Requiring certificate of need be subject to legislative rulemaking** - Introduced 1/31/2023 - To Judiciary
529. By Sen. Woodrum, Barrett, Trump and Hamilton - **Allowing businesses to register as limited liability limited partnerships** - Introduced 1/31/2023 - To Judiciary - Passed Senate 2/10/2023 - To House 2/13/2023 - To Judiciary - Passed House 3/6/2023 - To Governor 3/9/2023 - Approved by Governor 3/29/23 - Chapter 58, Acts, Regular Session, 2023
- *530. By Sen. Woodrum and Nelson - **Expanding candidates eligible for judicial retirement** - Introduced 1/31/2023 - To Pensions then Finance - Com. sub. reported 2/16/2023 - To Finance 2/16/2023
531. By Sen. Woodrum and Barrett - **Uniform Limited Liability Company Act** - Introduced 1/31/2023 - To Judiciary
- *532. By Sen. Hunt, Azinger, Chapman, Deeds, Hamilton, Maynard, Plymale, Roberts, Rucker, Stover, Stuart, Taylor, Smith, Karnes, Grady, Trump, Martin and Barrett - **Sex Offender Registration Act** - Introduced 1/31/2023 - To Judiciary then Finance - Com. sub. reported 2/7/2023 - 2nd reference dispensed - Passed Senate 2/10/2023 - To House 2/13/2023 - To Judiciary
533. By Sen. Nelson - **Relating to limitations on motor vehicle used by nonprofit cooperative recycling associations** (original similar to HB3372) - Introduced 1/31/2023 - To Agriculture and Natural Resources - Passed Senate 2/10/2023 - To House 2/13/2023 - To Government Organization - Amended - Passed House 3/10/2023 - Senate concurred in House amendments and passed bill 3/11/2023

- To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 2, Acts, Regular Session, 2023
- *534. By Sen. Trump, Takubo and Maroney - **Relating to nonintoxicating beer, nonintoxicating craft beer, cider, wine, and liquor license requirements** - Introduced 1/31/2023 - To Judiciary - Com. sub. reported 2/23/2023 - Amended - Passed Senate with amended title 2/27/2023 - To House 2/28/2023 - To Judiciary - Amended - Passed House 3/10/2023 - Title amended - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/23 - Chapter 4, Acts, Regular Session, 2023
535. By Sen. Chapman, Rucker, Taylor, Azinger, Deeds, Karnes, Martin, Maynard, Phillips, Smith, Swope, Tarr and Stuart - **Creating religious and philosophical exemptions for school attendance vaccines** - Introduced 2/1/2023 - To Health and Human Resources
536. By Sen. Phillips, Stuart, Maynard, Deeds and Hamilton - **Relating to distribution of certain taxes to benefit fire departments and emergency medical services providers** (original similar to HB3266, HB3492) - Introduced 2/1/2023 - To Government Organization then Finance
537. By Sen. Woelfel - **Eliminating marital exception to criminal prosecution of sexual assault offenses** - Introduced 2/1/2023 - To Judiciary then Finance
538. By Sen. Woodrum - **Updating procedure on appeals of level three decisions issued by Public Employees Grievance Board** - Introduced 2/1/2023 - To Judiciary
- *539. By Sen. Woodrum - **Authorizing state and subdivisions to negotiate price for construction when all bids received exceed maximum budget** - Introduced 2/1/2023 - To Government Organization - Com. sub. reported 2/17/2023 - Passed Senate 2/22/2023 - Effective from passage - To House 2/23/2023 - To Government Organization - On 1st reading, House Calendar 3/11/2023
- *540. By Sen. Trump, Stover, Deeds, Rucker, Hamilton and Smith - **Creating misdemeanor offense of willfully urinating or defecating in public** - Introduced 2/1/2023 - To Judiciary - Com. sub. reported 2/25/2023 - Passed Senate 3/1/2023 - To House 3/2/2023 - To Judiciary
- *541. By Sen. Stuart, Azinger, Smith, Taylor and Oliverio - **Providing for election reforms** - Introduced 2/1/2023 - To Judiciary - Com. sub. reported 2/24/2023 - Passed Senate 2/28/2023 - To House 3/1/2023 - To Judiciary
542. By Sen. Martin, Queen, Karnes and Deeds - **Relating to sheriff's commission for collection of taxes** (original similar to HB3319) - Introduced 2/1/2023 - To Government Organization
- *543. By Sen. Grady and Plymale - **Authorizing rule-making changes to terms, procedures and reporting duties in higher education** - Introduced 2/2/2023 - To Education then Finance - Com. sub. reported 2/10/2023 - To Finance 2/10/2023 - Com. sub. for com. sub. reported 2/16/2023 - Passed Senate 2/21/2023 - Effective from passage - To House 2/21/2023 - To Education -

Passed House 3/9/2023 - Title amended - Effective from passage - Senate concurred in House title amendment 3/11/2023 - Passed Senate 3/11/2023 - Effective from passage - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 177, Acts, Regular Session, 2023

544. By Sen. Queen - **Increasing power purchase agreement cap** - Introduced 2/2/2023 - To Government Organization - Passed Senate 2/25/2023 - To House 2/27/2023 - To Judiciary - Amended - Passed House 3/10/2023 - Title amended - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 289, Acts, Regular Session, 2023
545. By Sen. Martin, Queen, Deeds, Karnes and Maroney - **Authorizing sheriffs to retire at age 62 with eight or more years of service** (original similar to HB3178) - Introduced 2/2/2023 - To Pensions
- *546. By Sen. Stuart, Woodrum, Deeds, Taylor, Maynard and Hamilton - **Adding and removing certain compounds from controlled substance list** - Introduced 2/2/2023 - To Judiciary - Com. sub. reported 2/24/2023 - Amended - Passed Senate 3/1/2023 - To House 3/2/2023 - To Health and Human Resources - Passed House 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 76, Acts, Regular Session, 2023
- *547. By Sen. Deeds, Azinger, Hunt, Karnes, Oliverio, Queen, Roberts, Stuart, Taylor, Woodrum, Smith, Maynard, Hamilton, Weld and Trump - **Increasing penalties for drug possession and updating list of offenses** - Introduced 2/2/2023 - To Judiciary - Com. sub. reported 2/24/2023 - Amended - Passed Senate with amended title 2/28/2023 - To House 3/1/2023 - To Judiciary
- *548. By Sen. Weld - **Clarifying what parties can redeem delinquent property and limiting those entitled to bid** - Introduced 2/2/2023 - To Judiciary - Com. sub. reported 2/16/2023 - Passed Senate 2/21/2023 - To House 2/21/2023 - To Judiciary - Amended - Passed House 3/10/2023 - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 310, Acts, Regular Session, 2023
549. By Sen. Woodrum and Phillips - **Updating provisions of Uniform Commercial Code** (original similar to HB3212) - Introduced 2/2/2023 - To Judiciary
550. By Sen. Maynard, Taylor, Smith, Phillips, Stuart, Karnes, Rucker, Stover, Clements, Woodrum, Roberts, Martin, Azinger, Chapman, Hunt and Grady - **Requiring state entities, local entities and law enforcement agencies to enforce immigration laws** (original similar to HB3127) - Introduced 2/2/2023 - To Judiciary
551. By Sen. Tarr - **Creating Medicaid state plan amendment** - Introduced 2/2/2023 - To Health and Human Resources then Finance
- *552. By Sen. Rucker, Taylor, Karnes, Phillips, Grady, Smith, Maynard, Martin, Azinger, Woodrum, Roberts, Deeds, Oliverio, Swope, Stuart, Tarr, Barrett, Hunt, Chapman, Queen and Stover - **Relating to abortion** - Introduced 2/2/2023 - To Health and Human Resources then Judiciary - Com. sub. reported

2/25/2023 - 2nd reference dispensed - Passed Senate 3/1/2023 - To House 3/2/2023 - To Health and Human Resources - Amended - Passed House 3/10/2023 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 3/11/2023 - Effective from passage - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 253, Acts, Regular Session, 2023

553. By Sen. Swope - **Allowing for evaluation of prequalified bidders to be based on best value** - Introduced 2/3/2023 - To Government Organization - Passed Senate 2/22/2023 - To House 2/23/2023 - To Government Organization - Amended - Passed House 3/2/2023 - Senate concurred in House amendments and passed bill 3/3/2023 - To Governor 3/6/2023 - Approved by Governor 3/11/2023 - Chapter 164, Acts, Regular Session, 2023
- *554. By Sen. Weld - **Exempting purchases made by Auditor and WV Enterprise Resource Planning Board from certain provisions of WV code** (original similar to HB3262) - Introduced 2/3/2023 - To Government Organization - Com. sub. reported 2/22/2023 - Passed Senate 2/24/2023 - To House 2/24/2023 - To Government Organization
555. By Sen. Weld, Rucker, Hamilton, Deeds, Woodrum and Stuart - **Prohibiting banks and payment networks from tracking firearm-related data and outlining penalties** (original similar to HB3252) - Introduced 2/3/2023 - To Banking and Insurance then Finance
556. By Sen. Weld and Deeds - **Allowing sheriffs to collect additional funds for performing certain tasks** (original similar to HB3249) - Introduced 2/3/2023 - To Government Organization
557. By Sen. Maroney - **Providing that pharmacy may decline to dispense prescription drug where reimbursement is less than pharmacy's cost** - Introduced 2/3/2023 - To Health and Human Resources
- *558. By Sen. Weld, Woelfel and Woodrum - **Prohibiting law-enforcement agencies from posting booking photographs of certain criminal defendants on social media** - Introduced 2/3/2023 - To Judiciary - Com. sub. reported 2/22/2023 - Passed Senate 2/25/2023 - To House 2/27/2023 - To Judiciary - Amended - Passed House 3/8/2023 - Title amended - Senate concurred in House amendments and passed bill 3/9/2023 - To Governor 3/13/2023 - Approved by Governor 3/29/23 - Chapter 108, Acts, Regular Session, 2023
559. By Sen. Trump, Deeds, Maynard and Woodrum - **Relating to spousal privilege** - Introduced 2/3/2023 - To Judiciary - Passed Senate 2/20/2023 - To House 2/20/2023 - To Judiciary - Amended - Passed House 3/9/2023 - Title amended - Senate refused to concur in House amendment 3/10/2023 - Senate reconsidered action - Senate amended House amendment and passed 3/11/2023 - House refused to concur and requested Senate to recede 3/11/2023
560. By Sen. Trump and Queen - **Limiting recovery on claims for abuse to secure financial solvency of public and private school system** - Introduced 2/3/2023 - To Judiciary

- *561. By Sen. Jeffries and Woelfel - **Relating to administration of WV Drinking Water Treatment Revolving Fund Act** - Introduced 2/3/2023 - To Agriculture and Natural Resources then Finance - Com. sub. reported 2/9/2023 - To Finance 2/9/2023 - Com. sub. for com. sub. reported 2/23/2023 - Amended - Passed Senate 2/27/2023 - To House 2/28/2023 - To Finance - Amended - Passed House 3/10/2023 - Title amended - Effective July 1, 2023 - Senate concurred in House amendments and passed bill 3/11/2023 - Effective July 1, 2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 148, Acts, Regular Session, 2023
- *562. By Sen. Jeffries, Barrett, Oliverio, Weld, Plymale, Clements and Maroney - **Relating to operation of private trust companies in WV** - Introduced 2/3/2023 - To Banking and Insurance - Com. sub. reported 2/15/2023 - Referred to Rules 2/15/2023
563. By Sen. Trump, Hamilton, Rucker, Deeds, Phillips and Woodrum - **Providing whistleblower protections to healthcare workers who report unsafe patient care** - Introduced 2/6/2023 - To Health and Human Resources then Judiciary
564. By Sen. Tarr and Phillips - **Allowing PSC to authorize recovery of certain costs by utilities through issuance of consumer rate relief bonds** (original similar to HB3308) - Introduced 2/6/2023 - To Finance
565. By Sen. Hunt, Azinger, Barrett, Chapman, Clements, Deeds, Hamilton, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Queen, Roberts, Rucker, Smith, Stover, Stuart, Taylor, Woodrum, Swope, Grady and Plymale - **Firearm Industry Non-Discriminations Act** - Introduced 2/6/2023 - To Banking and Insurance then Judiciary
566. By Sen. Maroney, Rucker, Caputo, Woelfel and Woodrum - **Extending termination date of WV Advisory Council on Rare Diseases** - Introduced 2/6/2023 - To Health and Human Resources
567. By Sen. Stuart - **Defining and amending terms related to participating public employer** - Introduced 2/6/2023 - To Pensions then Finance
- *568. By Sen. Trump, Deeds, Hunt, Rucker, Stover, Stuart, Taylor and Woelfel - **Relating to Dangerousness Assessment Advisory Board** - Introduced 2/6/2023 - To Judiciary - Com. sub. reported 2/15/2023 - Passed Senate 2/20/2023 - Effective from passage - To House 2/20/2023 - To Judiciary - Passed House 3/10/2023 - Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 165, Acts, Regular Session, 2023
569. By Sen. Weld, Plymale, Woelfel, Hunt and Woodrum - **Rehabilitation of Blighted Properties Tax Credit Act** (original similar to HB3209) - Introduced 2/6/2023 - To Economic Development then Finance - To Finance 2/9/2023
- *570. By Sen. Stover, Hamilton, Deeds, Woodrum and Nelson - **Relating to Natural Resources Police Officer Retirement** - Introduced 2/6/2023 - To Pensions then Finance - Com. sub. reported 2/16/2023 - To Finance 2/16/2023
- *571. By Sen. Barrett, Woelfel and Maroney - **Regulating fantasy gaming competitions and sports wagering through independent evaluations** -

Introduced 2/6/2023 - To Government Organization then Judiciary - Com. sub. reported 2/15/2023 - To Judiciary 2/15/2023

- *572. By Sen. Maynard, Deeds, Stover, Trump, Maroney and Stuart - **Reforming cause of action for public nuisance** - Introduced 2/6/2023 - To Judiciary - Com. sub. reported 2/24/2023 - Passed Senate 2/28/2023 - To House 3/1/2023 - To Judiciary
- *573. By Sen. Maroney - **Relating to child support guidelines and Support Enforcement Commission** - Introduced 2/6/2023 - To Judiciary - Com. sub. reported 2/24/2023 - Passed Senate 2/28/2023 - To House 3/1/2023 - To Judiciary - Amended - Passed House 3/10/2023 - Title amended - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 112, Acts, Regular Session, 2023
574. By Sen. Smith, Karnes, Rucker, Taylor and Phillips - **Establishing residency requirements for candidates seeking nomination to US Congress** - Introduced 2/6/2023 - To Judiciary
575. By Sen. Weld - **Expiring funds to unappropriated surplus balance in State Fund, General Revenue** - Introduced 2/7/2023 - To Finance
- *576. By Sen. Weld, Oliverio, Stuart, Taylor, Plymale, Smith, Jeffries and Queen - **Creating Securities Restitution Assistance Fund for victims of securities violations** (original similar to HB3250, SB639) - Introduced 2/7/2023 - To Judiciary then Finance - Com. sub. reported 2/16/2023 - To Finance 2/16/2023 - Com. sub. for com. sub. reported 2/24/2023 - Passed Senate 2/27/2023 - To House 2/28/2023 - To Finance
- *577. By Sen. Maroney, Woelfel, Rucker, Deeds, Grady, Hamilton, Queen, Clements, Oliverio, Woodrum, Jeffries, Chapman, Barrett, Roberts, Hunt and Taylor - **Reducing copay cap on insulin and devices and permitting purchase of testing equipment without prescription** (original similar to HB2430) - Introduced 2/7/2023 - To Health and Human Resources - Com. sub. reported 2/17/2023 - Passed Senate 2/23/2023 - To House 2/23/2023 - To Health and Human Resources - Amended - Passed House 3/3/2023 - Title amended - Senate amended House amendment and passed 3/11/2023 - Effective January 1, 2024 - House concurred in Senate amendment and passed 3/11/2023 - Effect January 1, 2024 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 193, Acts, Regular Session, 2023
- *578. By Sen. Grady, Woelfel, Plymale, Caputo, Jeffries and Oliverio - **Hunger-Free Campus Act** (original similar to HB3024) - Introduced 2/7/2023 - To Education then Finance - Com. sub. reported 2/15/2023 - To Finance 2/15/2023
- *579. By Sen. Tarr and Swope - **Providing payment to vendors who provided services to state** - Introduced 2/7/2023 - To Finance - Com. sub. reported 2/14/2023 - Passed Senate 2/17/2023 - Effective from passage - To House 2/20/2023 - To Finance - Passed House 3/10/2023 - Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 67, Acts, Regular Session, 2023

580. By Sen. Weld - **Authorizing election for special levy renewal** - Introduced 2/7/2023 - To Government Organization then Finance - 2nd reference dispensed - Passed Senate 2/22/2023 - Effective from passage - To House 2/23/2023 - To Judiciary
- *581. By Sen. Hamilton, Plymale and Deeds - **Amending provisions of 2023 Farm Bill** - Introduced 2/7/2023 - To Agriculture and Natural Resources then Judiciary - Com. sub. reported 2/9/2023 - To Judiciary 2/9/2023 - Amended - Passed Senate with amended title 3/1/2023 - To House 3/2/2023 - To Judiciary
- *582. By Sen. Trump, Weld, Nelson and Jeffries - **Amending provisions of WV Public Employees Retirement Act** - Introduced 2/8/2023 - To Pensions then Finance - Com. sub. reported 2/16/2023 - To Finance 2/16/2023
583. By Sen. Woodrum - **Reducing rates for legal advertising** (original similar to HB3082) - Introduced 2/8/2023 - To Government Organization
584. By Sen. Taylor, Grady, Hunt, Karnes, Martin, Maynard, Phillips, Roberts, Rucker, Smith, Stuart, Tarr and Woodrum - **Removing rape and incest exception to obtain abortion in WV** - Introduced 2/8/2023 - To Health and Human Resources then Judiciary
- *585. By Sen. Hamilton and Jeffries - **Prohibiting county commissions from adopting any authorization that exceeds state law regarding agricultural operations** - Introduced 2/8/2023 - To Agriculture and Natural Resources then Government Organization - Com. sub. reported 2/14/2023 - To Government Organization 2/14/2023 - Com. sub. for com. sub. reported 2/22/2023 - Passed Senate 2/25/2023 - To House 2/27/2023 - To Judiciary
586. By Sen. Swope - **Requiring spending units to submit software procurement requests to Enterprise Resource Planning Board** - Introduced 2/8/2023 - To Government Organization
587. By Sen. Chapman and Karnes - **WV Volunteer State Defense Guard Act** - Introduced 2/8/2023 - To Military then Finance
588. By Sen. Takubo, Smith, Stover, Weld, Woelfel, Deeds, Clements and Maroney - **Increasing tax credit for employers providing child care for employees** (original similar to HB3399) - Introduced 2/8/2023 - To Finance
- *589. By Sen. Rucker and Roberts - **Relating to nonpublic kindergarten, elementary, and secondary school education** - Introduced 2/8/2023 - To School Choice then Finance - Com. sub. reported 2/16/2023 - On 2nd reading to Finance 2/27/2023
- *590. By Sen. Nelson, Plymale, Barrett, Roberts, Deeds, Woelfel and Queen - **Emergency Medical Services Retirement System Act** - Introduced 2/9/2023 - To Pensions then Finance - Com. sub. reported 2/16/2023 - To Finance 2/16/2023 - Com. sub. for com. sub. reported 2/23/2023 - Passed Senate 2/27/2023 - To House 2/28/2023 - To Finance
591. By Sen. Swope, Rucker, Trump and Roberts - **Allowing counties and municipalities to jointly undertake development projects** - Introduced

2/9/2023 - To Economic Development - Passed Senate 2/21/2023 - To House 2/21/2023 - To Economic Development and Tourism - Passed House 3/4/2023 - To Governor 3/8/2023 - Approved by Governor 3/8/2023 - Chapter 84, Acts, Regular Session, 2023

592. By Sen. Takubo, Smith, Weld, Trump, Plymale, Deeds, Maroney and Woelfel - **Providing tax credit to corporations for existing employer-provided child care facilities** (original similar to HB3403) - Introduced 2/9/2023 - To Finance
- *593. By Sen. Barrett, Rucker and Maroney - **Mandating cost of living salary adjustment policy for state employees** - Introduced 2/9/2023 - To Government Organization then Finance - To Finance 2/15/2023 - Com. sub. reported 2/27/2023 - Passed Senate 3/1/2023 - To House 3/2/2023 - To Finance - On 2nd reading, House Calendar 3/11/2023
- *594. By Sen. Takubo, Maroney and Nelson - **Specifying fairness in cost sharing calculations for certain high deductible health plans** - Introduced 2/9/2023 - To Banking and Insurance - Com. sub. reported 2/21/2023 - Passed Senate 2/23/2023 - Effective from passage - To House 2/23/2023 - Reference dispensed - Passed House 3/3/2023 - Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/29/2023 - Chapter 194, Acts, Regular Session, 2023
595. By Sen. Tarr, Martin, Woodrum and Smith - **Relating to real property, tax, and registration requirements associated with carbon offset agreements** - Introduced 2/9/2023 - To Finance
- *596. By Sen. Barrett, Tarr and Plymale - **Modifying payment for housing and maintenance of inmates** - Introduced 2/9/2023 - To Finance - Com. sub. reported 2/16/2023 - Amended - Passed Senate 2/21/2023 - Effective July 1, 2023 - To House 2/23/2023 - To Finance
597. By Sen. Woodrum and Roberts - **Allowing Workforce WV to hire classified service exempt employees** - Introduced 2/9/2023 - To Workforce - Passed Senate 2/23/2023 - To House 2/23/2023 - To Government Organization - Passed House 3/8/2023 - To Governor 3/13/2023 - Approved by Governor 3/29/23 - Chapter 166, Acts, Regular Session, 2023
598. By Sen. Stuart - **Increasing availability of prescription nonopioid medications** - Introduced 2/9/2023 - To Health and Human Resources
599. By Sen. Rucker, Roberts, Smith, Taylor, Deeds and Maynard - **Requiring moment of silence at beginning of each school day** - Introduced 2/9/2023 - To Education then Judiciary
600. By Sen. Phillips, Rucker and Taylor - **Specifying requirements for shareholder voting by WV Investment Management Board and Board of Treasury Investments** - Introduced 2/10/2023 - To Banking and Insurance
- *601. By Sen. Rucker, Deeds, Roberts and Taylor - **Providing that WV Secondary School Activities Commission promulgate legislative rules** - Introduced 2/10/2023 - To School Choice - Com. sub. reported 2/16/2023 - Referred to Rules on 2nd reading 2/21/2023

- *602. By Sen. Grady, Tarr, Trump, Swope and Nelson - **Enabling WVSU and Bluefield State University to offer associate degrees** - Introduced 2/10/2023 - To Education then Finance - Com. sub. reported 2/16/2023 - 2nd reference dispensed - Passed Senate 2/21/2023 - To House 2/21/2023 - To Education then Finance - 2nd reference not dispensed - House further considered bill - House reconsidered its action to dispense 2nd reference - 2nd reference not dispensed - To House Finance 2/24/2023
603. By Sen. Taylor and Rucker - **Authorizing WVSSAC to promulgate legislative rules** (original similar to HB3543) - Introduced 2/10/2023 - To Education
604. By Sen. Woodrum and Deeds - **Authorizing DHS to establish Office of Inspector General** - Introduced 2/10/2023 - To Judiciary
605. By Sen. Maroney and Takubo - **Requiring state medical examiner to enter into contracts with procurement organization** - Introduced 2/10/2023 - To Health and Human Resources - Passed Senate 2/20/2023 - To House 2/20/2023 - To Health and Human Resources - Amended - Passed House 3/3/2023 - Effective from passage - Senate concurred in House amendments and passed bill 3/7/2023 - Effective from passage - To Governor 3/9/2023 - Approved by Governor 3/29/23 - Chapter 254, Acts, Regular Session, 2023
606. By Sen. Rucker, Deeds, Roberts, Maynard and Woodrum - **Exempting ad valorem property tax on property used for divine worship, educational, and charitable purposes** - Introduced 2/10/2023 - To Finance
607. By Sen. Oliverio, Clements, Caputo, Jeffries and Maroney - **Authorizing counties to increase special district excise tax** - Introduced 2/13/2023 - To Economic Development then Finance - To Finance 2/16/2023
608. By Sen. Trump and Deeds - **Correcting list of items which are considered deadly weapons** - Introduced 2/13/2023 - To Judiciary - Passed Senate 2/23/2023 - To House 2/23/2023 - To Judiciary - Amended - Passed House 3/10/2023 - Title amended - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 329, Acts, Regular Session, 2023
609. By Sen. Smith, Azinger, Boley, Phillips, Swope and Taylor - **Obtaining approval for decommissioning or deconstructing of existing power plant** - Introduced 2/13/2023 - To Energy, Industry, and Mining - Amended - Constitutional rule suspended - Passed Senate with amended title 2/17/2023 - Effective from passage - To House 2/20/2023 - To Energy and Manufacturing - Amended - Passed House 3/4/2023 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 3/6/2023 - Effective from passage - To Governor 3/7/2023 - Approved by Governor 3/7/2023 - Chapter 146, Acts, Regular Session, 2023
610. By Sen. Takubo, Maroney and Martin - **Affordable Medicaid Buy-in Program** (original similar to HB3274) - Introduced 2/13/2023 - To Health and Human Resources

611. By Sen. Smith - **Applying penalties for nonpayment of royalties under terms of oil and natural gas leases** - Introduced 2/13/2023 - To Energy, Industry, and Mining
612. By Sen. Barrett and Rucker - **Eliminating certain centers from certificate of need review** - Introduced 2/13/2023 - To Health and Human Resources
- *613. By Sen. Maroney - **Relating generally to certificates of need** - Introduced 2/13/2023 - To Health and Human Resources - Com. sub. reported 2/22/2023 - Amended - Passed Senate 2/27/2023 - Effective from passage - To House 2/28/2023 - To Health and Human Resources - Passed House 3/9/2023 - Title amended - Effective from passage - Senate concurred in House title amendment 3/10/2023 - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 255, Acts, Regular Session, 2023
614. By Sen. Tarr, Woelfel and Deeds - **Extending jurisdiction of School Safety Unit** (original similar to HB3369) - Introduced 2/14/2023 - To Judiciary
615. By Sen. Taylor, Martin and Rucker - **Prohibiting mandates for vaccines** - Introduced 2/14/2023 - To Health and Human Resources
- *616. By Sen. Weld and Deeds - **WV Veterans' Home Loan Mortgage Program of 2023** - Introduced 2/14/2023 - To Military then Finance - Com. sub. reported 2/21/2023 - 2nd reference dispensed - Passed Senate 2/24/2023 - To House 2/24/2023 - To Finance
- *617. By Sen. Barrett - **Relating to Intellectual and Development Disabilities Waiver Program Workforce Study** - Introduced 2/14/2023 - To Health and Human Resources - Com. sub. reported 2/22/2023 - Passed Senate 2/24/2023 - To House 2/24/2023 - To Health and Human Resources - Amended - Passed House 3/10/2023 - Title amended - Senate refused to concur in House amendment 3/11/2023 - House refused to recede and requested conference 3/11/2023 - To conference 3/11/2023 - Senate adopted conference report and passed bill 3/11/2023 - House adopted conference report and passed bill 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 256, Acts, Regular Session, 2023
618. By Sen. Maroney - **Providing that fairness in cost sharing calculation does not apply to voluntary Cost Share Assistance Program** - Introduced 2/14/2023 - To Health and Human Resources
619. By Sen. Grady and Taylor - **Allowing teachers in public schools to teach intelligent design** - Introduced 2/14/2023 - To Education - Passed Senate 2/25/2023 - To House 2/27/2023 - To Education
620. By Sen. Trump and Taylor - **Increasing maximum number of registered voters per precinct and distance between polling places** - Introduced 2/14/2023 - To Judiciary - Passed Senate 2/23/2023 - To House 2/23/2023 - To Judiciary

- *621. By Sen. Takubo and Deeds - **Requiring sheriff to serve child abuse and neglect petitions** - Introduced 2/14/2023 - To Judiciary - Com. sub. reported 2/17/2023 - Passed Senate 2/22/2023 - To House 2/23/2023 - To Judiciary
622. By Sen. Nelson, Hamilton, Phillips and Queen - **Including state correctional officers in DNR Police Officer Retirement System** - Introduced 2/14/2023 - To Pensions then Finance
623. By Sen. Barrett, Hamilton, Phillips, Deeds and Maroney - **Authorizing firefighters employed by WV National Guard to be members of Emergency Medical Services Retirement System** - Introduced 2/14/2023 - To Pensions then Finance
624. By Sen. Rucker, Deeds and Stuart - **Clarifying offense of vehicular homicide** - Introduced 2/14/2023 - To Judiciary
625. By Sen. Rucker - **Requiring certain transcripts to be accepted as record of student's performance for placement in micro school programs** - Introduced 2/14/2023 - To School Choice - Passed Senate with amended title 2/25/2023 - To House 2/27/2023 - To Education - Amendment pending - Amended - Passed House 3/9/2023 - Title amended - Senate refused to concur in House amendment 3/11/2023 - House receded and passed 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 131, Acts, Regular Session, 2023
626. By Sen. Rucker and Martin - **Increasing penalties for operating house of prostitution** - Introduced 2/14/2023 - To Judiciary
627. By Sen. Rucker and Oliverio - **Establishing solar program for subscribers to gain credits against their utility bills** - Introduced 2/14/2023 - To Government Organization
- *628. By Sen. Rucker and Oliverio - **Revising provisions related to public charter schools** - Introduced 2/14/2023 - To School Choice then Education - Com. sub. reported 2/23/2023 - 2nd reference dispensed - Amended - Passed Senate 2/27/2023 - To House 2/28/2023 - To Education
629. By Sen. Hamilton, Clements, Deeds, Hunt, Karnes, Martin, Stover and Phillips - **Establishing auto-renewal program for wildlife licenses** - Introduced 2/14/2023 - To Agriculture and Natural Resources - Passed Senate 2/21/2023 - To House 2/21/2023 - To Finance
- *630. By Sen. Rucker, Trump, Woelfel, Deeds, Grady, Barrett and Hamilton - **Creating offense of knowingly and willfully obstructing social service worker** - Introduced 2/14/2023 - To Judiciary - Com. sub. reported 2/17/2023 - Passed Senate 2/22/2023 - To House 2/23/2023 - To Judiciary
- *631. By Sen. Queen - **Updating administration, funding, and requirements for federal elections held in WV** - Introduced 2/15/2023 - To Judiciary - Com. sub. reported 2/20/2023 - Passed Senate 2/23/2023 - To House 2/23/2023 - To Judiciary - Passed House 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 145, Acts, Regular Session, 2023

632. By Sen. Chapman and Taylor - **Prohibiting mandatory COVID-19 or other experimental vaccines for school attendance** - Introduced 2/15/2023 - To Health and Human Resources
- *633. By Sen. Woodrum, Trump, Deeds, Caputo, Woelfel and Rucker - **Requiring prompt appearances for persons detained on capiases** - Introduced 2/15/2023 - To Judiciary - Com. sub. reported 2/25/2023 - Passed Senate 3/1/2023 - To House 3/2/2023 - To Judiciary - Amended - Passed House 3/10/2023 - Title amended - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 109, Acts, Regular Session, 2023
- *634. By Sen. Woodrum, Trump, Clements and Jeffries - **Increasing value at which municipal property must be sold through public auction** - Introduced 2/15/2023 - To Government Organization - Com. sub. reported 2/24/2023 - Amended - Passed Senate 3/1/2023 - To House 3/2/2023 - To Government Organization
- *635. By Sen. Weld, Deeds, Plymale and Phillips - **Updating language and increasing penalties for indecent exposure** - Introduced 2/15/2023 - To Judiciary - Com. sub. reported 2/17/2023 - Amended - Passed Senate 2/22/2023 - To House 2/23/2023 - To Judiciary
636. By Sen. Barrett, Jeffries, Nelson, Phillips, Queen, Rucker, Takubo, Weld and Plymale - **Authorizing transfers to and from Licensed Racetrack Modernization Fund** (original similar to HB3450) - Introduced 2/15/2023 - To Finance
637. By Sen. Phillips and Smith - **Fair Access to Financial Services Act** - Introduced 2/15/2023 - To Banking and Insurance
- *638. By Sen. Grady, Swope, Rucker, Jeffries, Clements, Plymale and Maroney - **Providing bonuses to school personnel for unused personal days** - Introduced 2/15/2023 - To Education then Finance - Com. sub. reported 2/22/2023 - To Finance 2/22/2023
639. By Sen. Oliverio, Caputo and Woelfel - **Authorizing restitution to victims of securities fraud** (original similar to SB576) - Introduced 2/15/2023 - To Judiciary then Finance
640. By Sen. Oliverio and Rucker - **Requiring DOH develop formula for allocating road funds among districts** (original similar to HB2054) - Introduced 2/15/2023 - To Transportation and Infrastructure then Finance
641. By Sen. Chapman and Trump - **Clarifying when magistrate vacancies shall be filled** (original similar to HB2529) - Introduced 2/15/2023 - To Judiciary - Passed Senate 2/23/2023 - To House 2/23/2023 - To Judiciary
642. By Sen. Trump - **Changing deadline for county clerks to report voter participation history** (original similar to HB2513) - Introduced 2/15/2023 - To Government Organization

643. - **Updating administration of federal elections held in WV** (original similar to HB2840) - Introduced 2/15/2023 - To Judiciary
- *644. By Sen. Chapman - **Updating contested elections procedures** (original similar to HB2836) - Introduced 2/15/2023 - To Judiciary - Com. sub. reported 2/20/2023 - Passed Senate 2/23/2023 - To House 2/23/2023 - To Judiciary
645. By Sen. Rucker and Taylor - **Prohibiting laws requiring person to receive or use medical products** - Introduced 2/15/2023 - To Health and Human Resources
- *646. By Sen. Nelson - **Creating emeritus physician license** - Introduced 2/15/2023 - To Health and Human Resources - Com. sub. reported 2/22/2023 - Passed Senate 2/24/2023 - To House 2/24/2023 - To Health and Human Resources
- *647. By Sen. Trump - **Relating to substantiation of abuse and neglect allegations** - Introduced 2/15/2023 - To Judiciary - Com. sub. reported 2/25/2023 - Amended - Passed Senate with amended title 3/1/2023 - To House 3/2/2023 - To Judiciary - Amended - Passed House 3/10/2023 - Title amended - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 60, Acts, Regular Session, 2023
648. By Sen. Tarr - **Amending deliberate intent exception to immunities provided under workers' compensation** - Introduced 2/15/2023 - To Judiciary
- *649. By Sen. Blair (Mr. President), Trump, Rucker and Barrett - **Authorizing Berkeley County Council to change its name to Berkeley County Commission** - Introduced 2/15/2023 - To Government Organization - Com. sub. reported 2/22/2023 - Passed Senate 2/24/2023 - To House 2/24/2023 - To Government Organization - Passed House 3/9/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 332, Acts, Regular Session, 2023
- *650. By Sen. Takubo, Tarr, Weld and Deeds - **Allowing physician assistants to own practice** - Introduced 2/15/2023 - To Health and Human Resources - Com. sub. reported 2/24/2023 - Passed Senate 2/28/2023 - To House 3/1/2023 - To Health and Human Resources
651. By Sen. Takubo, Deeds and Maroney - **Oral Health and Cancer Rights Act** - Introduced 2/15/2023 - To Health and Human Resources
652. By Sen. Tarr - **Modifying Municipal Home Rule appeals** (original similar to HB3279) - Introduced 2/16/2023 - To Judiciary
653. By Sen. Trump - **Allowing group of affiliated voters to become recognized political party** - Introduced 2/16/2023 - To Judiciary
654. By Sen. Maroney - **Requiring cooperation with child support enforcement as condition for public assistance** - Introduced 2/16/2023 - To Health and Human Resources
655. By Sen. Maynard - **Parents' Bill of Rights** (original similar to HB3118) - Introduced 2/16/2023 - To Judiciary

- *656. By Sen. Woodrum, Stuart and Jeffries - **Verifying legal employment status of workers to governmental agencies** - Introduced 2/16/2023 - To Government Organization - Com. sub. reported 2/22/2023 - Passed Senate 2/24/2023 - To House 2/24/2023 - To Government Organization - On 1st reading, House Calendar 3/11/2023
- *657. By Sen. Maroney and Nelson - **WV Long-Term Care Insurance Act** - Introduced 2/16/2023 - To Banking and Insurance - Com. sub. reported 2/21/2023 - Passed Senate 2/24/2023 - To House 2/24/2023 - To Health and Human Resources then Judiciary
658. By Sen. Jeffries and Swope - **Clarifying WV follow market-based approach to business and occupation taxation** - Introduced 2/16/2023 - To Finance
659. By Sen. Trump, Woelfel and Deeds - **Clarifying juvenile competency determination process extends to status offenders** - Introduced 2/16/2023 - To Judiciary
- *660. By Sen. Weld, Woelfel, Deeds, Hamilton, Rucker and Trump - **Establishing aggravated felony offense of reckless driving resulting in death** - Introduced 2/16/2023 - To Judiciary - Com. sub. reported 2/24/2023 - Passed Senate 2/28/2023 - To House 3/1/2023 - To Judiciary
- *661. By Sen. Roberts and Tarr - **Clarifying preferential recall rights for employees sustaining compensable injury** - Introduced 2/16/2023 - To Workforce - Com. sub. reported 2/20/2023 - Amended - Passed Senate with amended title 2/23/2023 - To House 2/24/2023 - To Government Organization - Amended - Passed House 3/10/2023 - Title amended - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 330, Acts, Regular Session, 2023
662. By Sen. Barrett and Deeds - **Expanding exemption for private practice physicians to provide MRIs** - Introduced 2/16/2023 - To Health and Human Resources
663. By Sen. Taylor - **Approving overtime pay for teachers** - Introduced 2/16/2023 - To Education then Finance
664. By Sen. Taylor - **Dissolving PEIA and converting to employer-owned mutual insurance company** - Introduced 2/16/2023 - To Health and Human Resources then Finance
- *665. By Sen. Rucker - **Amending licensure requirements for massage therapist** - Introduced 2/16/2023 - To Government Organization then Finance - Com. sub. reported 2/22/2023 - 2nd reference dispensed - Amended - Passed Senate 2/25/2023 - To House 2/27/2023 - To Government Organization - Passed House 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 232, Acts, Regular Session, 2023
- *666. By Sen. Woelfel and Caputo - **Placing cap on maximum penalty that may be imposed for first-degree robbery** - Introduced 2/17/2023 - To Judiciary -

Com. sub. reported 2/24/2023 - Passed Senate 2/28/2023 - To House 3/1/2023 - To Judiciary

- *667. By Sen. Grady, Weld, Smith and Taylor - **Requiring periodic performance audits of WV Secondary School Activities Commission** - Introduced 2/17/2023 - To Education - Com. sub. reported 2/23/2023 - Passed Senate 2/27/2023 - To House 2/28/2023 - To Education - Amendment pending - Amended - Passed House 3/9/2023 - Title amended - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/17/2023 - Vetoed by Governor 3/29/2023
668. By Sen. Grady - **Requiring patient notification when screening indicates dense breast tissue** - Introduced 2/17/2023 - To Health and Human Resources
669. By Sen. Maroney - **Creating criminal offense prohibiting public disclosure of restricted information** - Introduced 2/17/2023 - To Judiciary
670. By Sen. Maynard - **Clarifying process for filling vacancies in Legislature** - Introduced 2/17/2023 - To Judiciary
671. By Sen. Maynard, Grady and Caputo - **Modifying e-bike regulations** - Introduced 2/17/2023 - To Outdoor Recreation
672. By Sen. Phillips - **Requiring parity with non-preferred oral branded antipsychotic agents** - Introduced 2/17/2023 - To Health and Human Resources
673. By Sen. Boley, Clements, Maynard, Smith, Stuart, Tarr, Grady, Deeds, Rucker, Chapman and Azinger - **Providing voters with ability to identify and verify their ballot cast** (original similar to HB3457) - Introduced 2/17/2023 - To Judiciary
674. By Sen. Trump, Tarr and Weld - **Providing statutory recognition and appointment of board members for WV First Foundation** (original similar to HB3483) - Introduced 2/17/2023 - Committee reference dispensed - Passed Senate 2/22/2023 - Effective from passage - To House 2/23/2023 - To Judiciary - Passed House 3/10/2023 - Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/22/2023 - Chapter 257, Acts, Regular Session, 2023
675. By Sen. Rucker, Grady, Chapman, Barrett, Boley, Caputo, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel and Woodrum - **Increasing reimbursement of sexual assault forensic medical examination kits** - Introduced 2/17/2023 - To Finance
- *676. By Sen. Maroney and Takubo - **Requiring report on Medicaid fees and managed care provider reimbursements compared to PEIA, Medicare, and surrounding states** - Introduced 2/17/2023 - To Health and Human Resources - Com. sub. reported 2/22/2023 - Amended - Passed Senate 2/25/2023 - To House 2/27/2023 - To Health and Human Resources

- *677. By Sen. Swope and Rucker - **Clarifying role and responsibilities of State Resiliency Officer** - Introduced 2/17/2023 - To Economic Development then Finance - Com. sub. reported 2/23/2023 - 2nd reference dispensed - Amended - Passed Senate 2/27/2023 - To House 2/28/2023 - To Finance - Amended - Passed House 3/10/2023 - Effective from passage - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 3/11/2023 - Effective from passage - To Governor 3/17/2023 - Approved by Governor 3/29/2023 - Chapter 281, Acts, Regular Session, 2023
678. By Sen. Trump and Barrett - **Adding appropriations to DHHR, Division of Human Services** - Introduced 2/17/2023 - To Finance - Passed Senate 2/24/2023 - Effective from passage - To House 2/24/2023 - To Finance - Passed House 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 7, Acts, Regular Session, 2023
679. By Sen. Tarr, Woelfel, Plymale and Roberts - **Requiring Office of Inspector General to promulgate rules concerning location of forensic group homes** - Introduced 2/20/2023 - To Health and Human Resources - Passed Senate 2/27/2023 - Effective from passage - To House 2/28/2023 - To Health and Human Resources - Amended - Passed House 3/3/2023 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 3/6/2023 - Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/9/2023 - Chapter 258, Acts, Regular Session, 2023
680. By Sen. Deeds - **Modifying awards and benefits for WV State Police officers who take disability retirement** - Introduced 2/20/2023 - To Pensions then Finance
- *681. By Sen. Deeds and Woelfel - **Clarifying that juvenile competency determination process extends to status offenders** - Introduced 2/20/2023 - To Judiciary - Com. sub. reported 2/24/2023 - Passed Senate 2/28/2023 - Effective from passage - To House 3/1/2023 - To Judiciary
682. By Sen. Taylor and Rucker - **Requiring municipal elections to be held on same day as statewide elections** - Introduced 2/20/2023 - To Judiciary
683. By Sen. Taylor - **Changing name of School Building Authority to School Maintenance Authority** - Introduced 2/20/2023 - To Education
684. By Sen. Grady and Rucker - **Maintaining nursing board standards and accreditation** - Introduced 2/20/2023 - To Health and Human Resources
685. By Sen. Smith - **Amending deliberate intent exception to immunities provided under workers compensation** (original similar to HB3270) - Introduced 2/20/2023 - To Judiciary
686. By Sen. Plymale and Woelfel - **Youth Mental Health Protection Act** - Introduced 2/20/2023 - To Health and Human Resources then Judiciary
687. By Sen. Azinger and Deeds - **Requiring law-enforcement agencies and CPS report certain allegations to county school personnel** - Introduced 2/20/2023 - To Education then Judiciary

- *688. By Sen. Chapman, Hunt and Oliverio - **Allowing BOE to hire retired teachers to assist with tutoring** - Introduced 2/20/2023 - To Education - Com. sub. reported 2/24/2023 - Passed Senate 2/27/2023 - To House 2/28/2023 - To Education - Passed House 3/8/2023 - To Governor 3/13/2023 - Approved by Governor 3/29/23 - Chapter 132, Acts, Regular Session, 2023
689. By Sen. Maynard - **Establishing resident and nonresident wildlife viewing stamps** - Introduced 2/20/2023 - To Agriculture and Natural Resources
690. By Sen. Maynard and Queen - **Allocating funds to WV Motorsports Committee** - Introduced 2/20/2023 - To Finance
- *691. By Sen. Maynard - **Requiring Mountaineer Challenge Academy and Bureau for Social Services to provide reimbursement for cadets' enrollment costs** - Introduced 2/20/2023 - To Education then Finance - Com. sub. reported 2/24/2023 - To Finance 2/24/2023
692. By Sen. Maynard and Taylor - **Relating to gender reassignment medical services for minors** - Introduced 2/20/2023 - To Health and Human Resources then Judiciary
693. By Sen. Maynard, Rucker and Stuart - **Permitting Mountaineer Challenge Academy cadets to enroll in accredited courses to obtain WV Education Information System Number** - Introduced 2/20/2023 - To Education
694. By Sen. Takubo and Woelfel - **Providing supplemental Medicaid reimbursement for academic medical center acute care providers** - Introduced 2/20/2023 - To Health and Human Resources then Finance
695. By Sen. Hunt, Chapman, Clements, Deeds, Karnes, Stuart, Phillips, Grady, Woelfel and Taylor - **Increasing penalties for sexual assault against minors** - Introduced 2/20/2023 - To Judiciary then Finance
696. By Sen. Plymale and Caputo - **Prohibiting unlawful discriminatory practices covered by Human Rights Act and Fair Housing Act** - Introduced 2/20/2023 - To Judiciary
697. By Sen. Azinger, Maynard, Smith, Taylor, Karnes and Stuart - **Prohibiting gender transition surgeries, treatments, and therapies to minors** - Introduced 2/20/2023 - To Health and Human Resources then Judiciary
698. By Sen. Takubo - **Updating term of "physician assistant" to "physician associate"** - Introduced 2/20/2023 - To Health and Human Resources
699. By Sen. Maynard - **Allocating funds to WV Flatwater Trails Commission** - Introduced 2/20/2023 - To Finance
700. By Sen. Trump - **Transferring Division of Personnel duties to individual agencies** - Introduced 2/20/2023 - To Government Organization then Finance
701. By Sen. Blair (Mr. President), Woelfel and Maynard - **Updating administration and requirements of Managed Timberland Program** - Introduced 2/20/2023 - To Economic Development

702. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Division of Natural Resources, Wildlife Resources** (original similar to HB3522) - Introduced 2/20/2023 - To Finance
703. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Department of Transportation, DMV** (original similar to HB3519) - Introduced 2/20/2023 - To Finance
704. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to BOE, Vocational Division** (original similar to HB3520) - Introduced 2/20/2023 - To Finance
705. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Division of Health, Maternal and Child Health** (original similar to HB3521) - Introduced 2/20/2023 - To Finance
706. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Department of Agriculture, WV Spay Neuter Assistance Fund** (original similar to HB3524) - Introduced 2/20/2023 - To Finance
707. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Miscellaneous Boards and Commissions, Economic Development Authority** (original similar to HB3523) - Introduced 2/20/2023 - To Finance
708. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to BOE, School Lunch Program** (original similar to HB3511) - Introduced 2/20/2023 - To Finance
709. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Miscellaneous Boards and Commissions, Consumer Advocate Fund** (original similar to HB3509) - Introduced 2/20/2023 - To Finance
710. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Establishing Welcome Home Grant Program** (original similar to HB2774) - Introduced 2/20/2023 - To Military then Finance
711. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to DOT, Division of Highways** (original similar to HB3396) - Introduced 2/20/2023 - To Finance
712. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Department of Administration, Office of Technology** (original similar to HB3510) - Introduced 2/20/2023 - To Finance
713. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Increasing number of districts and limit on approved costs under BUILD WV Act** (original similar to HB3036) - Introduced 2/20/2023 - To Finance

714. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to DHS, Regional Jail and Correctional Facility Authority** (original similar to HB3513) - Introduced 2/20/2023 - To Finance
715. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to DHHR, WV Birth-to-Three Fund** (original similar to HB3514) - Introduced 2/20/2023 - To Finance
716. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Department of Veterans' Assistance, Veterans' Facilities Support Fund** (original similar to HB3515) - Introduced 2/20/2023 - To Finance
717. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to DHHR, WV Safe Drinking Water Treatment** (original similar to HB3516) - Introduced 2/20/2023 - To Finance
718. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Division of Human Services, Child Care Development** (original similar to HB3517) - Introduced 2/20/2023 - To Finance
719. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to BOE, School Building Authority** - Introduced 2/20/2023 - To Finance
720. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Miscellaneous Boards and Commissions, PSC** (original similar to HB3526) - Introduced 2/20/2023 - To Finance
721. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to DHHR, Hospital Service Revenue Account** - Introduced 2/20/2023 - To Finance
722. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Department of Commerce, Division of Rehabilitation Services** (original similar to HB3529) - Introduced 2/20/2023 - To Finance
723. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Department of Agriculture** (original similar to HB3518) - Introduced 2/20/2023 - To Finance
724. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to DHHR, Division of Human Services** (original similar to HB3512) - Introduced 2/20/2023 - To Finance
725. By Sen. Tarr - **Requiring runoff elections for judicial candidates** - Introduced 2/20/2023 - To Judiciary

726. By Sen. Azinger - **Preventing compensatory damage awards for outstanding medical expenses** - Introduced 2/20/2023 - To Judiciary
727. By Sen. Deeds, Woodrum, Barrett and Hamilton - **Providing reports to DMV on mental and physical disabilities for driver's license** (original similar to HB3379) - Introduced 2/20/2023 - To Judiciary
728. By Sen. Woodrum - **Clarifying department responsible for administration of certain programs** - Introduced 2/20/2023 - To Economic Development
729. By Sen. Jeffries, Queen and Smith - **Establishing Energy Intensive Industrial or Manufacturing Consumer Tax Credit** - Introduced 2/20/2023 - To Finance
- *730. By Sen. Maroney - **Expanding authority of Legislative Oversight Commission on Health and Human Resources Accountability** - Introduced 2/20/2023 - To Health and Human Resources - Com. sub. reported 2/22/2023 - Amended - Passed Senate 2/24/2023 - Effective from passage - To House 2/24/2023 - To Health and Human Resources - Amended - Passed House 3/3/2023 - Title amended - Effective from passage - Senate amended House amendment and passed 3/6/2023 - Effective from passage - House concurred in Senate title amendment 3/8/2023 - Passed House 3/8/2023 - Effective from passage - To Governor 3/13/2023 - Approved by Governor 3/29/23 - Chapter 259, Acts, Regular Session, 2023
731. By Sen. Azinger - **Requiring adjustment of verdicts for past expenses to reflect amount incurred and paid** - Introduced 2/20/2023 - To Judiciary
732. By Sen. Maroney, Takubo, Azinger, Chapman, Deeds, Grady, Hamilton, Hunt, Plymale, Roberts, Tarr and Weld (Originating in Senate Health and Human Resources) - **Prohibiting insurer from imposing copayment for certain services** - Introduced 2/24/2023 - Passed Senate 2/28/2023 - To House 3/1/2023 - To Health and Human Resources
733. By Sen. Woodrum, Barrett, Hamilton, Hunt, Jeffries, Phillips, Queen, Smith, Stuart, Swope and Weld (Originating in Senate Government Organization) - **Relating to wildlife licenses and stamps** - Introduced 2/24/2023 - Passed Senate 2/27/2023 - To House 2/28/2023 - To Government Organization - Amended - Passed House 3/10/2023 - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 221, Acts, Regular Session, 2023
734. By Sen. Woodrum, Barrett, Hamilton, Hunt, Jeffries, Phillips, Queen, Smith, Stuart, Swope and Weld (Originating in Senate Government Organization) - **Requiring adoption of cloud computing services by state agencies** - Introduced 2/24/2023 - Passed Senate 2/28/2023 - To House 3/1/2023 - To Government Organization - Passed House 3/10/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/23 - Chapter 167, Acts, Regular Session, 2023
735. By Sen. Woodrum, Barrett, Hamilton, Hunt, Jeffries, Phillips, Queen, Smith, Stuart, Swope and Weld (Originating in Senate Government Organization) - **Clarifying department responsible for administration of certain programs** - Introduced 2/24/2023 - Passed Senate 2/27/2023 - To House 2/28/2023 - To

Government Organization - Amended - Passed House 3/10/2023 - Title amended - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/17/2023 - Approved by Governor 3/29/23 - Chapter 120, Acts, Regular Session, 2023

736. By Sen. Grady, Clements, Azinger, Deeds, Roberts, Stover, Taylor and Trump (Originating in Senate Education) - **Establishing three-year nontraditional school week pilot project** - Introduced 2/24/2023 - Referred to Rules on 2nd reading 2/28/2023
737. By Sen. Tarr, Phillips, Barrett, Boley, Clements, Jeffries, Maroney, Nelson, Oliverio, Plymale, Queen, Roberts, Smith and Woodrum (Originating in Senate Finance) - **Emergency Medical Services Act** - Introduced 2/24/2023 - Amended - Passed Senate 2/27/2023 - To House 2/28/2023 - To Finance - Amended - Passed House 3/10/2023 - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 260, Acts, Regular Session, 2023
738. By Sen. Hamilton, Stover, Deeds, Phillips, Smith, Stuart, Swope, Taylor and Woodrum (Originating in Senate Agriculture and Natural Resources) - **Equipment Right to Repair Act** - Introduced 2/25/2023 - Passed Senate 3/1/2023 - To House 3/7/2023 - To Judiciary
739. Originating in Senate Rules - **Relating to moratorium on carbon capture agreements** - Introduced 2/25/2023 - Amended - Passed Senate with amended title 3/1/2023 - Effective from passage - To House 3/2/2023 - To Energy and Manufacturing - Amended - Passed House 3/10/2023 - Title amended - Effective from passage - Senate refused to concur in House amendment 3/11/2023 - Senate reconsidered action - Senate amended House amendment and passed 3/11/2023 - Effective from passage
740. Originating in Senate Rules - **Relating to compensation and expense reimbursement for members of Legislature** - Introduced 2/27/2023 - Passed Senate 3/1/2023 - To House 3/2/2023 - To Finance - Amended - Motion to reform amendment rejected - Passed House 3/10/2023 - Title amended - Senate amended House amendment and passed 3/11/2023 - Senate reconsidered action - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 206, Acts, Regular Session, 2023
741. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to Department of Commerce, Division of Forestry** (original similar to HB2908) - Introduced 3/1/2023 - To Finance
742. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Department of Veterans' Assistance** (original similar to HB2902) - Introduced 3/1/2023 - To Finance
743. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to BOE, Department of Education** (original similar to HB3109) - Introduced 3/1/2023 - To Finance

744. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplemental appropriation to Department of Economic Development, Office of Secretary** (original similar to HB2882) - Introduced 3/1/2023 - To Finance
745. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplemental appropriation to Executive, Governor's Office, Coronavirus State Fiscal Recovery Fund** (original similar to HB2883) - Introduced 3/1/2023 - To Finance
746. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing appropriations to DOT, Division of Multimodal Transportation Facilities** (original similar to HB3074) - Introduced 3/1/2023 - To Finance
747. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Adjutant General, State Militia** (original similar to HB3039) - Introduced 3/1/2023 - To Finance
748. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to Governor's Office, Civil Contingent Fund** (original similar to HB2914) - Introduced 3/1/2023 - To Finance
749. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to DOT, Division of Multimodal Transportation Facilities, State Rail Authority** (original similar to HB3108) - Introduced 3/1/2023 - To Finance
750. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to Department of Administration, Division of General Services** (original similar to HB2907) - Introduced 3/1/2023 - To Finance
751. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to BOE, State Department of Education, Classroom Aide Program** (original similar to HB2905) - Introduced 3/1/2023 - To Finance
752. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making a supplemental appropriation to Department of Revenue, State Budget Office** (original similar to HB2909) - Introduced 3/1/2023 - To Finance
753. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to Adjutant General, State Militia** (original similar to HB3073) - Introduced 3/1/2023 - To Finance
754. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to Department of Commerce, Office of Secretary** (original similar to HB2904) - Introduced 3/1/2023 - To Finance

755. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to DHHR, Division of Health** (original similar to HB2928) - Introduced 3/1/2023 - To Finance
756. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to DOT, Division of Multimodal Transportation Facilities, Public Transit** (original similar to HB3067) - Introduced 3/1/2023 - To Finance
757. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to DHS, Division of Administrative Services** (original similar to HB3072) - Introduced 3/1/2023 - To Finance
758. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriation to DHS, Division of Corrections and Rehabilitations, Correctional Units** (original similar to HB2927) - Introduced 3/1/2023 - To Finance
759. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing appropriations to DOT, Division of Multimodal Transportation Facilities, Aeronautics Commission** (original similar to HB3065) - Introduced 3/1/2023 - To Finance

ALL SENATE JOINT RESOLUTIONS OFFERED

1. By Sen. Tarr, Phillips, Woodrum, Hunt, Chapman, Karnes, Smith and Maroney - **Protection of Right to Bear Arms Amendment** (original similar to HB3103) - Introduced 1/11/2023 - To Judiciary then Finance
- *2. By Sen. Smith, Phillips, Caputo, Rucker, Hamilton, Hunt, Chapman and Maroney - **Disabled Veterans' Exemption from Ad Valorem Property Taxation Amendment** - Introduced 1/11/2023 - To Judiciary then Finance - Com. sub. reported 1/16/2023 - To Finance 1/16/2023
3. By Sen. Weld, Nelson, Queen, Taylor, Martin, Smith and Maroney - **Constitutional Officer Term Limit Amendment** - Introduced 1/11/2023 - To Judiciary then Finance
4. By Sen. Karnes, Hamilton, Martin and Smith - **Right to Farm and Ranch Amendment** - Introduced 1/11/2023 - To Judiciary then Finance
5. By Sen. Oliverio - **County Boundary Review Amendment** - Introduced 1/11/2023 - To Judiciary then Finance
6. By Sen. Trump, Rucker, Stuart, Smith, Maroney, Caputo, Hamilton, Phillips, Clements, Hunt, Chapman and Grady - **Homestead Exemption for Disabled Veterans Amendment** - Introduced 1/12/2023 - To Judiciary then Finance
7. By Sen. Jeffries, Caputo and Karnes - **Fair County Commissioner Representation Amendment** - Introduced 1/18/2023 - To Judiciary then Finance

8. By Sen. Jeffries and Caputo - **Fair School Board Representation Amendment** - Introduced 1/19/2023 - To Judiciary then Finance
9. By Sen. Grady, Barrett, Chapman, Deeds, Hunt, Karnes, Martin, Maynard, Phillips, Roberts, Rucker, Tarr, Swope, Smith, Taylor and Stuart - **Right to medical freedom amendment** - Introduced 1/27/2023 - To Judiciary then Finance
10. By Sen. Chapman, Maynard, Rucker and Taylor - **Returning Roads to Counties Amendment of 2023** - Introduced 2/2/2023 - To Judiciary then Finance

ALL SENATE CONCURRENT RESOLUTIONS OFFERED

1. By Sen. Takubo - **Adopting Joint Rules of Senate and House of Delegates** - Introduced 1/11/2023 - Committee reference dispensed - Adopted by Senate 1/11/2023 - To House 1/11/2023 - Reference dispensed - Adopted by House 1/11/2023
2. By Sen. Blair (Mr. President), Tarr and Woelfel - **Authorizing payment of expenses for 86th Legislature** - Introduced 1/11/2023 - Committee reference dispensed - Adopted by Senate 1/11/2023 - To House 1/11/2023 - Reference dispensed - Adopted by House 1/11/2023
- *3. By Sen. Karnes and Hamilton - **Dr. Roland P Sharp Memorial Road** - Introduced 1/13/2023 - To Transportation and Infrastructure - Com. sub. reported 2/15/2023 - Adopted by Senate 2/16/2023 - To House 2/17/2023 - To Technology and Infrastructure - To House Rules 2/28/2023 - Adopted by House 3/3/2023
- *4. By Sen. Maynard and Phillips - **US Navy S1 Ira "Noon" Copley and Marie Copley Memorial Bridge** - Introduced 1/17/2023 - To Transportation and Infrastructure - Com. sub. reported 2/15/2023 - Adopted by Senate 2/16/2023 - To House 2/17/2023 - To Technology and Infrastructure then Rules - To House Rules 3/7/2023 - Adopted by House 3/9/2023
5. By Sen. Queen, Caputo and Martin - **US Navy S1 Paul McCue Bridge** - Introduced 1/25/2023 - To Transportation and Infrastructure
- *6. By Sen. Smith, Taylor, Weld and Woelfel - **US Army SGT Vincent DiBacco Memorial Bridge** - Introduced 1/31/2023 - To Transportation and Infrastructure - Com. sub. reported 2/15/2023 - Adopted by Senate 2/16/2023 - To House 2/17/2023 - To Technology and Infrastructure then Rules - To House Rules 2/28/2023 - Adopted by House 3/3/2023
7. By Sen. Clements and Plymale - **Amending Joint Rules of Senate and House of Delegates** - Introduced 2/6/2023 - Committee reference dispensed - Amended - Adopted by Senate 2/7/2023 - To House 2/13/2023 - Reference dispensed - Amended - Adopted by House 2/13/2023 - Senate concurred in House amendment and adopted resolution 2/14/2023

8. By Sen. Woodrum and Deeds - **US Army PV 2 Harold Richard Plumley Memorial Bridge** - Introduced 2/7/2023 - To Transportation and Infrastructure - Adopted by Senate 2/16/2023 - To House 2/17/2023 - To Technology and Infrastructure then Rules - To House Rules 3/7/2023 - Adopted by House 3/9/2023
9. By Sen. Maynard and Plymale - **Declaring Guyandotte River crayfish official crustacean for State of WV** - Introduced 2/7/2023 - To Government Organization
- *10. By Sen. Hunt and Jeffries - **US Army Air Corps PVT Albert J Sutphin Memorial Highway** - Introduced 2/8/2023 - To Transportation and Infrastructure - Com. sub. reported 2/27/2023 - Adopted by Senate 2/28/2023 - To House 3/1/2023 - To Rules - To House Rules 3/1/2023 - Adopted by House 3/9/2023
- *11. By Sen. Woodrum - **US Army SGT Brian Christopher Karim Memorial Road** - Introduced 2/10/2023 - To Transportation and Infrastructure - Com. sub. reported 3/6/2023 - Amended - Adopted by Senate 3/7/2023 - To House 3/8/2023 - To Rules - To House Rules 3/8/2023 - Adopted by House 3/11/2023
12. By Sen. Stover, Chapman, Maynard, Rucker and Roberts - **Oakey Tolliver Memorial Bridge** - Introduced 2/16/2023 - To Transportation and Infrastructure
- *13. By Sen. Martin and Queen - **Wyant Brothers WWII Veterans Memorial Road** - Introduced 2/16/2023 - To Transportation and Infrastructure - Com. sub. reported 2/27/2023 - Adopted by Senate 2/28/2023 - To House 3/1/2023 - To Rules - To House Rules 3/1/2023 - Adopted by House 3/9/2023
14. By Sen. Deeds and Plymale - **Supporting Medal of Valor nominees recommended by First Responders Honor Board** - Introduced 2/16/2023 - Committee reference dispensed - Adopted by Senate 2/17/2023 - To House 2/20/2023 - To Rules - To House Rules 2/20/2023 - Adopted by House 3/11/2023
15. By Sen. Maynard, Plymale and Woelfel - **Permitting Department of Tourism to procure bids for lodge on Beech Fork Lake** - Introduced 2/16/2023 - To Government Organization
- *16. By Sen. Phillips, Rucker, Stuart, Taylor and Smith - **US Army ISG James Arnold Browning Memorial Bridge** - Introduced 2/17/2023 - To Transportation and Infrastructure - Com. sub. reported 2/27/2023 - Adopted by Senate 2/28/2023 - To House 3/1/2023 - To Rules - To House Rules 3/1/2023 - Adopted by House 3/9/2023
- *17. By Sen. Phillips and Smith - **US Navy PO2 Phillip Joseph "PJ" Hainer Memorial Bridge** - Introduced 2/17/2023 - To Transportation and Infrastructure - Com. sub. reported 2/27/2023 - Adopted by Senate 2/28/2023 - To House 3/1/2023 - To Rules - To House Rules 3/1/2023 - Adopted by House 3/4/2023

18. By Sen. Maroney, Takubo, Azinger, Chapman, Deeds, Grady, Hamilton, Hunt, Jeffries, Plymale, Roberts, Rucker, Tarr and Weld (Originating in Senate Health and Human Resources) - **Requesting Joint Committee on Government and Finance study increasing availability of prescription nonopioid medications** - Introduced 2/20/2023 - Referred to Rules 2/21/2023 - Adopted by Senate 3/11/2023
19. By Sen. Woodrum and Trump - **Requesting Joint Committee on Government Organization study operations of Division of Personnel** - Introduced 2/23/2023 - To Rules - Adopted by Senate 3/11/2023
20. By Sen. Azinger, Caputo, Chapman, Deeds, Hamilton, Hunt, Martin, Maynard, Rucker, Stover, Stuart, Swope, Takubo, Taylor, Weld, Woelfel and Trump (Originating in Senate Judiciary) - **Requesting Joint Committee on Judiciary study operations of WV BRIM** - Introduced 2/23/2023 - Referred to Rules 2/24/2023 - Adopted by Senate 3/11/2023
21. By Sen. Barrett, Woodrum, Queen and Nelson - **Requesting Joint Committee on Technology study feasibility of Digital Identification** - Introduced 2/28/2023 - To Rules
22. By Sen. Azinger, Caputo, Chapman, Deeds, Hamilton, Hunt, Martin, Maynard, Rucker, Stover, Stuart, Swope, Takubo, Taylor, Weld and Trump (Originating in Senate Judiciary) - **Requesting study on need for awarding attorney's fees and recovering damages in civil tort actions** - Introduced 2/28/2023 - Referred to Rules 3/1/2023 - Adopted by Senate 3/11/2023
23. By Sen. Maroney, Takubo, Azinger, Deeds, Grady, Hamilton, Hunt, Plymale, Roberts, Rucker, Tarr and Weld (Originating in Senate Health and Human Resources) - **Requesting study on impact of public benefit income eligibility guidelines on direct care workforce participation** - Introduced 3/7/2023 - Referred to Rules 3/8/2023
24. By Sen. Clements, Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel and Woodrum - **Renaming Mount Olive Correctional Complex and Jail as Mike V. Coleman Maximum Security Complex** - Introduced 3/9/2023 - Committee reference dispensed - Adopted by Senate 3/9/2023 - To House 3/10/2023 - To Rules - To House Rules 3/10/2023 - Amended - Adopted by House 3/11/2023 - Senate concurred in House amendment and adopted resolution 3/11/2023
25. By Sen. Rucker, Azinger, Boley, Chapman, Deeds, Hunt, Karnes, Martin, Maynard, Roberts, Smith, Stuart, Swope, Taylor and Weld - **Requesting study on effects of Uniform Common Interest Ownership Act on investment opportunities and projects in WV** - Introduced 3/10/2023 - Referred to Rules 3/11/2023
26. By Sen. Caputo, Chapman, Deeds, Hamilton, Hunt, Maynard, Stover, Stuart, Swope, Taylor, Trump, Weld and Woelfel (Originating in Senate Judiciary) - **Requesting study on creation and implementation of earned compliance**

credit program for parolees and probationers - Introduced 3/11/2023 - Referred to Rules 3/11/2023 - Adopted by Senate 3/11/2023

27. By Sen. Blair (Mr. President), Takubo, Azinger, Boley, Grady, Maroney, Nelson, Tarr, Trump, Weld, Woelfel and Woodrum (Originating in Senate Rules) - **Requesting study on use of E-Verify for employers with public contracts** - Introduced 3/11/2023 - Adopted by Senate 3/11/2023
28. By Sen. Blair (Mr. President), Takubo, Azinger, Boley, Grady, Maroney, Nelson, Tarr, Trump, Weld, Woelfel and Woodrum (Originating in Senate Rules) - **Requesting study on legislation needed to address privacy in social care and health-related social needs space** - Introduced 3/11/2023 - Adopted by Senate 3/11/2023

ALL SENATE RESOLUTIONS OFFERED

1. By Sen. Takubo - **Adopting Rules of Senate** - Introduced 1/11/2023 - Adopted 1/11/2023
2. By Sen. Tarr - **Authorizing mailing of bills and journals** - Introduced 1/11/2023 - Committee reference dispensed - Adopted 1/11/2023
3. By Sen. Tarr and Stuart - **Authorizing appointment of Senate employees** - Introduced 1/11/2023 - Committee reference dispensed - Adopted 1/11/2023
4. By Sen. Takubo - **WV Academy of Nutrition and Dietetics** - Introduced 1/12/2023 - Committee reference dispensed - Adopted 1/13/2023
5. By Sen. Smith and Hamilton - **Honoring public service of Dr. Richard Lechliter for Mineral County Day** - Introduced 1/12/2023 - Committee reference dispensed - Adopted 1/13/2023
6. By Sen. Oliverio, Caputo, Maroney, Clements, Smith, Taylor, Stuart, Trump, Deeds, Swope, Nelson, Martin, Grady, Phillips, Barrett, Queen, Hamilton, Roberts and Plymale - **Congratulating Bob Huggins on his induction into Naismith Memorial Basketball Hall of Fame** - Introduced 1/16/2023 - Committee reference dispensed - Adopted 1/17/2023
7. By Sen. Rucker, Woelfel, Hamilton and Plymale - **Designating January 17, 2023, as Girl Scouts Day** - Introduced 1/16/2023 - Committee reference dispensed - Adopted 1/17/2023
8. By Sen. Smith and Taylor - **Designating January 17, 2023, as Tucker County Day** - Introduced 1/16/2023 - Committee reference dispensed - Adopted 1/17/2023
9. By Sen. Maroney, Hamilton, Oliverio and Plymale - **Designating January 18, 2023, as Jan Lilly-Stewart Disability Advocacy Day** - Introduced 1/17/2023 - Committee reference dispensed - Adopted 1/18/2023

10. By Sen. Weld, Queen, Woelfel, Caputo, Hamilton, Plymale and Chapman - **Recognizing WV Sheriffs at Legislature on January 20, 2023** - Introduced 1/19/2023 - Committee reference dispensed - Adopted 1/20/2023
11. By Sen. Blair (Mr. President), Maynard, Jeffries, Rucker, Woodrum, Trump, Nelson, Plymale, Clements, Hamilton, Woelfel and Grady - **Designating January 23, 2023, as WV Tourism Day at Legislature** - Introduced 1/20/2023 - Committee reference dispensed - Adopted 1/23/2023
12. By Sen. Blair (Mr. President) - **Commemorating 77th Southern Legislative Conference of Council of State Governments Southern Office** - Introduced 1/23/2023 - Committee reference dispensed - Adopted 1/24/2023
13. By Sen. Rucker, Woodrum, Woelfel, Plymale and Hamilton - **Observing 90th Anniversary of Holodomor Ukrainian Genocide of 1932-1933** - Introduced 1/24/2023 - Committee reference dispensed - Adopted 1/25/2023
14. By Sen. Blair (Mr. President), Plymale, Swope, Rucker, Hamilton and Phillips - **Designating January 25, 2023, as Aviation Day at Legislature** - Introduced 1/24/2023 - Committee reference dispensed - Adopted 1/25/2023
15. By Sen. Jeffries, Hamilton, Swope, Caputo and Plymale - **Designating January 26, 2023, as Hunger-Free WV Day at Legislature** - Introduced 1/25/2023 - Committee reference dispensed - Adopted 1/26/2023
16. By Sen. Smith, Plymale, Deeds, Martin, Rucker, Phillips, Hamilton and Nelson - **Designating January 30, 2023, as Future Farmers of America Day at Legislature** - Introduced 1/27/2023 - Committee reference dispensed - Adopted 1/30/2023
17. By Sen. Hamilton, Plymale, Deeds, Rucker, Smith and Phillips - **Congratulating Kevin Gregory as WV Outstanding Tree Farmer of 2022** - Introduced 1/27/2023 - Committee reference dispensed - Adopted 1/30/2023
18. By Sen. Oliverio, Caputo, Maroney, Clements, Smith, Taylor, Hamilton, Swope, Takubo, Nelson, Phillips, Grady and Rucker - **Designating January 31, 2023, as WVU Day at Legislature** - Introduced 1/30/2023 - Committee reference dispensed - Adopted 1/31/2023
19. By Sen. Takubo, Stover, Hamilton, Swope, Nelson and Phillips - **Designating January 31, 2023, as WV Academy of Family Physicians' Day at Legislature** - Introduced 1/30/2023 - Committee reference dispensed - Adopted 1/31/2023
20. By Sen. Rucker, Barrett, Swope and Phillips - **Recognizing Leadership Jefferson for its service, dedication, and commitment to Jefferson County** - Introduced 1/30/2023 - Committee reference dispensed - Adopted 1/31/2023
21. By Sen. Weld - **Designating February 1, 2023, as National Unclaimed Property Day at Legislature** - Introduced 1/31/2023 - Committee reference dispensed - Adopted 2/1/2023

22. By Sen. Plymale, Woelfel, Hamilton, Swope, Takubo, Rucker and Grady - **Designating February 1, 2023, as Marshall University Day at Legislature** - Introduced 1/31/2023 - Committee reference dispensed - Adopted 2/1/2023
23. By Sen. Grady, Rucker, Taylor, Smith, Plymale, Karnes and Barrett - **Designating February 3, 2023, as WV Homeschool Day at Legislature** - Introduced 2/2/2023 - Committee reference dispensed - Adopted 2/3/2023
24. By Sen. Weld, Rucker, Woelfel, Plymale, Hamilton, Deeds, Smith and Stuart - **Designating February 6, 2023, as Domestic Violence Awareness Day in WV** - Introduced 2/3/2023 - Committee reference dispensed - Adopted 2/6/2023
25. By Sen. Weld, Hamilton, Rucker, Stuart, Deeds, Swope, Caputo, Plymale and Oliverio - **Designating February 7, 2023, as Sexual Assault Awareness Day at Legislature** - Introduced 2/6/2023 - Committee reference dispensed - Adopted 2/7/2023
26. By Sen. Woodrum, Plymale and Deeds - **Commemorating and honoring life, military service, and ultimate sacrifice of US Army SGT Brian Christopher Karim** - Introduced 2/7/2023 - To Government Organization
27. By Sen. Nelson, Barrett, Hunt, Jeffries, Phillips, Stuart, Hamilton, Plymale, Rucker, Swope, Deeds and Caputo - **Designating February 8, 2023, as Crime Victims Day at Legislature** - Introduced 2/7/2023 - Committee reference dispensed - Adopted 2/8/2023
28. By Sen. Rucker, Hamilton, Plymale and Deeds - **Recognizing essential role court appointed special advocates provide to WV children** - Introduced 2/7/2023 - Committee reference dispensed - Adopted 2/8/2023
29. By Sen. Boley, Blair (Mr. President), Azinger, Barrett, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Smith, Stuart, Takubo, Tarr, Taylor, Trump, Weld, Woodrum, Swope, Caputo and Phillips - **Strongly encouraging Monongahela Power Company to purchase Pleasants Power Station** - Introduced 2/10/2023 - Committee reference dispensed - Adopted 2/13/2023
30. By Sen. Grady, Caputo, Maroney, Rucker and Hamilton - **Recognizing February 14, 2023, as National Donor Day at Legislature** - Introduced 2/13/2023 - Committee reference dispensed - Adopted 2/14/2023
31. By Sen. Tarr, Caputo, Rucker and Hamilton - **Designating February 14, 2023, as Child Care Day at Legislature** - Introduced 2/13/2023 - Committee reference dispensed - Adopted 2/14/2023
32. By Sen. Jeffries, Hamilton, Rucker and Plymale - **Designating February 16, 2023, as WVSU Day at Legislature** - Introduced 2/15/2023 - Committee reference dispensed - Adopted 2/16/2023
33. By Sen. Smith, Queen, Boley, Caputo, Martin, Nelson, Oliverio, Phillips, Stover, Stuart, Swope and Taylor (Originating in Senate Energy, Industry, and Mining) - **Urging WV congressional delegation promote construction of coal-fired power facilities, development of clean coal technology and**

carbon sequestration projects in WV - Introduced 2/15/2023 - Referred to Rules 2/15/2023

34. By Sen. Maynard and Plymale - **Recognizing February 17, 2023, as Adventure Travel Day at Legislature** - Introduced 2/16/2023 - Committee reference dispensed - Adopted 2/17/2023
35. By Sen. Weld, Smith, Phillips, Deeds, Queen, Caputo and Taylor - **Recognizing Society of Honor Guard, Tomb of Unknown Soldier** - Introduced 2/17/2023 - Committee reference dispensed - Adopted 2/20/2023
36. By Sen. Hamilton, Smith, Woelfel and Caputo - **Designating February 20, 2023, as Pancreatic Cancer Awareness Day at Legislature** - Introduced 2/17/2023 - Committee reference dispensed - Adopted 2/20/2023
37. By Sen. Blair (Mr. President), Weld, Barrett, Rucker, Karnes, Maroney, Stuart and Nelson - **Recognizing sister-state relationship between WV and Taiwan** - Introduced 2/21/2023 - To Rules - Adopted 2/28/2023
38. By Sen. Clements and Rucker - **Designating February 24, 2023, as Corrections Day at Legislature** - Introduced 2/23/2023 - Committee reference dispensed - Adopted 2/24/2023
39. By Sen. Maynard, Queen and Rucker - **Recognizing February 24, 2023, as WV Motorsports Day at Legislature** - Introduced 2/23/2023 - Committee reference dispensed - Adopted 2/24/2023
40. By Sen. Oliverio and Rucker - **Designating February 27, 2023, as Human Resources Day at Legislature** - Introduced 2/25/2023 - Committee reference dispensed - Adopted 2/27/2023
41. By Sen. Blair (Mr. President), Trump, Rucker and Barrett - **Recognizing Leadership Berkeley for its services, dedication, and commitment to Berkeley County, WV** - Introduced 2/25/2023 - Committee reference dispensed - Adopted 2/27/2023
42. By Sen. Takubo and Rucker - **Recognizing contributions of AARP WV** - Introduced 2/25/2023 - Committee reference dispensed - Adopted 2/27/2023
43. By Sen. Rucker, Chapman, Taylor and Roberts - **Designating February 27, 2023, as Rare Disease Awareness Day at Legislature** - Introduced 2/27/2023 - Committee reference dispensed - Adopted 2/28/2023
44. By Sen. Queen, Martin, Stover and Rucker - **Recognizing 151st anniversary of Glenville State University** - Introduced 2/27/2023 - Committee reference dispensed - Adopted 2/28/2023
45. By Sen. Stover, Hamilton and Woelfel (Originating in Senate) - **Recognizing 50th anniversary of National Wild Turkey Federation** - Introduced 3/3/2023 - Committee reference dispensed - Adopted 3/6/2023

46. By Sen. Grady (Originating in Senate) - **Designating March 7, 2023, as Deaf Awareness Day at Legislature** - Introduced 3/6/2023 - Committee reference dispensed - Adopted 3/7/2023
47. By Sen. Takubo, Deeds and Caputo (Originating in Senate) - **Recognizing March as American Red Cross month** - Introduced 3/7/2023 - Committee reference dispensed - Adopted 3/8/2023
48. By Sen. Caputo and Rucker - **Designating March 9, 2023, as Recovery Community Day** - Introduced 3/8/2023 - Committee reference dispensed - Adopted 3/9/2023
49. By Sen. Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel and Woodrum - **Memorializing life of John Edward Eckhart, Jr, husband, father, grandfather, Fiscal Officer for WV Senate and dedicated public servant** - Introduced 3/10/2023 - Committee reference dispensed - Adopted 3/11/2023
50. By Sen. Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel and Woodrum - **Urging WV congressional delegation support railroad safety improvement** - Introduced 3/11/2023 - Committee reference dispensed - Adopted 3/11/2023

SENATE BILLS COMMUNICATED TO HOUSE

21. By Sen. Swope and Roberts - **Requiring certain documents that contain wage records be considered confidential** - Introduced 1/11/2023 - To Workforce then Finance - 2nd reference dispensed - Passed Senate 1/26/2023 - To House 2/3/2023 - To Judiciary
- *31. By Sen. Swope, Jeffries, Maynard and Plymale - **Relating to permissible expenditures by Water Development Authority from Infrastructure Fund** - Introduced 1/11/2023 - To Finance - Com. sub. reported 2/9/2023 - Passed Senate 2/14/2023 - To House 2/15/2023 - To Finance
- *50. By Sen. Hamilton - **Requiring one-year residency within district or county to fill vacancy in Legislature** - Introduced 1/11/2023 - To Judiciary - Com. sub. reported 2/2/2023 - Passed Senate 2/7/2023 - To House 2/8/2023 - To Judiciary
- *59. By Sen. Takubo, Woodrum, Hunt and Barrett - **Requiring work search activities to qualify for unemployment benefits** (original similar to HB2589) - Introduced 1/11/2023 - To Government Organization - Com. sub. reported 1/18/2023 - Passed Senate 1/23/2023 - Effective January 1, 2024 - To House 2/14/2023 - To Workforce Development then Finance

- *62. By Sen. Nelson - **Establishing secondary location for racetrack video lottery terminals** - Introduced 1/11/2023 - To Government Organization - Com. sub. reported 2/24/2023 - Amended - Passed Senate with amended title 2/28/2023 - To House 3/2/2023 - To Finance
- *65. By Sen. Nelson, Hamilton and Stuart - **Granting municipal fire marshal authority to assist law-enforcement officer** - Introduced 1/11/2023 - To Government Organization then Judiciary - Com. sub. reported 1/12/2023 - To Judiciary 1/12/2023 - Com. sub. for com. sub. reported 1/18/2023 - Passed Senate 1/23/2023 - To House 1/24/2023 - To Political Subdivisions then Judiciary
74. By Sen. Weld, Roberts and Rucker - **Providing for substantial deference to State Superintendent's interpretations of school laws** - Introduced 1/11/2023 - To Judiciary - Passed Senate 1/19/2023 - To House 1/20/2023 - To Judiciary
- *79. By Sen. Weld, Hamilton, Woelfel, Queen, Barrett and Oliverio - **Relating to compensable diseases of certain firefighters covered by workers' compensation** (original similar to HB2128) - Introduced 1/11/2023 - To Government Organization then Finance - Com. sub. reported 1/12/2023 - To Finance 1/12/2023 - Com. sub. for com. sub. reported 2/21/2023 - Passed Senate 2/24/2023 - Effective from passage - To House 2/24/2023 - To Finance
- *91. By Sen. Phillips, Caputo, Woodrum, Hamilton, Oliverio and Plymale - **Relating to distribution of certain taxes and surcharges to benefit fire departments and emergency medical services providers** - Introduced 1/11/2023 - To Government Organization then Finance - Com. sub. reported 2/24/2023 - To Finance 2/24/2023 - Com. sub. for com. sub. reported 2/27/2023 - On 2nd reading to Finance 2/27/2023 - Amended - Passed Senate with amended title 3/1/2023 - Effective January 1, 2024 - To House 3/2/2023 - To Finance
115. By Sen. Karnes and Taylor - **Providing procedure for WV to select delegates to Article V Convention** - Introduced 1/11/2023 - To Judiciary - Passed Senate 1/20/2023 - To House 1/23/2023 - To Judiciary
- *123. By Sen. Hamilton, Deeds, Stuart, Oliverio and Hunt - **Creating enhanced penalties for fleeing officer** - Introduced 1/11/2023 - To Judiciary then Finance - Com. sub. reported 2/25/2023 - 2nd reference dispensed - Passed Senate 3/1/2023 - To House 3/2/2023 - To Judiciary
- *124. By Sen. Woelfel and Plymale - **Authorizing child sexual abuse and sexual violence prevention program and in-service training in child sexual abuse prevention** - Introduced 1/11/2023 - To Education - Com. sub. reported 1/17/2023 - Passed Senate 1/20/2023 - To House 1/23/2023 - To Education
126. By Sen. Trump, Deeds, Oliverio, Azinger, Stuart, Clements, Barrett, Phillips, Roberts, Swope, Grady, Tarr, Boley, Smith, Maynard, Rucker, Taylor, Weld, Hamilton, Maroney and Woodrum - **Reorganizing DHHR** (original similar to HB2006) - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Health and Human Resources then Finance

127. By Sen. Weld, Maroney, Nelson, Takubo, Oliverio, Azinger, Clements, Barrett, Roberts, Woodrum, Queen, Swope, Hamilton, Boley, Smith, Plymale, Woelfel, Caputo and Chapman - **Relating to reimbursement of hospital inpatient rates by PEIA** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Amended - Passed Senate 1/11/2023 - Effective from passage - To House 1/16/2023 - To Banking and Insurance then Finance
129. By Sen. Tarr, Smith, Taylor and Woodrum - **Limiting gubernatorial authority to spend certain federal funds without appropriation of Legislature** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - Effective from passage - To House 1/16/2023 - To Government Organization then Finance - To House Finance 3/7/2023
130. By Sen. Tarr, Rucker, Azinger, Karnes, Maynard, Deeds, Phillips, Roberts, Woodrum, Swope, Smith, Taylor, Grady and Maroney - **Anti-Racism Act of 2023** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Education then Judiciary - To House Judiciary 1/31/2023
133. By Sen. Rucker, Woodrum, Clements, Smith, Maroney, Trump, Azinger, Stuart, Barrett, Phillips, Roberts, Maynard, Martin, Karnes and Hamilton - **Adding definition of “ammunition” for purposes of obtaining state license to carry concealed deadly weapon** (original similar to HB2187) - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - Effective from passage - To House 1/16/2023 - To Judiciary
134. By Sen. Jeffries, Caputo, Woelfel, Hamilton, Rucker, Trump, Oliverio, Azinger, Stuart, Roberts, Woodrum, Queen, Smith and Maroney - **Protecting consumers against businesses using automatic renewals without consent** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Judiciary
135. By Sen. Weld, Trump, Deeds, Jeffries, Stuart, Hamilton and Maroney - **Relating to Uniform Controlled Substances Act** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Judiciary
137. By Sen. Trump, Woelfel, Phillips, Deeds, Oliverio, Stuart, Clements, Queen, Grady, Hamilton and Woodrum - **Clarifying offenses of kidnapping and unlawful restraint** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Judiciary
138. By Sen. Azinger, Trump and Clements - **Clarifying secondary sources are not law and public policy of WV in certain instances** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Judiciary
139. By Sen. Roberts, Azinger, Boley, Grady, Karnes, Maynard, Phillips, Smith, Tarr, Trump, Woodrum, Takubo, Martin, Deeds, Jeffries, Stuart, Clements, Barrett, Rucker, Taylor, Nelson, Hamilton and Maroney - **Requiring each county BOE to ensure all its meetings are open to public through in-person**

- attendance and broadcast live on its website** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - Effective July 1, 2023 - To House 1/16/2023 - To Education
140. By Sen. Woelfel, Grady, Caputo, Woodrum, Hamilton, Trump, Deeds, Jeffries, Azinger, Stuart, Barrett, Phillips and Roberts - **Updating offenses of extortion and attempted extortion** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Judiciary
141. By Sen. Trump, Hamilton, Oliverio, Jeffries, Stuart, Clements, Barrett, Phillips, Queen and Maroney - **Adding Division of Corrections and Rehabilitation employees working at certain institutions to WV Emergency Responders Survivor Benefits Act** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - Effective from passage - To House 1/16/2023 - To Jails and Prisons then Finance - To House Finance 1/30/2023
145. By Sen. Grady, Azinger, Karnes, Rucker, Trump, Oliverio, Stuart, Clements, Phillips, Roberts and Smith - **Allowing county BOE participating in operation of multicounty vocational center to withdraw** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Education
147. By Sen. Woelfel, Trump, Plymale, Azinger, Stuart, Barrett, Phillips, Nelson, Grady and Maroney - **Creating pilot program for recovery residences in Cabell County** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - Effective from passage - To House 1/16/2023 - To Health and Human Resources then Judiciary - Committee reference change - To Prevention and Treatment of Substance Abuse - 2nd reference dispensed to Health and Human Resources and commit to Judiciary - To House Judiciary 2/10/2023 - Amended - House rejected 3/10/2023
148. By Sen. Swope, Martin, Hamilton, Jeffries, Roberts, Tarr, Woelfel, Woodrum, Trump, Oliverio, Stuart, Clements, Phillips and Queen - **Relating to municipalities required to be represented on county authority boards** - Introduced 1/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 1/11/2023 - To House 1/16/2023 - To Political Subdivisions then Judiciary
- *150. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Budget Bill** - Introduced 1/11/2023 - To Finance 1/11/2023 - Com. sub. reported 2/24/2023 - Constitutional rule suspended - Passed Senate 2/25/2023 - Effective from passage - To House 2/27/2023 - To Finance
- *160. By Sen. Trump, Barrett, Plymale, Maroney, Woodrum, Woelfel, Deeds and Taylor - **WV Rail Trails Program** - Introduced 1/12/2023 - To Outdoor Recreation - Com. sub. reported 1/26/2023 - Passed Senate 1/31/2023 - To House 2/1/2023 - To Economic Development and Tourism - On 2nd reading, House Calendar 3/11/2023

- *166. By Sen. Caputo, Nelson and Barrett - **WV Public Employees Retirement Act** - Introduced 1/13/2023 - To Pensions then Finance - Com. sub. reported 1/26/2023 - 2nd reference dispensed - Passed Senate 1/31/2023 - To House 2/1/2023 - To Pensions and Retirement then Finance
192. By Sen. Trump and Oliverio - **Relating to Uniform Real Property Transfer on Death Act** - Introduced 1/13/2023 - To Judiciary - Passed Senate 1/25/2023 - To House 1/26/2023 - To Judiciary
- *195. By Sen. Rucker - **Glucagon for Schools Act** - Introduced 1/13/2023 - To Health and Human Resources then Education - Com. sub. reported 2/8/2023 - To Education 2/8/2023 - Com. sub. for com. sub. reported 2/17/2023 - Amended - Passed Senate 2/23/2023 - To House 2/23/2023 - To Health and Human Resources then Education
- *199. By Sen. Hamilton, Karnes, Phillips, Barrett, Martin, Queen, Maroney and Oliverio - **Requiring purchases of certain commodities and services from state use program partners** - Introduced 1/13/2023 - To Government Organization - Com. sub. reported 2/7/2023 - Referred to Finance 2/7/2023 - Com. sub. for com. sub. reported 2/27/2023 - Passed Senate 3/1/2023 - To House 3/2/2023 - To Government Organization then Finance
- *202. By Sen. Hamilton and Woelfel - **Increasing terms of Natural Resources Commission members from four to seven years** - Introduced 1/13/2023 - To Agriculture and Natural Resources - Com. sub. reported 1/24/2023 - Passed Senate 1/27/2023 - To House 1/30/2023 - To Agriculture and Natural Resources then Government Organization
- *216. By Sen. Woodrum and Rucker - **Requiring all schools to instruct students on Holocaust, other genocides and financial literacy** - Introduced 1/13/2023 - To Education - Com. sub. reported 2/6/2023 - Passed Senate 2/9/2023 - To House 2/10/2023 - To Education then Finance - To House Finance 3/4/2023
- *222. By Sen. Rucker and Hunt - **Creating adult education taskforce** - Introduced 1/13/2023 - To Education - Com. sub. reported 1/26/2023 - Passed Senate 1/31/2023 - To House 2/1/2023 - To Education
234. By Sen. Jeffries and Woelfel - **Clarifying uniform statewide deadline for electronically submitted voter registration applications** (original similar to HB3008) - Introduced 1/16/2023 - To Government Organization - Passed Senate 2/10/2023 - Effective from passage - To House 2/13/2023 - To Judiciary
- *243. By Sen. Azinger and Deeds - **Requiring substance use disorder inpatient providers to provide transportation to patients** (original similar to HB2546) - Introduced 1/16/2023 - To Health and Human Resources - Com. sub. reported 1/25/2023 - Passed Senate 1/30/2023 - To House 1/31/2023 - To Prevention and Treatment of Substance Abuse then Health and Human Resources - 2nd reference dispensed - Amended - Passed House 2/15/2023 - Senate amended House amendment and passed 2/20/2023 - House refused to concur
245. By Sen. Woodrum and Deeds - **Making rules and regulations promulgated by PSC subject to legislative rule-making review procedures** - Introduced

1/16/2023 - To Government Organization - Passed Senate 1/25/2023 - To House 1/26/2023 - To Government Organization then Judiciary

- *248. By Sen. Woodrum - **Clarifying when excess funds accumulated by boards are to be transferred to General Revenue Fund** - Introduced 1/16/2023 - To Finance - Com. sub. reported 1/25/2023 - Passed Senate 1/30/2023 - To House 1/31/2023 - To Finance
- *249. By Sen. Woodrum - **WV Real Estate License Act** - Introduced 1/16/2023 - To Government Organization - Com. sub. reported 1/26/2023 - Passed Senate 1/31/2023 - To House 2/1/2023 - To Government Organization
- *250. By Sen. Clements and Woelfel - **Requiring certain drivers display student driver sign on rear of vehicle** - Introduced 1/17/2023 - To Transportation and Infrastructure - Com. sub. reported 1/31/2023 - Rereferred to Transportation and Infrastructure 2/1/2023 - Rev. com. sub. reported 2/7/2023 - Passed Senate 2/10/2023 - Effective July 1, 2023 - To House 2/13/2023 - To Technology and Infrastructure
251. By Sen. Azinger, Roberts, Deeds, Maynard, Trump, Grady and Stover - **Displaying official motto of United States in public schools and institutions of higher education** - Introduced 1/17/2023 - To Education - Passed Senate 1/30/2023 - To House 1/31/2023 - To Education then Judiciary - To House Judiciary 3/6/2023
- *254. By Sen. Stuart - **Relating generally to mandatory state inspection of certain motor vehicles** - Introduced 1/17/2023 - To Transportation and Infrastructure then Finance - Com. sub. reported 1/24/2023 - 2nd reference dispensed - Amended - Passed Senate with amended title 1/27/2023 - Effective January 1, 2024 - To House 1/30/2023 - To Technology and Infrastructure then Finance - To House Finance 2/1/2023
262. By Sen. Weld, Rucker, Oliverio, Phillips and Deeds - **Allowing students to transfer schools and retain athletic eligibility** - Introduced 1/17/2023 - To Education - Passed Senate with amended title 1/25/2023 - To House 1/26/2023 - To Education - On 1st reading, House Calendar 3/11/2023
- *264. By Sen. Weld, Hamilton, Woelfel, Jeffries, Deeds, Karnes, Chapman, Hunt, Oliverio and Plymale - **Prohibiting persons who have been convicted of certain crimes against minors from holding positions on boards of education** - Introduced 1/17/2023 - To Education - Com. sub. reported 1/20/2023 - Passed Senate 1/25/2023 - To House 1/26/2023 - To Judiciary
- *274. By Sen. Grady, Woelfel, Queen, Roberts, Plymale, Nelson, Taylor, Deeds, Oliverio and Barrett - **Third Grade Success Act** - Introduced 1/18/2023 - To Education then Finance - Com. sub. reported 1/20/2023 - To Finance 1/20/2023 - Com. sub. for com. sub. reported 2/9/2023 - Amended - Passed Senate 2/14/2023 - Effective July 1, 2023 - To House 2/15/2023 - To Education then Finance - To House Finance 3/7/2023
- *282. By Sen. Tarr, Chapman, Grady, Deeds and Phillips - **Creating WV Guardian Program** - Introduced 1/18/2023 - To Education - Com. sub. reported

- 1/25/2023 - Passed Senate 1/30/2023 - To House 1/31/2023 - To Education then Judiciary - To House Judiciary 3/4/2023
283. By Sen. Weld and Deeds - **Relating to Military Incentive Program** - Introduced 1/18/2023 - To Military then Finance - 2nd reference dispensed - Passed Senate with amended title 1/30/2023 - To House 1/31/2023 - To Veterans' Affairs and Homeland Security then Finance
- *290. By Sen. Takubo, Roberts, Clements, Barrett and Plymale - **Relating to dental health care service plans** - Introduced 1/18/2023 - To Health and Human Resources - Com. sub. reported 2/8/2023 - Passed Senate 2/13/2023 - To House 2/14/2023 - To Banking and Insurance then Health and Human Resources
- *292. By Sen. Azinger, Deeds and Karnes - **Health Care Sharing Ministries Freedom to Share Act** - Introduced 1/18/2023 - To Banking and Insurance then Finance - Com. sub. reported 1/24/2023 - 2nd reference dispensed - Passed Senate 1/27/2023 - To House 1/30/2023 - To Banking and Insurance then Health and Human Resources then Judiciary - 2nd reference dispensed - To House Judiciary 2/24/2023
- *293. By Sen. Woodrum, Deeds and Hamilton - **Increasing fees charged by sheriff** (original similar to HB3466) - Introduced 1/18/2023 - To Government Organization - Com. sub. reported 2/15/2023 - Passed Senate 2/20/2023 - To House 2/20/2023 - To Finance - On 2nd reading, House Calendar 3/11/2023
- *295. By Sen. Woodrum - **Extending time that prescription for spectacles remains valid** - Introduced 1/19/2023 - To Government Organization - Com. sub. reported 2/3/2023 - Amended - Passed Senate 2/8/2023 - To House 2/9/2023 - To Government Organization
296. By Sen. Woodrum, Trump, Karnes and Maynard - **Uniform Public Meetings During Emergencies Act** (original similar to HB3146) - Introduced 1/19/2023 - To Judiciary - Amended - Passed Senate 2/7/2023 - To House 2/8/2023 - To Government Organization
- *297. By Sen. Tarr, Woodrum, Phillips, Plymale and Queen - **Mountain Homes Act** - Introduced 1/19/2023 - To Economic Development then Finance - Com. sub. reported 2/9/2023 - To Finance 2/9/2023 - Passed Senate 2/22/2023 - To House 2/23/2023 - To Economic Development and Tourism then Finance
- *299. By Sen. Hunt, Azinger, Barrett, Chapman, Deeds, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Queen, Roberts, Rucker, Smith, Stover, Stuart, Takubo, Weld, Woelfel, Woodrum, Swope, Clements and Plymale - **Relating to crime of trespass generally** - Introduced 1/19/2023 - To Judiciary - Com. sub. reported 2/3/2023 - Passed Senate 2/8/2023 - To House 2/9/2023 - To Judiciary
- *303. By Sen. Stuart and Hamilton - **Relating to Violent Crime Prevention Act** - Introduced 1/20/2023 - To Government Organization - Com. sub. reported 2/15/2023 - Passed Senate 2/20/2023 - To House 2/20/2023 - To Judiciary

306. By Sen. Woelfel, Plymale, Grady and Deeds - **Establishing Summer Feeding for All Program** - Introduced 1/20/2023 - To Education - Passed Senate 1/31/2023 - To House 2/1/2023 - To Education then Finance
- *419. By Sen. Weld and Deeds - **Establishing standards for licensure of military trained applicants** - Introduced 1/23/2023 - To Military then Government Organization - Com. sub. reported 1/24/2023 - To Government Organization 1/24/2023 - Com. sub. for com. sub. reported 2/3/2023 - Passed Senate 2/8/2023 - To House 2/9/2023 - To Veterans' Affairs and Homeland Security then Government Organization - To House Government Organization 2/23/2023
- *424. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Authorizing refundable tax credit applied against personal income tax or corporation net income tax** (original similar to HB2894) - Introduced 1/23/2023 - To Finance - Com. sub. reported 2/8/2023 - Constitutional rule suspended - Passed Senate 2/8/2023 - Effective from passage - Senate reconsidered action - Amended on 3rd reading - Passed Senate 2/9/2023 - Effective from passage - To House 2/10/2023 - To Finance
- *426. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Banning use of certain products and platforms deemed unsafe or high risk on government systems** (original similar to HB2898) - Introduced 1/23/2023 - To Judiciary - Com. sub. reported 1/25/2023 - Amended - Passed Senate 2/1/2023 - To House 2/2/2023 - To Judiciary - Amended - Passed House 3/10/2023 - Title amended - Senate amended House amendment and passed 3/11/2023 - House refused to concur and requested Senate to recede 3/11/2023 - Senate refused to recede and requests House to reconsider 3/11/2023
428. By Sen. Grady, Roberts and Plymale - **Revising requirements of local school improvement councils** - Introduced 1/23/2023 - To Education - Passed Senate with amended title 1/31/2023 - To House 2/1/2023 - To Education
- *429. By Sen. Smith and Taylor - **Establishing statewide health and safety fee for tourism and recreational activities by county commissions** - Introduced 1/23/2023 - To Government Organization - Com. sub. reported 2/17/2023 - Amended - Passed Senate with amended title 2/22/2023 - To House 2/23/2023 - To Economic Development and Tourism then Finance
- *436. By Sen. Tarr, Swope, Jeffries and Barrett - **Prompt Payment Act of 2023** - Introduced 1/23/2023 - To Government Organization then Finance - Com. sub. reported 2/3/2023 - To Finance 2/3/2023 - Com. sub. for com. sub. reported 2/17/2023 - Amended - Passed Senate 2/22/2023 - Effective July 1, 2023 - To House 2/23/2023 - To Government Organization then Finance - To House Finance 3/6/2023
438. By Sen. Clements, Swope, Chapman and Nelson - **Return to WV Tax Credit Act** - Introduced 1/23/2023 - To Finance - Passed Senate 2/27/2023 - To House 2/28/2023 - To Finance
- *440. By Sen. Clements, Swope and Jeffries - **Authorizing DOH pay current obligations from State Road Fund** - Introduced 1/23/2023 - To Transportation and Infrastructure then Finance - Com. sub. reported 2/15/2023 - To Finance

2/15/2023 - Com. sub. for com. sub. reported 2/24/2023 - Passed Senate
2/28/2023 - To House 3/1/2023 - To Finance

- *462. By Sen. Phillips, Woelfel, Woodrum and Barrett - **Modifying certain guidelines for motor vehicle dealers, distributors, wholesalers, and manufacturers** - Introduced 1/24/2023 - To Judiciary - Com. sub. reported 2/22/2023 - Passed Senate 2/25/2023 - To House 2/27/2023 - To Judiciary - On 2nd reading, House Calendar 3/11/2023
- *467. By Sen. Woodrum and Deeds - **Providing county commissioners ongoing mechanism to consider compensation increases for elected officials every two years** - Introduced 1/25/2023 - To Government Organization - Com. sub. reported 2/10/2023 - Passed Senate 2/15/2023 - To House 2/16/2023 - To Government Organization - On 1st reading, House Calendar 3/11/2023
- *470. By Sen. Azinger, Maynard and Karnes - **Making adoption records accessible for medical purposes** - Introduced 1/25/2023 - To Judiciary - Com. sub. reported 2/25/2023 - On 2nd reading to Judiciary 2/25/2023 - Amended - Passed Senate with amended title 3/1/2023 - To House 3/2/2023 - To Judiciary
474. By Sen. Nelson, Plymale and Oliverio - **Requiring municipal pensions oversight board to propose legislative rules** (original similar to HB3244) - Introduced 1/25/2023 - To Pensions - Removed from calendar by action of Committee on Rules on 2nd reading - Passed Senate 2/17/2023 - To House 2/20/2023 - To Finance
- *480. By Sen. Oliverio, Azinger, Barrett and Queen - **Modifying group accident and sickness insurance requirements** - Introduced 1/26/2023 - To Banking and Insurance - Com. sub. reported 2/21/2023 - Passed Senate 2/23/2023 - To House 2/23/2023 - To Health and Human Resources then Government Organization
- *484. By Sen. Rucker, Deeds, Barrett, Woodrum, Martin and Hamilton - **Clarifying terms and offense of human smuggling** - Introduced 1/26/2023 - To Judiciary - Com. sub. reported 2/7/2023 - Passed Senate 2/10/2023 - To House 2/13/2023 - To Judiciary
489. By Sen. Grady, Woelfel and Plymale - **Requiring BOE provide free feminine hygiene products in certain grades** - Introduced 1/27/2023 - To Education - Passed Senate with amended title 2/8/2023 - To House 2/9/2023 - To Education then Finance - To House Finance 3/8/2023
493. By Sen. Weld, Deeds, Phillips, Chapman and Caputo - **Exempting WW veterans from certain fees and charges at state parks** - Introduced 1/27/2023 - To Military - Passed Senate 2/10/2023 - To House 2/13/2023 - To Government Organization
- *505. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations to Department of Administration, Office of Secretary** (original similar to HB3040) - Introduced 1/27/2023 - To Finance - Com. sub. reported 2/8/2023 - Passed Senate 2/13/2023 - Effective from passage - To House 2/14/2023 - To Finance

- *514. By Sen. Woodrum - **Clarifying procedure for administrative dissolution of corporations by Secretary of State** - Introduced 1/30/2023 - To Government Organization - Com. sub. reported 2/3/2023 - Passed Senate 2/8/2023 - Effective from passage - To House 2/9/2023 - To Government Organization
- *515. By Sen. Woodrum, Trump and Hamilton - **Clarifying deadline to file annual report for companies authorized to do business in WV** - Introduced 1/30/2023 - To Judiciary - Com. sub. reported 2/7/2023 - Passed Senate 2/10/2023 - To House 2/13/2023 - To Government Organization
- *532. By Sen. Hunt, Azinger, Chapman, Deeds, Hamilton, Maynard, Plymale, Roberts, Rucker, Stover, Stuart, Taylor, Smith, Karnes, Grady, Trump, Martin and Barrett - **Sex Offender Registration Act** - Introduced 1/31/2023 - To Judiciary then Finance - Com. sub. reported 2/7/2023 - 2nd reference dispensed - Passed Senate 2/10/2023 - To House 2/13/2023 - To Judiciary
- *539. By Sen. Woodrum - **Authorizing state and subdivisions to negotiate price for construction when all bids received exceed maximum budget** - Introduced 2/1/2023 - To Government Organization - Com. sub. reported 2/17/2023 - Passed Senate 2/22/2023 - Effective from passage - To House 2/23/2023 - To Government Organization - On 1st reading, House Calendar 3/11/2023
- *540. By Sen. Trump, Stover, Deeds, Rucker, Hamilton and Smith - **Creating misdemeanor offense of willfully urinating or defecating in public** - Introduced 2/1/2023 - To Judiciary - Com. sub. reported 2/25/2023 - Passed Senate 3/1/2023 - To House 3/2/2023 - To Judiciary
- *541. By Sen. Stuart, Azinger, Smith, Taylor and Oliverio - **Providing for election reforms** - Introduced 2/1/2023 - To Judiciary - Com. sub. reported 2/24/2023 - Passed Senate 2/28/2023 - To House 3/1/2023 - To Judiciary
- *547. By Sen. Deeds, Azinger, Hunt, Karnes, Oliverio, Queen, Roberts, Stuart, Taylor, Woodrum, Smith, Maynard, Hamilton, Weld and Trump - **Increasing penalties for drug possession and updating list of offenses** - Introduced 2/2/2023 - To Judiciary - Com. sub. reported 2/24/2023 - Amended - Passed Senate with amended title 2/28/2023 - To House 3/1/2023 - To Judiciary
- *554. By Sen. Weld - **Exempting purchases made by Auditor and WV Enterprise Resource Planning Board from certain provisions of WV code** (original similar to HB3262) - Introduced 2/3/2023 - To Government Organization - Com. sub. reported 2/22/2023 - Passed Senate 2/24/2023 - To House 2/24/2023 - To Government Organization
559. By Sen. Trump, Deeds, Maynard and Woodrum - **Relating to spousal privilege** - Introduced 2/3/2023 - To Judiciary - Passed Senate 2/20/2023 - To House 2/20/2023 - To Judiciary - Amended - Passed House 3/9/2023 - Title amended - Senate refused to concur in House amendment 3/10/2023 - Senate reconsidered action - Senate amended House amendment and passed 3/11/2023 - House refused to concur and requested Senate to recede 3/11/2023
- *572. By Sen. Maynard, Deeds, Stover, Trump, Maroney and Stuart - **Reforming cause of action for public nuisance** - Introduced 2/6/2023 - To Judiciary -

Com. sub. reported 2/24/2023 - Passed Senate 2/28/2023 - To House 3/1/2023 - To Judiciary

- *576. By Sen. Weld, Oliverio, Stuart, Taylor, Plymale, Smith, Jeffries and Queen - **Creating Securities Restitution Assistance Fund for victims of securities violations** (original similar to HB3250, SB639) - Introduced 2/7/2023 - To Judiciary then Finance - Com. sub. reported 2/16/2023 - To Finance 2/16/2023 - Com. sub. for com. sub. reported 2/24/2023 - Passed Senate 2/27/2023 - To House 2/28/2023 - To Finance
580. By Sen. Weld - **Authorizing election for special levy renewal** - Introduced 2/7/2023 - To Government Organization then Finance - 2nd reference dispensed - Passed Senate 2/22/2023 - Effective from passage - To House 2/23/2023 - To Judiciary
- *581. By Sen. Hamilton, Plymale and Deeds - **Amending provisions of 2023 Farm Bill** - Introduced 2/7/2023 - To Agriculture and Natural Resources then Judiciary - Com. sub. reported 2/9/2023 - To Judiciary 2/9/2023 - Amended - Passed Senate with amended title 3/1/2023 - To House 3/2/2023 - To Judiciary
- *585. By Sen. Hamilton and Jeffries - **Prohibiting county commissions from adopting any authorization that exceeds state law regarding agricultural operations** - Introduced 2/8/2023 - To Agriculture and Natural Resources then Government Organization - Com. sub. reported 2/14/2023 - To Government Organization 2/14/2023 - Com. sub. for com. sub. reported 2/22/2023 - Passed Senate 2/25/2023 - To House 2/27/2023 - To Judiciary
- *590. By Sen. Nelson, Plymale, Barrett, Roberts, Deeds, Woelfel and Queen - **Emergency Medical Services Retirement System Act** - Introduced 2/9/2023 - To Pensions then Finance - Com. sub. reported 2/16/2023 - To Finance 2/16/2023 - Com. sub. for com. sub. reported 2/23/2023 - Passed Senate 2/27/2023 - To House 2/28/2023 - To Finance
- *593. By Sen. Barrett, Rucker and Maroney - **Mandating cost of living salary adjustment policy for state employees** - Introduced 2/9/2023 - To Government Organization then Finance - To Finance 2/15/2023 - Com. sub. reported 2/27/2023 - Passed Senate 3/1/2023 - To House 3/2/2023 - To Finance - On 2nd reading, House Calendar 3/11/2023
- *596. By Sen. Barrett, Tarr and Plymale - **Modifying payment for housing and maintenance of inmates** - Introduced 2/9/2023 - To Finance - Com. sub. reported 2/16/2023 - Amended - Passed Senate 2/21/2023 - Effective July 1, 2023 - To House 2/23/2023 - To Finance
- *602. By Sen. Grady, Tarr, Trump, Swope and Nelson - **Enabling WVSU and Bluefield State University to offer associate degrees** - Introduced 2/10/2023 - To Education then Finance - Com. sub. reported 2/16/2023 - 2nd reference dispensed - Passed Senate 2/21/2023 - To House 2/21/2023 - To Education then Finance - 2nd reference not dispensed - House further considered bill - House reconsidered its action to dispense 2nd reference - 2nd reference not dispensed - To House Finance 2/24/2023

- *616. By Sen. Weld and Deeds - **WV Veterans' Home Loan Mortgage Program of 2023** - Introduced 2/14/2023 - To Military then Finance - Com. sub. reported 2/21/2023 - 2nd reference dispensed - Passed Senate 2/24/2023 - To House 2/24/2023 - To Finance
619. By Sen. Grady and Taylor - **Allowing teachers in public schools to teach intelligent design** - Introduced 2/14/2023 - To Education - Passed Senate 2/25/2023 - To House 2/27/2023 - To Education
620. By Sen. Trump and Taylor - **Increasing maximum number of registered voters per precinct and distance between polling places** - Introduced 2/14/2023 - To Judiciary - Passed Senate 2/23/2023 - To House 2/23/2023 - To Judiciary
- *621. By Sen. Takubo and Deeds - **Requiring sheriff to serve child abuse and neglect petitions** - Introduced 2/14/2023 - To Judiciary - Com. sub. reported 2/17/2023 - Passed Senate 2/22/2023 - To House 2/23/2023 - To Judiciary
- *628. By Sen. Rucker and Oliverio - **Revising provisions related to public charter schools** - Introduced 2/14/2023 - To School Choice then Education - Com. sub. reported 2/23/2023 - 2nd reference dispensed - Amended - Passed Senate 2/27/2023 - To House 2/28/2023 - To Education
629. By Sen. Hamilton, Clements, Deeds, Hunt, Karnes, Martin, Stover and Phillips - **Establishing auto-renewal program for wildlife licenses** - Introduced 2/14/2023 - To Agriculture and Natural Resources - Passed Senate 2/21/2023 - To House 2/21/2023 - To Finance
- *630. By Sen. Rucker, Trump, Woelfel, Deeds, Grady, Barrett and Hamilton - **Creating offense of knowingly and willfully obstructing social service worker** - Introduced 2/14/2023 - To Judiciary - Com. sub. reported 2/17/2023 - Passed Senate 2/22/2023 - To House 2/23/2023 - To Judiciary
- *634. By Sen. Woodrum, Trump, Clements and Jeffries - **Increasing value at which municipal property must be sold through public auction** - Introduced 2/15/2023 - To Government Organization - Com. sub. reported 2/24/2023 - Amended - Passed Senate 3/1/2023 - To House 3/2/2023 - To Government Organization
- *635. By Sen. Weld, Deeds, Plymale and Phillips - **Updating language and increasing penalties for indecent exposure** - Introduced 2/15/2023 - To Judiciary - Com. sub. reported 2/17/2023 - Amended - Passed Senate 2/22/2023 - To House 2/23/2023 - To Judiciary
641. By Sen. Chapman and Trump - **Clarifying when magistrate vacancies shall be filled** (original similar to HB2529) - Introduced 2/15/2023 - To Judiciary - Passed Senate 2/23/2023 - To House 2/23/2023 - To Judiciary
- *644. By Sen. Chapman - **Updating contested elections procedures** (original similar to HB2836) - Introduced 2/15/2023 - To Judiciary - Com. sub. reported 2/20/2023 - Passed Senate 2/23/2023 - To House 2/23/2023 - To Judiciary

- *646. By Sen. Nelson - **Creating emeritus physician license** - Introduced 2/15/2023 - To Health and Human Resources - Com. sub. reported 2/22/2023 - Passed Senate 2/24/2023 - To House 2/24/2023 - To Health and Human Resources
- *650. By Sen. Takubo, Tarr, Weld and Deeds - **Allowing physician assistants to own practice** - Introduced 2/15/2023 - To Health and Human Resources - Com. sub. reported 2/24/2023 - Passed Senate 2/28/2023 - To House 3/1/2023 - To Health and Human Resources
- *656. By Sen. Woodrum, Stuart and Jeffries - **Verifying legal employment status of workers to governmental agencies** - Introduced 2/16/2023 - To Government Organization - Com. sub. reported 2/22/2023 - Passed Senate 2/24/2023 - To House 2/24/2023 - To Government Organization - On 1st reading, House Calendar 3/11/2023
- *657. By Sen. Maroney and Nelson - **WV Long-Term Care Insurance Act** - Introduced 2/16/2023 - To Banking and Insurance - Com. sub. reported 2/21/2023 - Passed Senate 2/24/2023 - To House 2/24/2023 - To Health and Human Resources then Judiciary
- *660. By Sen. Weld, Woelfel, Deeds, Hamilton, Rucker and Trump - **Establishing aggravated felony offense of reckless driving resulting in death** - Introduced 2/16/2023 - To Judiciary - Com. sub. reported 2/24/2023 - Passed Senate 2/28/2023 - To House 3/1/2023 - To Judiciary
- *666. By Sen. Woelfel and Caputo - **Placing cap on maximum penalty that may be imposed for first-degree robbery** - Introduced 2/17/2023 - To Judiciary - Com. sub. reported 2/24/2023 - Passed Senate 2/28/2023 - To House 3/1/2023 - To Judiciary
- *676. By Sen. Maroney and Takubo - **Requiring report on Medicaid fees and managed care provider reimbursements compared to PEIA, Medicare, and surrounding states** - Introduced 2/17/2023 - To Health and Human Resources - Com. sub. reported 2/22/2023 - Amended - Passed Senate 2/25/2023 - To House 2/27/2023 - To Health and Human Resources
- *681. By Sen. Deeds and Woelfel - **Clarifying that juvenile competency determination process extends to status offenders** - Introduced 2/20/2023 - To Judiciary - Com. sub. reported 2/24/2023 - Passed Senate 2/28/2023 - Effective from passage - To House 3/1/2023 - To Judiciary
732. By Sen. Maroney, Takubo, Azinger, Chapman, Deeds, Grady, Hamilton, Hunt, Plymale, Roberts, Tarr and Weld (Originating in Senate Health and Human Resources) - **Prohibiting insurer from imposing copayment for certain services** - Introduced 2/24/2023 - Passed Senate 2/28/2023 - To House 3/1/2023 - To Health and Human Resources
738. By Sen. Hamilton, Stover, Deeds, Phillips, Smith, Stuart, Swope, Taylor and Woodrum (Originating in Senate Agriculture and Natural Resources) - **Equipment Right to Repair Act** - Introduced 2/25/2023 - Passed Senate 3/1/2023 - To House 3/7/2023 - To Judiciary

739. Originating in Senate Rules - **Relating to moratorium on carbon capture agreements** - Introduced 2/25/2023 - Amended - Passed Senate with amended title 3/1/2023 - Effective from passage - To House 3/2/2023 - To Energy and Manufacturing - Amended - Passed House 3/10/2023 - Title amended - Effective from passage - Senate refused to concur in House amendment 3/11/2023 - Senate reconsidered action - Senate amended House amendment and passed 3/11/2023 - Effective from passage

SENATE CONCURRENT RESOLUTIONS COMMUNICATED TO HOUSE

18. By Sen. Maroney, Takubo, Azinger, Chapman, Deeds, Grady, Hamilton, Hunt, Jeffries, Plymale, Roberts, Rucker, Tarr and Weld (Originating in Senate Health and Human Resources) - **Requesting Joint Committee on Government and Finance study increasing availability of prescription nonopioid medications** - Introduced 2/20/2023 - Referred to Rules 2/21/2023 - Adopted by Senate 3/11/2023
19. By Sen. Woodrum and Trump - **Requesting Joint Committee on Government Organization study operations of Division of Personnel** - Introduced 2/23/2023 - To Rules - Adopted by Senate 3/11/2023
20. By Sen. Azinger, Caputo, Chapman, Deeds, Hamilton, Hunt, Martin, Maynard, Rucker, Stover, Stuart, Swope, Takubo, Taylor, Weld, Woelfel and Trump (Originating in Senate Judiciary) - **Requesting Joint Committee on Judiciary study operations of WV BRIM** - Introduced 2/23/2023 - Referred to Rules 2/24/2023 - Adopted by Senate 3/11/2023
22. By Sen. Azinger, Caputo, Chapman, Deeds, Hamilton, Hunt, Martin, Maynard, Rucker, Stover, Stuart, Swope, Takubo, Taylor, Weld and Trump (Originating in Senate Judiciary) - **Requesting study on need for awarding attorney's fees and recovering damages in civil tort actions** - Introduced 2/28/2023 - Referred to Rules 3/1/2023 - Adopted by Senate 3/11/2023
26. By Sen. Caputo, Chapman, Deeds, Hamilton, Hunt, Maynard, Stover, Stuart, Swope, Taylor, Trump, Weld and Woelfel (Originating in Senate Judiciary) - **Requesting study on creation and implementation of earned compliance credit program for parolees and probationers** - Introduced 3/11/2023 - Referred to Rules 3/11/2023 - Adopted by Senate 3/11/2023
27. By Sen. Blair (Mr. President), Takubo, Azinger, Boley, Grady, Maroney, Nelson, Tarr, Trump, Weld, Woelfel and Woodrum (Originating in Senate Rules) - **Requesting study on use of E-Verify for employers with public contracts** - Introduced 3/11/2023 - Adopted by Senate 3/11/2023
28. By Sen. Blair (Mr. President), Takubo, Azinger, Boley, Grady, Maroney, Nelson, Tarr, Trump, Weld, Woelfel and Woodrum (Originating in Senate Rules) - **Requesting study on legislation needed to address privacy in social care and health-related social needs space** - Introduced 3/11/2023 - Adopted by Senate 3/11/2023

HOUSE BILLS COMMUNICATED TO SENATE

- *2002. By Del. Jeffries, Storch, Hott, Kelly, Dillon, Pinson, Heckert, Street, Lucas, Miller and Bridges - **Relating to providing support for families** - Introduced 1/12/2023 - To Health and Human Resources then Finance - To House Finance 1/13/2023 - Passed House 2/9/2023 - Title amended - To Senate 2/10/2023 - To Health and Human Resources then Finance - To Health and Human Resources 2/10/2023 - To Finance 2/28/2023 - Amended - Passed Senate 3/8/2023 - House concurred in Senate amendment and passed 3/9/2023 - To Governor 3/22/2023 - Approved by Governor 3/28/2023 - Chapter 188, Acts, Regular Session, 2023
- *2004. By Del. Phillips, Kimble, Nestor, Cannon, Holstein, Willis, Espinosa, Miller, Hall, A., Sheedy and Martin - **Prevent the use of payment card processing systems for surveillance of Second Amendment activity and discriminatory conduct** - Introduced 1/12/2023 - To Judiciary - Passed House 2/3/2023 - To Senate 2/6/2023 - To Judiciary - Amended - Passed Senate with amended title 3/9/2023 - House concurred in Senate amendment and passed 3/10/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 156, Acts, Regular Session, 2023
- *2005. By Del. Worrell, Ellington, Smith, Clark, Dean, Barnhart, Statler, Fehrenbacher, Riley, Dittman and Hillenbrand - **Establishing the dual enrollment pilot program to be administered by the Higher Education Policy Commission and the Council for Community and Technical College Education in conjunction with the State Board of Education.** (original similar to SB518) - Introduced 1/12/2023 - To Workforce Development then Education - To House Education 1/20/2023 - Committee reference change - To House Finance 1/26/2023 - Passed House 2/14/2023 - To Senate 2/15/2023 - To Education - Referred to Finance 2/24/2023 - Passed Senate 3/10/2023 - To Governor 3/20/2023 - Approved by Governor 3/21/2023 - Chapter 178, Acts, Regular Session, 2023
- *2006. By Del. Summers, Toney, Pinson, Gearheart, Mallow, Hall, W., Rohrbach, Hite, Honaker, Lucas and Westfall - **Relating to reorganizing the Department of Health and Human Resources** (original similar to SB126) - Introduced 1/12/2023 - To Health and Human Resources then Finance - To House Finance 1/18/2023 - Amended - Passed House 2/14/2023 - Title amended - To Senate 2/20/2023 - Committee reference dispensed - Passed Senate 2/22/2023 - To Governor 2/27/2023 - Approved by Governor 3/4/2023 - Chapter 189, Acts, Regular Session, 2023
- *2007. By Del. Foster, Chiarelli, Horst, Clark, Devault, Coop-Gonzalez, Brooks, Kirby, Maynor, Adkins and Ward - **Prohibiting certain medical practices** - Introduced 1/12/2023 - To Health and Human Resources then Judiciary - To House Judiciary 1/20/2023 - Passed House 2/3/2023 - To Senate 2/6/2023 - To Health and Human Resources then Judiciary - To Health and Human Resources 2/6/2023 - To Judiciary 3/2/2023 - Amended - Passed Senate 3/10/2023 - Title amended - House concurred in Senate amend with amend, passed bill 3/11/2023 - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 233, Acts, Regular Session, 2023

- *2008. By Del. Longanacre, Crouse, Ferrell, Ridenour, Fast, Thorne, Keaton, Ross, McGeehan, Mazzocchi and Martin - **Requiring local entities to enforce immigration laws** - Introduced 1/12/2023 - To Judiciary - Amended - Passed House 2/3/2023 - To Senate 2/6/2023 - To Judiciary - Amended - Passed Senate with amended title 3/10/2023 - House concurred in Senate amend with amend, passed bill 3/11/2023 - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 282, Acts, Regular Session, 2023
- *2016. By Del. Summers, Tully, Rohrbach and Espinosa - **Relating to confidential childcare records** - Introduced 1/11/2023 - To Health and Human Resources then Judiciary - To House Judiciary 1/13/2023 - Passed House 2/25/2023 - To Senate 2/27/2023 - To Health and Human Resources - Amended - Passed Senate with amended title 3/9/2023 - House concurred in Senate amendment and passed 3/10/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 61, Acts, Regular Session, 2023
- *2018. By Del. Summers, Tully and Rohrbach - **Permitting the managed care case coordinator to attend the multidisciplinary team meeting** - Introduced 1/11/2023 - To Health and Human Resources - Passed House 1/19/2023 - Effective from passage - To Senate 1/20/2023 - To Health and Human Resources - Passed Senate 2/1/2023 - Effective from passage - To Governor 2/7/2023 - Approved by Governor 2/13/2023 - Chapter 62, Acts, Regular Session, 2023
- *2024. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution** - Introduced 1/11/2023 - To Finance - Amended - Passed House 3/4/2023 - Effective from passage - To Senate 3/7/2023 - Committee reference dispensed - Amended - Passed Senate 3/9/2023 - Effective from passage - House concurred in Senate amendment and passed 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 8, Acts, Regular Session, 2023
- *2026. By Del. Clark, Horst, Honaker, Barnhart, Worrell and Espinosa - **Authorizing municipalities with police or firefighter employees in PERS to elect to become participating employer in Municipal Police Officer and Firefighter Retirement System for a limited time** - Introduced 1/11/2023 - To Pensions and Retirement then Finance - To House Finance 2/15/2023 - Passed House 2/27/2023 - To Senate 2/28/2023 - To Pensions then Finance - To Pensions 2/28/2023 - 2nd reference dispensed - Amended - Passed Senate 3/10/2023 - Title amended - House concurred in Senate amend with amend, passed bill 3/11/2023 - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 85, Acts, Regular Session, 2023
2029. By Del. Summers, Tully, Rohrbach and Foster - **Repealing the creation of an all-payer claims database** (original similar to HB2519) - Introduced 1/11/2023 - To Health and Human Resources - Passed House 1/19/2023 - Effective from passage - To Senate 1/20/2023 - To Health and Human Resources - Passed Senate 2/1/2023 - Effective from passage - To Governor 2/7/2023 - Approved by Governor 2/13/2023 - Chapter 69, Acts, Regular Session, 2023

- *2062. By Del. Tully, Barnhart, Hanshaw (Mr. Speaker), Storch, Hardy, Ferrell, Riley, Linville, Phillips, Longanacre and Honaker - **Establish rules and regulations for e-bikes in West Virginia that more closely comport to federal law** - Introduced 1/11/2023 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/1/2023 - Passed House 2/16/2023 - To Senate 2/17/2023 - To Outdoor Recreation - Passed Senate 2/27/2023 - To Governor 3/2/2023 - Approved by Governor 3/8/2023 - Chapter 322, Acts, Regular Session, 2023
- *2064. By Del. Howell and Brooks - **To create commercial opportunity zones to attract new businesses to West Virginia** - Introduced 1/11/2023 - To Economic Development and Tourism - Passed House 2/25/2023 - Effective July 1, 2023 - To Senate 2/27/2023 - To Economic Development then Finance - To Economic Development 2/27/2023
- *2065. By Del. Howell - **West Virginia Heavy Duty Truck Excise Tax Elimination Act** - Introduced 1/11/2023 - To Economic Development and Tourism - Passed House 2/25/2023 - Effective July 1, 2023 - To Senate 2/27/2023 - To Finance
2113. By Del. Smith, Steele, McGeehan, Capito, Ellington, Skaff, Garcia, Fluharty, Fast, Gearheart and Kimble - **Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse** - Introduced 1/11/2023 - To Judiciary - Passed House 1/26/2023 - To Senate 1/27/2023 - To Judiciary
- *2122. By Del. Steele and Hillenbrand - **Relating to custodial interrogation of a child** - Introduced 1/11/2023 - To Judiciary - Amended - Passed House 2/27/2023 - To Senate 2/28/2023 - To Judiciary
- *2150. By Del. McGeehan - **Requiring parents or guardians to participate in programs for juveniles in an out-of-home placement** - Introduced 1/11/2023 - To Judiciary - Passed House 2/20/2023 - To Senate 2/21/2023 - To Judiciary
2186. By Del. Mallow - **Relating to surgical smoke evacuation** - Introduced 1/11/2023 - To Health and Human Resources - Passed House 2/15/2023 - To Senate 2/16/2023 - To Health and Human Resources
- *2218. By Del. Westfall, Garcia, Fast, Kelly, Kump, Fluharty and Warner - **Distressed Driving Act** - Introduced 1/11/2023 - To Technology and Infrastructure then Judiciary - To House Judiciary 1/13/2023 - Passed House 2/10/2023 - To Senate 2/13/2023 - To Transportation and Infrastructure then Judiciary - To Transportation and Infrastructure 2/13/2023 - To Judiciary 2/28/2023 - Amended - Passed Senate 3/9/2023 - Title amended - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/20/2023 - Approved by Governor 3/28/2023 - Chapter 323, Acts, Regular Session, 2023
- *2221. By Del. Westfall, Kelly, Steele, Shamblin, Hillenbrand, Kump and Garcia - **Relating to bankruptcy** - Introduced 1/11/2023 - To Judiciary - Passed House 1/27/2023 - Title amended - To Senate 1/30/2023 - To Judiciary - Amended - Passed Senate with amended title 3/7/2023 - House concurred in Senate amendment and passed 3/9/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 56, Acts, Regular Session, 2023

- *2252. By Del. Steele, Kirby, Kump and Hornby - **Relating to establishing criminal penalties for human trafficking** - Introduced 1/11/2023 - To Judiciary - Passed House 2/24/2023 - To Senate 2/25/2023 - To Judiciary
2283. By Del. Statler - **Relating to authorized expenditures of revenues from certain state funds for fire departments** - Introduced 1/11/2023 - To Pensions and Retirement then Finance - To House Finance 2/8/2023 - Passed House 2/21/2023 - To Senate 2/23/2023 - To Pensions then Finance - To Pensions 2/23/2023 - 2nd reference dispensed - Passed Senate 3/8/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 86, Acts, Regular Session, 2023
- *2305. By Del. Howell - **Relating to titling and registration of foreign market vehicles** - Introduced 1/11/2023 - To Technology and Infrastructure then Government Organization - To House Government Organization 2/15/2023 - Amended - Passed House 2/27/2023 - Title amended - To Senate 2/28/2023 - To Transportation and Infrastructure then Finance - To Transportation and Infrastructure 2/28/2023
2309. By Del. Howell - **To require the Division of Forestry to create an online renewal process no later than July 1, 2023** - Introduced 1/11/2023 - To Agriculture and Natural Resources then Government Organization - To House Government Organization 2/1/2023 - Amended - Passed House 2/14/2023 - To Senate 2/15/2023 - To Agriculture and Natural Resources - Passed Senate 3/3/2023 - To Governor 3/9/2023 - Approved by Governor 3/29/2023 - Chapter 311, Acts, Regular Session, 2023
2310. By Del. Howell - **Provide the Division of Motor Vehicles authority to develop an "Antique Fleet" program so that multiple antique motor vehicles may utilize a single registration plate.** - Introduced 1/11/2023 - To Technology and Infrastructure then Government Organization - To House Government Organization 1/13/2023 - Passed House 1/24/2023 - To Senate 1/25/2023 - To Transportation and Infrastructure - Amended - Passed Senate 3/1/2023 - Title amended - House concurred in Senate amendment and passed 3/3/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 212, Acts, Regular Session, 2023
- *2346. By Del. Toney - **Declaring a shortage of qualified bus operators and allowing retired bus operators to accept employment** - Introduced 1/11/2023 - To Education then Finance - To House Finance 1/24/2023 - Passed House 2/9/2023 - Effective from passage - To Senate 2/10/2023 - To Education then Finance - To Education 2/10/2023 - To Finance 3/2/2023 - Passed Senate 3/9/2023 - Effective July 1, 2023 - Senate requests House to concur in changed effective date 3/9/2023 - House concurred in Senate effective date 3/11/2023 - Effective July 1, 2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 298, Acts, Regular Session, 2023
- *2380. By Del. Ellington and Toney - **Relating to School Building Authority** - Introduced 1/11/2023 - To Education - Amended - Passed House 2/3/2023 - To Senate 2/6/2023 - To Education - Passed Senate 3/7/2023 - To Governor 3/21/2023 - Approved by Governor 3/29/2023 - Chapter 133, Acts, Regular Session, 2023

- *2412. By Del. Hornbuckle, Rohrbach, Worrell, Linville, Lucas, Griffith, Anderson and Adkins - **Declaring November 14 every year, a special Memorial Day in remembrance of the Marshall University airplane crash** - Introduced 1/11/2023 - To Government Organization - Amended - Passed House 1/20/2023 - To Senate 1/23/2023 - To Government Organization - Passed Senate 2/15/2023 - To Governor 2/20/2023 - Approved by Governor 2/22/2023 - Chapter 185, Acts, Regular Session, 2023
- *2436. By Del. Tully, Summers, Forsht, Hardy, Worrell, Jennings, Mallow, Honaker, Miller, Foggin and Heckert - **Relating to the implementation of an acuity-based patient classification system** - Introduced 1/11/2023 - To Health and Human Resources then Judiciary - To House Judiciary 1/25/2023 - 2nd reference dispensed - Passed House 1/31/2023 - To Senate 2/1/2023 - To Health and Human Resources then Judiciary - To Health and Human Resources 2/1/2023 - To Judiciary 2/28/2023 - Amended - Passed Senate 3/10/2023 - Title amended - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 261, Acts, Regular Session, 2023
- *2443. By Del. Toney - **Relating to service employees with National Association for Pupil Transportation Certifications** - Introduced 1/11/2023 - To Education - Passed House 2/3/2023 - To Senate 2/6/2023 - To Education
- *2483. By Del. Rowe - **Creating a tax credit for improving facades in historic districts** - Introduced 1/11/2023 - To Finance - Amended - Passed House 2/25/2023 - To Senate 2/27/2023 - To Finance
2506. By Del. Linville, Howell, Cannon, Householder, Criss, Maynor, Hall, W., Espinosa, Riley, Fehrenbacher and Chiarelli - **Creating a title clearinghouse for non-resident businesses** (original similar to SB221) - Introduced 1/12/2023 - To Technology and Infrastructure - Passed House 1/19/2023 - Effective from passage - To Senate 1/20/2023 - To Finance - Constitutional rule suspended - Passed Senate 2/1/2023 - Effective from passage - To Governor 2/7/2023 - Approved by Governor 2/13/2023 - Chapter 213, Acts, Regular Session, 2023
- *2509. By Del. Steele - **Creating the Uniform Premarital Agreement Act** - Introduced 1/12/2023 - To Judiciary - Amended - Passed House 1/31/2023 - To Senate 2/1/2023 - To Judiciary - Amended - Passed Senate with amended title 3/8/2023 - House concurred in Senate amendment and passed 3/9/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 113, Acts, Regular Session, 2023
- *2515. By Del. Howell, Clark, Smith, Crouse, Jennings, Ferrell, Phillips, Honaker, Cannon, Linville and Hott - **Require agencies to develop and maintain an inventory of available services for single parents wanting to obtain degrees, secure training or reenter the workforce** - Introduced 1/12/2023 - To Workforce Development then Government Organization - To House Government Organization 1/20/2023 - Passed House 2/16/2023 - To Senate 2/17/2023 - To Workforce then Government Organization - To Workforce 2/17/2023 - On 2nd reading to Government Organization 3/6/2023 - Amended - Passed Senate with amended title 3/8/2023 - House concurred in Senate

amendment and passed 3/9/2023 - To Governor 3/21/2023 - Approved by Governor 3/29/2023 - Chapter 190, Acts, Regular Session, 2023

- *2526. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Relating to reducing the personal income tax** - Introduced 1/12/2023 - To Finance - Passed House 1/18/2023 - Effective from passage - To Senate 1/19/2023 - To Finance - Amended - Constitutional rule suspended - Passed Senate with amended title 2/25/2023 - Effective from passage - House concurred in Senate amendment 3/4/2023 - Passed House 3/4/2023 - Effective from passage - To Governor 3/7/2023 - Approved by Governor 3/7/2023 - Chapter 312, Acts, Regular Session, 2023
- *2530. By Del. Linville and Steele - **Relating to the extension of the expiration of temporary registration plates from sixty days to ninety days** (original similar to SB233) - Introduced 1/13/2023 - To Technology and Infrastructure - Passed House 1/23/2023 - To Senate 1/24/2023 - Committee reference dispensed - Amended - Passed Senate 1/27/2023 - House concurred in Senate amendment and passed 2/6/2023 - To Governor 2/9/2023 - Approved by Governor 2/15/2023 - Chapter 214, Acts, Regular Session, 2023
2531. By Del. Linville - **Requiring cooperation between the rail company and the Division of Highways when construction or maintenance activities are conducted by the company** (original similar to SB456) - Introduced 1/13/2023 - To Technology and Infrastructure then Judiciary - 2nd reference dispensed - Passed House 1/26/2023 - To Senate 1/27/2023 - To Transportation and Infrastructure then Judiciary - To Transportation and Infrastructure 1/27/2023 - To Judiciary 2/7/2023
2533. By Del. Linville - **Relating to a permanent windshield placard to be valid for the duration of the applicant's life** (original similar to SB211) - Introduced 1/13/2023 - To Technology and Infrastructure - Passed House 1/23/2023 - To Senate 1/24/2023 - Committee reference dispensed - Amended - Passed Senate 1/27/2023 - House concurred in Senate amendment and passed 2/6/2023 - To Governor 2/9/2023 - Approved by Governor 2/15/2023 - Chapter 324, Acts, Regular Session, 2023
- *2538. By Del. Summers, Shamblin, Forsht, Miller, Hite, Heckert, Petitto, Pinson, Mazzocchi, Burkhammer and Kimble - **Requiring usage of child welfare information technology systems** - Introduced 1/13/2023 - To Senior, Children, and Family Issues then Health and Human Resources - To House Health and Human Resources 1/30/2023 - Read 1st to Finance 2/3/2023 - Passed House 2/23/2023 - Effective from passage - To Senate 2/24/2023 - To Health and Human Resources then Finance - To Health and Human Resources 2/24/2023 - To Finance 2/28/2023
- *2540. By Del. Westfall, Hott, Espinosa and Rowe - **Travel Insurance Model Act** - Introduced 1/13/2023 - To Banking and Insurance then Judiciary - To House Judiciary 2/1/2023 - Passed House 2/14/2023 - To Senate 2/15/2023 - To Banking and Insurance then Judiciary - To Banking and Insurance 2/15/2023 - To Judiciary 2/27/2023 - Amended - Passed Senate with amended title 3/8/2023 - House concurred in Senate amend with amend, passed bill 3/10/2023 - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor

3/20/2023 - Approved by Governor 3/29/2023 - Chapter 195, Acts, Regular Session, 2023

2548. By Del. Kelly, Hott, Phillips, Honaker, Riley, Jeffries, Sheedy, Heckert, Shamblin, Petitto and Forsht - **Relating to temporary identification cards for released inmates** - Introduced 1/13/2023 - To Jails and Prisons then Judiciary - To House Judiciary 1/27/2023 - Passed House 2/9/2023 - To Senate 2/10/2023 - To Judiciary then Finance - To Judiciary 2/10/2023 - To Finance 3/1/2023
2564. By Del. Linville - **Repeal of administrative hearing procedures for DUI offenses** (original similar to SB284) - Introduced 1/16/2023 - To Judiciary - Passed House 1/24/2023 - To Senate 1/25/2023 - To Judiciary - Passed Senate 2/3/2023 - To Governor 2/8/2023 - Approved by Governor 2/14/2023 - Chapter 70, Acts, Regular Session, 2023
- *2567. By Del. Ross, Linville, Dean, Hall, W., Dillon, Foggin, Coop-Gonzalez and Kump - **Relating to felony trespassing** - Introduced 1/16/2023 - To Judiciary - Amended - Passed House 2/25/2023 - To Senate 2/27/2023 - To Judiciary
- *2569. By Del. Espinosa, Ridenour, Clark, Ferrell, Steele, Criss, Barnhart, Hardy, Dean and Howell - **Establishing the Motorsport Responsibility Act** (original similar to SB236) - Introduced 1/16/2023 - To Judiciary - Amended - Passed House 1/31/2023 - To Senate 2/1/2023 - To Outdoor Recreation then Judiciary - To Outdoor Recreation 2/1/2023 - To Judiciary 2/16/2023 - Amended - Passed Senate with amended title 3/7/2023 - House concurred in Senate amendment 3/8/2023 - Passed House 3/8/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 215, Acts, Regular Session, 2023
- *2587. By Del. Smith, Barnhart, Howell, Dean, Hardy, Linville, Clark, Steele, Householder, McGeehan and Foster - **To reflect that County Sheriffs will be required to include a breakdown of the distribution of where a citizen's taxes will be paid** - Introduced 1/16/2023 - To Judiciary - Passed House 2/16/2023 - To Senate 2/17/2023 - To Government Organization - Passed Senate 3/2/2023 - To Governor 3/7/2023 - Approved by Governor 3/29/2023 - Chapter 313, Acts, Regular Session, 2023
- *2596. By Del. Toney, Statler, Vance, Ellington, Cooper, Shamblin, Foggin and Heckert - **To modify when a nonresident student's transfer may be denied** - Introduced 1/17/2023 - To Education - Amended - Passed House 2/1/2023 - Title amended - To Senate 2/2/2023 - To Education - Amended - Passed Senate with amended title 2/20/2023 - House concurred in Senate amendment and passed 2/22/2023 - To Governor 2/27/2023 - Approved by Governor 3/4/2023 - Chapter 134, Acts, Regular Session, 2023
2597. By Del. Toney, Vance, Ellington, Cooper, Brooks, Shamblin, Foggin, Heckert, Kirby and Hardy - **Amending performance evaluations of professional personnel** - Introduced 1/17/2023 - To Education - Passed House 1/27/2023 - Title amended - To Senate 1/30/2023 - To Education - Passed Senate 3/3/2023 - To Governor 3/9/2023 - Approved by Governor 3/29/2023 - Chapter 299, Acts, Regular Session, 2023
2599. By Del. Linville, Cannon, Keaton, Adkins, Chiarelli, Sheedy, Coop-Gonzalez, Barnhart, Clark and Holstein - **Creating the utility pole rights of way and**

easement mapping initiative - Introduced 1/17/2023 - To Technology and Infrastructure then Judiciary - To House Judiciary 1/27/2023 - Amended - Passed House 2/9/2023 - To Senate 2/10/2023 - To Economic Development then Judiciary - To Economic Development 2/10/2023 - To Judiciary 3/3/2023

2602. By Del. Toney, Statler, Vance, Ellington, Cooper, Shamblin and Kirby - **Reestablishing certain specialized school service personnel classifications** - Introduced 1/17/2023 - To Education then Finance - 2nd reference dispensed - Passed House 1/24/2023 - Effective from passage - To Senate 1/25/2023 - To Education - Passed Senate 2/10/2023 - Effective from passage - To Governor 2/16/2023 - Approved by Governor 2/22/2023 - Chapter 300, Acts, Regular Session, 2023

*2605. By Del. Zatezalo, Anderson, Fehrenbacher, Reynolds, Barnhart, Cooper, Nestor, Riley, Linville, Howell and Gearheart - **Relating to Good Samaritan law** - Introduced 1/17/2023 - To Judiciary - Passed House 2/14/2023 - To Senate 2/15/2023 - To Judiciary - Amended - Passed Senate 3/3/2023 - Title amended - House concurred in Senate amendment and passed 3/6/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 1, Acts, Regular Session, 2023

2607. By Del. Statler and Ellington - **Clarify that vehicles with a capacity larger than 10 passengers may be used to transport students provided that no more than 10 passengers may be transported at one time.** - Introduced 1/17/2023 - To Education - Passed House 2/23/2023 - To Senate 2/24/2023 - To Education - Passed Senate 3/2/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 135, Acts, Regular Session, 2023

2611. By Del. Barnhart, Westfall, Hott, Espinosa and Rowe - **To remove certain territorial limitations on a banking institution's ability to offer messenger services or mobile banking facilities** - Introduced 1/17/2023 - To Banking and Insurance then Judiciary - To House Judiciary 1/25/2023 - Passed House 2/7/2023 - To Senate 2/8/2023 - To Banking and Insurance - Passed Senate 3/2/2023 - To Governor 3/7/2023 - Approved by Governor 3/29/2023 - Chapter 157, Acts, Regular Session, 2023

2613. By Del. Summers, Tully, Jeffries, Miller, Forsht, Heckert and Kelly - **Relating to the administration of anesthetics** - Introduced 1/17/2023 - To Health and Human Resources - Passed House 2/1/2023 - Effective from passage - To Senate 2/2/2023 - To Health and Human Resources then Finance - To Health and Human Resources 2/2/2023

*2621. By Del. Burkhammer, Foster and Hott - **Relating generally to bail bondsman** - Introduced 1/17/2023 - To Banking and Insurance then Judiciary - To House Judiciary 2/1/2023 - Amended - Passed House 2/13/2023 - To Senate 2/14/2023 - To Banking and Insurance then Judiciary - To Banking and Insurance 2/14/2023 - On 2nd reading to Judiciary 3/6/2023 - Amended - Passed Senate with amended title 3/9/2023 - House concurred in Senate amendment and passed 3/10/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 97, Acts, Regular Session, 2023

*2638. By Del. Foster and Kump - **Authorizing certain agencies of the Department of Administration to promulgate legislative rules** (original similar to SB307)

- Introduced 1/17/2023 - To Judiciary - Passed House 2/16/2023 - Effective from passage - To Senate 2/17/2023 - To Judiciary - Passed Senate 3/2/2023 - Effective from passage - To Governor 3/9/2023 - Approved by Governor 3/29/2023 - Chapter 203, Acts, Regular Session, 2023

- *2640. By Del. Foster - **Authorizing certain agencies of the Department of Environmental Protection to promulgate legislative rules** (original similar to SB309) - Introduced 1/17/2023 - To Energy and Manufacturing then Judiciary - To House Judiciary 1/25/2023 - Amended - Passed House 2/16/2023 - Effective from passage - To Senate 2/17/2023 - To Judiciary - Amended - Passed Senate with amended title 3/2/2023 - Effective from passage - House concurred in Senate amendment and passed 3/6/2023 - Effective from passage - To Governor 3/21/2023 - Approved by Governor 3/29/2023 - Chapter 204, Acts, Regular Session, 2023
- *2648. By Del. Foster - **Authorizing certain agencies and boards of the DHHR to promulgate a legislative rule** (original similar to SB317) - Introduced 1/17/2023 - To Health and Human Resources then Judiciary - To House Judiciary 1/25/2023 - Passed House 2/25/2023 - Effective from passage - To Senate 2/27/2023 - To Judiciary - Amended - Amended on 3rd reading - Passed Senate 3/3/2023 - Title amended - Effective from passage - House concurred in Senate amendment and passed 3/6/2023 - Effective from passage - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 205, Acts, Regular Session, 2023
- *2754. By Del. Summers, Tully, Forsht, Heckert, Petitto, Jeffries and Espinosa - **Relating to immunizations performed in a pharmacy** - Introduced 1/18/2023 - To Health and Human Resources - Passed House 1/25/2023 - Effective from passage - To Senate 1/26/2023 - To Health and Human Resources - Passed Senate 3/7/2023 - Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 234, Acts, Regular Session, 2023
- *2757. By Del. Summers, Forsht, Miller, Reynolds, Sheedy, Heckert, Petitto, Jeffries and Cannon - **Relating to expanding institutional eligibility for the WV Invests Grant Program** - Introduced 1/18/2023 - To Health and Human Resources - Passed House 1/25/2023 - Effective from passage - To Senate 1/26/2023 - To Education then Finance - To Education 1/26/2023 - To Finance 2/16/2023 - Passed Senate 3/3/2023 - Effective from passage - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 179, Acts, Regular Session, 2023
- *2759. By Del. Summers, Tully, Forsht, Miller, Heckert, Petitto and Reynolds - **Relating to updating the health care provider tax** - Introduced 1/18/2023 - To Health and Human Resources then Finance - To House Finance 1/20/2023 - Passed House 2/25/2023 - To Senate 2/27/2023 - To Health and Human Resources then Finance - To Health and Human Resources 2/27/2023 - To Finance 2/28/2023 - Passed Senate 3/8/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 314, Acts, Regular Session, 2023
- *2760. By Del. Ross, Dillon, Burkhammer, Hall, A. and Riley - **To allow CPR fire fighters to drive ambulances when both attendants are needed to administer patient care** - Introduced 1/18/2023 - To Fire Departments and Emergency Medical Services then Government Organization - To House

Government Organization 2/16/2023 - Amended - Passed House 2/25/2023 - To Senate 2/27/2023 - To Government Organization - Amended - Passed Senate 3/6/2023 - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 325, Acts, Regular Session, 2023

- *2761. By Del. Ross and Dillon - **To allow classroom aides with 10 or more years of service and good evaluations to bid on teaching positions** - Introduced 1/18/2023 - To Education - Passed House 2/24/2023 - To Senate 2/25/2023 - To Education
- *2762. By Del. Nestor, Horst, Clark, Hanna, Longanacre, Martin, Hott, Riley, Honaker, Vance and Statler - **Allowing variance in state fire code for certain buildings used solely for emergency equipment storage** - Introduced 1/18/2023 - To Fire Departments and Emergency Medical Services then Government Organization - To House Government Organization 2/2/2023 - Amended - Passed House 2/9/2023 - Title amended - To Senate 2/10/2023 - To Government Organization - Passed Senate 3/2/2023 - To Governor 3/9/2023 - Approved by Governor 3/29/2023 - Chapter 283, Acts, Regular Session, 2023
2768. By Del. Steele, Foster, Smith, Holstein and Mazzocchi - **To require all state entities and Chapter 30 boards to use “.gov” domains and e-mail addresses** - Introduced 1/18/2023 - To Government Organization - Passed House 2/3/2023 - To Senate 2/6/2023 - To Government Organization then Finance - To Government Organization 2/6/2023 - On 2nd reading to Finance 3/7/2023
2776. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Updating meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act** (original similar to SB427) - Introduced 1/18/2023 - To Finance - Passed House 1/25/2023 - Effective from passage - To Senate 1/26/2023 - To Finance - Passed Senate 2/3/2023 - Effective from passage - To Governor 2/8/2023 - Approved by Governor 2/14/2023 - Chapter 315, Acts, Regular Session, 2023
2777. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Updating federal taxable income and other terms in the West Virginia Corporation Net Income Tax Act** (original similar to SB421) - Introduced 1/18/2023 - To Finance - Passed House 1/25/2023 - Effective from passage - To Senate 1/26/2023 - To Finance - Passed Senate 2/3/2023 - Effective from passage - To Governor 2/8/2023 - Approved by Governor 2/14/2023 - Chapter 316, Acts, Regular Session, 2023
- *2789. By Del. Crouse, Espinosa, McGeehan, Mallow, Longanacre, Kump, Forsht, Heckert, Worrell, Kirby and Tully - **Removing birthing centers from certificate of need** - Introduced 1/18/2023 - To Health and Human Resources - Passed House 2/7/2023 - Effective from passage - To Senate 2/8/2023 - To Health and Human Resources
2800. By Del. Ellington - **All relating to authorizing legislative rules regarding higher education** - Introduced 1/18/2023 - To Education - Passed House 1/27/2023 - To Senate 1/30/2023 - To Education - Amended - Passed Senate 2/8/2023 - Effective from passage - House concurred in Senate amendment and

passed 2/15/2023 - Effective from passage - To Governor 2/20/2023 - Approved by Governor 2/24/2023 - Chapter 180, Acts, Regular Session, 2023

- *2814. By Del. Young, Anderson, Zatezalo, Heckert and Clark - **To create a Hydrogen power task force** - Introduced 1/19/2023 - To Energy and Manufacturing - Passed House 2/28/2023 - To Senate 3/2/2023 - To Energy, Industry, and Mining - Amended - Passed Senate 3/9/2023 - House concurred in Senate amendment and passed 3/10/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 168, Acts, Regular Session, 2023
- *2817. By Del. Cannon, Linville, Riley, Keaton, Shamblin and Chiarelli - **Relating to Public Service Commission jurisdiction over alternative fuel for motor vehicles** - Introduced 1/19/2023 - To Energy and Manufacturing then Judiciary - To House Judiciary 1/27/2023 - Passed House 2/14/2023 - To Senate 2/15/2023 - To Energy, Industry, and Mining - Passed Senate 3/7/2023 - To Governor 3/16/2023 - Approved by Governor 3/28/2023 - Chapter 290, Acts, Regular Session, 2023
- *2820. By Del. Crouse, Steele, Burkhammer, Kimble, Worrell, Cannon, Dillon, Butler, Maynor, Lucas and Pinson - **To provide HOPE Scholarship recipients with the ability to play sports** - Introduced 1/19/2023 - To Education - Passed House 2/16/2023 - To Senate 2/17/2023 - To School Choice - Referred to Rules on 2nd reading 2/25/2023 - Amended - Passed Senate with amended title 3/8/2023 - House concurred in Senate amendment 3/11/2023 - Passed House 3/11/2023 - To Governor 3/22/2023 - Became law without Governor's signature 3/29/2023 - Chapter 136, Acts, Regular Session, 2023
- *2821. By Del. Cannon, Steele, Fluharty, Riley, Nestor, Storch and Espinosa - **Relating to taxation of gambling and lottery winnings** (original similar to HB2377, HB2808, SB483) - Introduced 1/19/2023 - To Judiciary then Finance - To House Finance 2/2/2023 - Amended - Passed House 2/15/2023 - Title amended - To Senate 2/16/2023 - To Finance - Passed Senate 3/9/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 317, Acts, Regular Session, 2023
2827. By Del. Ellington, Clark, Smith, Chiarelli, Longanacre, Hornby, Statler, Toney, Rowe and Espinosa - **Make public charter schools eligible for Safe Schools Funds** - Introduced 1/19/2023 - To Education then Finance - To House Finance 1/24/2023 - Passed House 2/23/2023 - To Senate 2/24/2023 - To Education - Passed Senate 3/6/2023 - To Governor 3/16/2023 - Approved by Governor 3/29/2023 - Chapter 137, Acts, Regular Session, 2023
- *2832. By Del. Ellington, Clark, Smith, Chiarelli, Longanacre, Hornby and Toney - **Clarifying appropriate and inappropriate duties for school counselors while also providing the definition of a school counselor.** - Introduced 1/19/2023 - To Education - Amended - Passed House 2/10/2023 - To Senate 2/13/2023 - To Education
2835. By Del. Rohrbach, Linville, Worrell, Hornbuckle, Crouse, Griffith, Lucas, Skaff and Capito - **Repeal outdated provisions of code relating to the West Virginia graduate college and Marshall University** (original similar to SB445) - Introduced 1/19/2023 - To Education - Passed House 1/31/2023 - Title amended - To Senate 2/1/2023 - Committee reference dispensed - Passed Senate

2/6/2023 - To Governor 2/13/2023 - Approved by Governor 2/17/2023 - Chapter 71, Acts, Regular Session, 2023

2839. By Del. Anderson, Zatezalo, Heckert, Cooper, Reynolds, Sheedy, Hott, Street, Barnhart and Riley - **Making a technical correction regarding an incorrect fund name and clarifying applicability to mine lands governed by SMCRA and the Abandoned Mine Lands Act** - Introduced 1/19/2023 - To Finance - Passed House 2/15/2023 - To Senate 2/16/2023 - To Finance - Passed Senate 3/3/2023 - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 149, Acts, Regular Session, 2023
- *2845. By Del. Summers and Tully - **Relating to removing expired provisions from the code** - Introduced 1/19/2023 - To Health and Human Resources - Passed House 2/9/2023 - To Senate 2/10/2023 - To Health and Human Resources - Passed Senate 2/20/2023 - To Governor 2/23/2023 - Approved by Governor 3/1/2023 - Chapter 72, Acts, Regular Session, 2023
- *2848. By Del. Riley, Linville, Cannon, Barnhart, Westfall, Clark, Fehrenbacher, Hall, W., Maynor, Adkins and Hite - **Water and Sewer Operator licensing reciprocity** - Introduced 1/20/2023 - To Technology and Infrastructure then Health and Human Resources - To House Health and Human Resources 1/26/2023 - Passed House 2/20/2023 - To Senate 2/21/2023 - To Health and Human Resources - Passed Senate 3/7/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 262, Acts, Regular Session, 2023
- *2850. By Del. Ellington - **Relating to students with exceptional needs** - Introduced 1/20/2023 - To Education - Passed House 1/31/2023 - To Senate 2/1/2023 - To Education then Finance - To Education 2/1/2023
- *2860. By Del. Heckert, Fogglin, Westfall, Anderson, Brooks, Crouse, Vance, Honaker, Shamblin, Chiarelli and Jennings - **To dispose of old AFFF foam accumulated by fire departments** - Introduced 1/20/2023 - To Fire Departments and Emergency Medical Services then Government Organization - To House Government Organization 2/16/2023 - Passed House 2/27/2023 - To Senate 2/28/2023 - To Government Organization - Passed Senate 3/6/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 284, Acts, Regular Session, 2023
- *2862. By Del. Jeffries, Householder, Hardy, Worrell, Phillips, Hall, W., Kimble, Gearheart and Keaton - **Relating generally to requirements for shareholder voting by the West Virginia Investment Management Board and the Board of Treasury Investments** - Introduced 1/20/2023 - To Judiciary - Passed House 3/1/2023 - To Senate 3/3/2023 - To Judiciary - Passed Senate 3/10/2023 - To Governor 3/20/2023 - Approved by Governor 3/28/2023 - Chapter 274, Acts, Regular Session, 2023
- *2865. By Del. Westfall - **To clarify that the PSC may enter an order requiring corrective measures up to and including an acquisition of a distressed or failing utility** - Introduced 1/20/2023 - To Technology and Infrastructure - Passed House 2/24/2023 - Effective from passage - To Senate 2/25/2023 - To Government Organization - Amended - Passed Senate with amended title 3/9/2023 - House concurred in Senate amendment and passed 3/11/2023 - To

Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 291, Acts, Regular Session, 2023

- *2870. By Del. Westfall - **Correcting a reference relating to siting certificates for certain electric generating facilities** - Introduced 1/20/2023 - To Energy and Manufacturing - Passed House 2/1/2023 - To Senate 2/2/2023 - To Energy, Industry, and Mining - Passed Senate 3/7/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 292, Acts, Regular Session, 2023
2875. By Del. Kirby, Steele, Pritt, C., Summers, Foster, Fast, Kimble and Kump - **Clarifying that Circuit Court Judges have the ability/authority to waive the requirement that a party pass a home study performed by the DHHR** - Introduced 1/20/2023 - To Senior, Children, and Family Issues then Judiciary - To House Judiciary 2/17/2023 - Amended - Passed House 2/28/2023 - To Senate 3/1/2023 - To Judiciary - Amended - Passed Senate with amended title 3/9/2023 - House concurred in Senate amendment and passed 3/10/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 63, Acts, Regular Session, 2023
2878. By Del. Howell, Linville, Cannon and Clark - **To grant the Fleet Management Division oversight authority of the state vehicle fleet** (original similar to SB432) - Introduced 1/20/2023 - To Technology and Infrastructure then Government Organization - To House Government Organization 1/27/2023 - Amended - Passed House 3/1/2023 - To Senate 3/2/2023 - To Government Organization then Finance - To Government Organization 3/2/2023
2882. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplemental appropriation to the Department of Economic Development** - Introduced 1/20/2023 - To Finance - Motion to suspend rules rejected - Division of question rejected - Motion to suspend rules rejected - Passed House 2/10/2023 - Effective from passage - To Senate 2/13/2023 - Committee reference dispensed - Passed Senate 2/15/2023 - Effective from passage - Senate reconsidered and passed bill 2/15/2023 - Effective from passage - To Governor 2/20/2023 - Approved by Governor 2/24/2023 - Chapter 9, Acts, Regular Session, 2023
- *2883. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplemental appropriation from the Coronavirus State Fiscal Recovery Fund** - Introduced 1/20/2023 - To Finance - Amended - Passed House 3/10/2023 - Effective from passage - To Senate 3/11/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 3/11/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 10, Acts, Regular Session, 2023
- *2890. By Del. Gearheart, Ellington, Westfall, Storch, Bridges, Foster, Butler, Householder, Cooper, Dean and Heckert - **Modifying student discipline** - Introduced 1/20/2023 - To Education - Motion for previous question rejected - Passed House 1/31/2023 - To Senate 2/1/2023 - To Education - Amended - Passed Senate 3/9/2023 - Title amended - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 301, Acts, Regular Session, 2023

- *2896. By Del. Anderson, Zatezalo, Hanshaw (Mr. Speaker), Smith, Riley, Foster, Steele, Tully, Young, Summers and Hott - **Relating to making West Virginia an Agreement State with the U. S. Nuclear Regulatory Commission** - Introduced 1/20/2023 - To Energy and Manufacturing then Judiciary then Finance - To House Judiciary 1/25/2023 - To House Finance 2/2/2023 - Passed House 2/15/2023 - To Senate 2/20/2023 - To Economic Development - Referred to Finance on 2nd reading 3/7/2023
2899. By Del. Westfall - **Repealing two sections of code relating to gas utility rates** - Introduced 1/23/2023 - To Technology and Infrastructure - Passed House 2/13/2023 - Title amended - To Senate 2/16/2023 - To Government Organization - Passed Senate 3/2/2023 - To Governor 3/7/2023 - Approved by Governor 3/29/2023 - Chapter 73, Acts, Regular Session, 2023
- *2900. By Del. Hanshaw (Mr. Speaker), Hott, Phillips, Heckert, Riley, Rohrbach and Pinson - **Relating to the Deputy Sheriff Retirement System** - Introduced 1/23/2023 - To Pensions and Retirement then Finance - To House Finance 2/8/2023 - Amended - Passed House 2/27/2023 - Title amended - Effective from passage - To Senate 2/28/2023 - To Pensions - Amended - Passed Senate with amended title 3/10/2023 - Effective from passage - House concurred in Senate amendment and passed 3/11/2023 - Effective from passage - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 87, Acts, Regular Session, 2023
2904. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to the Department of Commerce, Office of the Secretary** - Introduced 1/23/2023 - To Finance - Passed House 3/3/2023 - Effective from passage - To Senate 3/8/2023 - Committee reference dispensed - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 11, Acts, Regular Session, 2023
- *2905. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to State Board of Education - State Department of Education - Classroom Aide Program** - Introduced 1/23/2023 - To Finance - Passed House 3/8/2023 - Effective from passage - To Senate 3/9/2023 - To Finance
2906. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, from the balance of moneys remaining as an unappropriated balance in Lottery Net Profits** (original similar to SB500) - Introduced 1/23/2023 - To Finance - Passed House 2/28/2023 - Effective from passage - To Senate 3/1/2023 - To Finance - Passed Senate 3/7/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 12, Acts, Regular Session, 2023
2907. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to the Department of Administration, Division of General Services** - Introduced 1/23/2023 - To Finance - Passed House 3/8/2023 - Effective from passage - To Senate 3/9/2023 - Committee reference dispensed - Constitutional rule suspended - Passed

Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 13, Acts, Regular Session, 2023

- *2908. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to the Department of Commerce, Division of Forestry** - Introduced 1/23/2023 - To Finance - Passed House 3/3/2023 - Effective from passage - To Senate 3/8/2023 - Committee reference dispensed - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 14, Acts, Regular Session, 2023
- *2910. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Administration, Public Defender Services** (original similar to SB501) - Introduced 1/23/2023 - To Finance - Passed House 2/28/2023 - Effective from passage - To Senate 3/1/2023 - To Finance - Passed Senate 3/7/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 15, Acts, Regular Session, 2023
- *2911. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to the Department of Homeland Security, Division of Administrative Services** (original similar to SB507) - Introduced 1/23/2023 - To Finance - Passed House 3/6/2023 - Effective from passage - To Senate 3/7/2023 - Committee reference dispensed - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 16, Acts, Regular Session, 2023
2913. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to the DHHR, Consolidated Medical Services Fund** (original similar to SB504) - Introduced 1/23/2023 - To Finance - Passed House 3/8/2023 - Effective from passage - To Senate 3/9/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 17, Acts, Regular Session, 2023
- *2914. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to the Governor's Office - Civil Contingent Fund** - Introduced 1/23/2023 - To Finance - Passed House 3/6/2023 - Effective from passage - To Senate 3/8/2023 - Committee reference dispensed - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 18, Acts, Regular Session, 2023
2915. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, from the balance of moneys remaining as an unappropriated balance in the State Excess Lottery Revenue Fund** (original similar to SB499) - Introduced 1/23/2023 - To Finance - Passed House 2/28/2023 - Effective from passage - To Senate 3/1/2023 - To Finance - Passed Senate 3/7/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 19, Acts, Regular Session, 2023

- *2917. By Del. Summers, Tully and Rohrbach - **Relating to allowing retired state employees who meet the minimum qualifications necessary, to render post-retirement employment with the Department of Health and Human Resources** - Introduced 1/23/2023 - To Health and Human Resources then Finance - To House Finance 1/25/2023 - Passed House 2/23/2023 - Effective from passage - To Senate 2/24/2023 - To Health and Human Resources - Amended - Passed Senate with amended title 3/7/2023 - Effective from passage - House concurred in Senate amend with title amend, passed 3/8/2023 - Effective from passage - Senate concurred in House amendments and passed bill 3/9/2023 - Effective from passage - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 248, Acts, Regular Session, 2023
2927. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriation to the Department of Homeland Security, Division of Corrections and Rehabilitation - Correctional Units** - Introduced 1/23/2023 - To Finance - Passed House 3/6/2023 - Effective from passage - To Senate 3/10/2023 - To Finance
- *2928. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to DHHR, Division of Health** - Introduced 1/23/2023 - To Finance - Passed House 3/8/2023 - Effective from passage - To Senate 3/9/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 20, Acts, Regular Session, 2023
2937. By Del. Barnhart, Ferrell, Hott, Kelly, Riley, Miller, Statler, Pritt, C., Kump, Holstein and Hillenbrand - **To reduce the business license fee for WV Volunteer Fire Departments to \$250** - Introduced 1/24/2023 - To Fire Departments and Emergency Medical Services then Finance - To House Finance 2/2/2023 - Passed House 2/22/2023 - Effective July 1, 2023 - To Senate 2/23/2023 - To Finance
2939. By Del. Rohrbach - **Relating to filing of lien by municipalities for collection of refuse fees** - Introduced 1/24/2023 - To Political Subdivisions then Judiciary - To House Judiciary 2/16/2023 - Amended - Passed House 3/1/2023 - To Senate 3/2/2023 - To Judiciary - Amended - Passed Senate 3/10/2023
2941. By Del. Ellington, Clark, Willis, Hornby, Statler and Toney - **To extend the end date of the State Advisory Council on Postsecondary Attainment Goals** - Introduced 1/24/2023 - To Education - Passed House 2/3/2023 - To Senate 2/6/2023 - To Education
- *2953. By Del. Criss, Householder, Hardy, Espinosa, Ridenour and Clark - **Creating the Commission on Cost-of-Living Adjustments** - Introduced 1/24/2023 - To Finance - House rejected 2/28/2023
2955. By Del. Riley and Keaton - **Relating to the establishment and operation of regional water, wastewater and stormwater authorities** - Introduced 1/24/2023 - To Technology and Infrastructure then Government Organization - To House Government Organization 2/8/2023 - Passed House 3/1/2023 - Title amended - To Senate 3/2/2023 - To Transportation and Infrastructure then Government Organization - To Transportation and Infrastructure 3/2/2023 - 2nd

reference dispensed - Passed Senate 3/9/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 263, Acts, Regular Session, 2023

2967. By Del. Cooper, Smith, Hillenbrand, Steele, Longanacre, Ridenour, Sheedy, Butler, Honaker and Crouse - **Expediting License Applications for active military members and veterans, and their spouses** - Introduced 1/24/2023 - To Veterans' Affairs and Homeland Security then Government Organization - To House Government Organization 2/3/2023 - Passed House 2/9/2023 - To Senate 2/10/2023 - To Military - Amended - Passed Senate 3/10/2023 - Title amended - House concurred in Senate amend with amend, passed bill 3/11/2023 - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 235, Acts, Regular Session, 2023
2970. By Del. Nestor, Steele, Martin, Longanacre, Hott, Pritt, C., Honaker, Garcia, Fast, Kirby and Householder - **Creating the equitable right to expungement** - Introduced 1/24/2023 - To Judiciary - Passed House 2/9/2023 - Amended - Passed House 2/10/2023 - Title amended - To Senate 2/13/2023 - To Judiciary
- *2989. By Del. Ellington, Walker, Hornby, Lucas, Dittman, Chiarelli, Mazzocchi, Hornbuckle, Hall, A., Toney and Foggin - **Relating to increasing the number of out-of-state medical students receiving in-state tuition rates who agree to practice for a specific time within West Virginia.** - Introduced 1/24/2023 - To Education then Finance - To House Finance 1/31/2023 - Passed House 2/28/2023 - To Senate 3/1/2023 - To Education then Finance - To Education 3/1/2023 - On 2nd reading to Finance 3/7/2023
- *2992. By Del. Toney - **Clarifying and updating school bus rules and the types of vehicles covered** - Introduced 1/24/2023 - To Education - Passed House 3/1/2023 - To Senate 3/2/2023 - To Education
- *2993. By Del. Summers and Tully - **Relating to rural emergency hospital licensure** - Introduced 1/24/2023 - To Health and Human Resources - Passed House 2/15/2023 - To Senate 2/16/2023 - To Health and Human Resources - Amended - Passed Senate 2/25/2023 - House concurred in Senate amendment and passed 3/2/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 264, Acts, Regular Session, 2023
- *3005. By Del. Hardy, Foster, Criss, Hornby, Ridenour, Espinosa, Horst, Hall, W. and Westfall - **Relating to accelerating the conversion of the state excise tax on the privilege of transferring real property into a county excise tax** - Introduced 1/24/2023 - To Finance - Passed House 2/23/2023 - Effective from passage - To Senate 2/24/2023 - To Finance
- *3006. By Del. Ferrell, Rohrbach, Reynolds, Hardy, Jeffries, Phillips, Honaker, Linville, Riley, Barnhart and Kelly - **West Virginia Critical Infrastructure Protection Act** - Introduced 1/24/2023 - To Judiciary - Amended - Motion to amend on third adopted - Amended - Passed House 2/25/2023 - Title amended - To Senate 2/27/2023 - To Judiciary
- *3012. By Del. Anderson, Zatezalo, Foggin, Heckert, Hott, Barnhart, Ferrell, Young, Hansen, Fehrenbacher and Rowe - **To encourage economic development regarding rare earth elements and critical minerals, as defined, by**

providing temporary severance tax relief - Introduced 1/24/2023 - To Energy and Manufacturing then Finance - To House Finance 2/3/2023 - Passed House 2/16/2023 - To Senate 2/17/2023 - To Economic Development then Finance - To Economic Development 2/17/2023 - To Finance 3/1/2023 - Passed Senate 3/8/2023 - To Governor 3/16/2023 - Became law without Governor's signature 3/29/2023 - Chapter 318, Acts, Regular Session, 2023

- *3013. By Del. Espinosa, Ridenour, Householder, Hardy, Clark, Criss, Hite, Horst, Hanshaw (Mr. Speaker), Hornby and Summers - **Relating to authorizing the Jefferson County Commission to levy a special district excise tax** - Introduced 1/25/2023 - To Finance - Passed House 2/25/2023 - Effective from passage - To Senate 2/27/2023 - To Finance - Amended - Passed Senate with amended title 3/3/2023 - Senate reconsidered effective date - Effective from passage - House concurred in Senate amendment and passed 3/7/2023 - Effective from passage - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 88, Acts, Regular Session, 2023
- *3018. By Del. Young, Garcia, Crouse, Chiarelli, Hornby, Fast, Worrell, Holstein and Hansen - **Establishing that 18 is the age of consent and removing the ability of an underage person to obtaining a consent to marry through their parents, legal guardians, or by petition to the circuit court** - Introduced 1/25/2023 - To Judiciary - Passed House 3/1/2023 - To Senate 3/2/2023 - To Judiciary - Amended - Passed Senate 3/10/2023 - Title amended - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 114, Acts, Regular Session, 2023
- *3035. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Relating generally to high-quality education programs and school operations** - Introduced 1/25/2023 - To Education then Finance - To House Finance 2/20/2023 - Amended - Passed House 2/28/2023 - Title amended - To Senate 3/1/2023 - To Education then Finance - To Education 3/1/2023 - On 2nd reading to Finance 3/7/2023 - Amended - Passed Senate 3/9/2023 - Title amended - House concurred in Senate amend with amend, passed bill 3/11/2023 - House concurred in Senate amend with amend, passed bill 3/11/2023 - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/20/2023 - Approved by Governor 3/21/2023 - Chapter 138, Acts, Regular Session, 2023
- *3036. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Increasing the number of districts and the limit on approved costs under the BUILD WV Act** (original similar to SB713) - Introduced 1/25/2023 - To Economic Development and Tourism then Finance - To House Finance 1/27/2023 - Passed House 2/9/2023 - To Senate 2/10/2023 - To Economic Development then Finance - To Economic Development 2/10/2023 - To Finance 3/1/2023 - Passed Senate 3/9/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 121, Acts, Regular Session, 2023
3039. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to Adjutant General - State Militia** - Introduced 1/25/2023 - To Finance - Passed House 3/8/2023 - Effective from passage - To Senate 3/9/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 3/10/2023 - Effective from passage - To

Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 21, Acts, Regular Session, 2023

- *3040. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to the Department of Administration, Office of the Secretary** (original similar to SB505) - Introduced 1/25/2023 - To Finance - Passed House 3/6/2023 - Effective from passage - To Senate 3/8/2023 - To Finance - Amended - Passed Senate 3/10/2023 - Effective from passage - House concurred in Senate amendment and passed 3/11/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 22, Acts, Regular Session, 2023
- *3042. By Del. Pinson, Crouse, Foster, Pritt, C., Fast, Ridenour, Burkhammer, Kirby, Mallow, Worrell and Martin - **Relating to forbidding excessive government limitations on exercise of religion** - Introduced 1/25/2023 - To Judiciary - Passed House 2/27/2023 - To Senate 2/28/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 2/28/2023 - To Governor 3/3/2023 - Approved by Governor 3/9/2023 - Chapter 295, Acts, Regular Session, 2023
- *3044. By Del. Gearheart, Householder, Criss, Hardy, Espinosa, Storch, Smith, Nestor, Zatezalo, Maynor and Ellington - **Relating to the annual fee for limited video lottery terminal permits** - Introduced 1/25/2023 - To Finance - Passed House 2/14/2023 - Effective from passage - To Senate 2/15/2023 - To Finance - Passed Senate 3/6/2023 - Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 160, Acts, Regular Session, 2023
- *3046. By Del. Dillon - **Fast Track for Agriculture Education Endorsement** - Introduced 1/25/2023 - To Education - Passed House 2/28/2023 - Title amended - To Senate 3/3/2023 - To Education then Finance - To Education 3/3/2023
- *3049. By Del. Holstein, Keaton, Mazzocchi, Forsht and Dillon - **To create the American Campuses Act** - Introduced 1/25/2023 - To Education - Passed House 3/1/2023 - To Senate 3/2/2023 - To Education
- *3055. By Del. Willis, Foster, Foggin, Chiarelli, Heckert, Storch, Young, Sheedy, Hornbuckle, Reynolds and Ellington - **To create a vocational math class for students interested in careers in the trades.** - Introduced 1/25/2023 - To Education - Passed House 2/7/2023 - To Senate 2/8/2023 - To Education - Amended - Passed Senate 2/15/2023 - House concurred in Senate amendment and passed 2/22/2023 - To Governor 2/27/2023 - Approved by Governor 3/4/2023 - Chapter 139, Acts, Regular Session, 2023
- *3059. By Del. Reynolds, Dean, Bridges, Linville, Worrell, Willis, Honaker, Zatezalo, Barnhart, Burkhammer and Holstein - **Give PSC authority to fine Class I railroads for safety and operational violations.** - Introduced 1/25/2023 - To Technology and Infrastructure - Amended - Passed House 2/25/2023 - Title amended - To Senate 3/3/2023 - To Judiciary then Finance - To Judiciary 3/3/2023 - To Finance 3/8/2023
- *3061. By Del. Summers and Tully - **Relating to updating the authority of the Foster Care Ombudsman** - Introduced 1/25/2023 - To Health and Human Resources - Amended - Passed House 2/1/2023 - Effective from passage - To Senate

2/2/2023 - To Health and Human Resources - Amended - Passed Senate
2/14/2023 - Effective from passage - House concurred in Senate amendment
and passed 2/15/2023 - Effective from passage - To Governor 2/20/2023 -
Approved by Governor 2/24/2023 - Chapter 64, Acts, Regular Session, 2023

3065. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] -
**Supplementing appropriations to the Department of Transportation,
Division of Multimodal Transportation Facilities - Aeronautics
Commission** - Introduced 1/26/2023 - To Finance - Passed House 3/6/2023 -
Effective from passage - To Senate 3/8/2023 - Committee reference dispensed
- Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 -
Approved by Governor 3/16/2023 - Chapter 23, Acts, Regular Session, 2023
3066. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] -
**Supplementing and amending appropriations to the Department of
Education, State Board of Education - State Aid to Schools** (original similar
to SB502) - Introduced 1/26/2023 - To Finance - Passed House 2/28/2023 -
Effective from passage - To Senate 3/1/2023 - To Finance - Passed Senate
3/7/2023 - Effective from passage - To Governor 3/15/2023 - Approved by
Governor 3/16/2023 - Chapter 24, Acts, Regular Session, 2023
3067. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] -
**Supplementing and amending appropriations to Department of
Transportation, Division of Multimodal Transportation Facilities - Public
Transit** - Introduced 1/26/2023 - To Finance - Passed House 3/6/2023 -
Effective from passage - To Senate 3/8/2023 - Committee reference dispensed
- Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 -
Approved by Governor 3/16/2023 - Chapter 25, Acts, Regular Session, 2023
3072. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] -
**Supplementing and amending appropriations to Department of Homeland
Security, Division of Administrative Services** - Introduced 1/26/2023 - To
Finance - Passed House 2/28/2023 - Effective from passage - To Senate
3/1/2023 - To Finance
3073. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] -
**Supplementing and amending appropriations to Adjutant General - State
Militia** - Introduced 1/26/2023 - To Finance - Passed House 3/8/2023 -
Effective from passage - To Senate 3/9/2023 - Committee reference dispensed
- Constitutional rule suspended - Passed Senate 3/10/2023 - Effective from
passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter
26, Acts, Regular Session, 2023
- *3074. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] -
**Supplementing appropriations to the Department of Transportation,
Division of Multimodal Transportation Facilities** - Introduced 1/26/2023 -
To Finance - Passed House 3/6/2023 - Effective from passage - To Senate
3/8/2023 - Committee reference dispensed - Passed Senate 3/10/2023 - Effective
from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 -
Chapter 27, Acts, Regular Session, 2023
- *3077. By Del. Tully, Summers, Brooks, Jennings, Longanacre, Foster, Barnhart,
Kelly, Hott, Rohrbach and Burkhammer - **Relating to making the use of the**

- multi-state real time tracking system permanent** - Introduced 1/26/2023 - To Health and Human Resources - Passed House 2/9/2023 - Effective from passage - To Senate 2/10/2023 - To Health and Human Resources - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 74, Acts, Regular Session, 2023
- *3084. By Del. Ellington, Statler, Toney, Clark, Mazzocchi, Longanacre and Foggin - **Relating to revising provisions related to public charter schools** - Introduced 1/26/2023 - To Education then Finance - To House Finance 2/9/2023 - Passed House 2/28/2023 - Effective July 1, 2023 - To Senate 3/2/2023 - To Finance - Amended - Passed Senate 3/10/2023 - Effective July 1, 2023 - House concurred in Senate amend with title amend, passed 3/11/2023 - Effective July 1, 2023 - Senate concurred in House amendments and passed bill 3/11/2023 - Effective July 1, 2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 140, Acts, Regular Session, 2023
- *3091. By Del. Foster - **Requiring counties provide fiscal information for State Auditor's WV Checkbook website** - Introduced 1/26/2023 - To Government Organization - Passed House 2/3/2023 - To Senate 2/6/2023 - To Government Organization
- *3092. By Del. Foster, Longanacre and Young - **Relating to in-state food service permit reciprocity** - Introduced 1/26/2023 - To Health and Human Resources - To House Government Organization 2/8/2023 - Passed House 3/1/2023 - To Senate 3/3/2023 - To Government Organization then Health and Human Resources - To Government Organization 3/3/2023 - 2nd reference dispensed - Passed Senate 3/9/2023 - To Governor 3/21/2023 - Approved by Governor 3/29/2023 - Chapter 265, Acts, Regular Session, 2023
- *3095. By Del. Howell, Westfall, Jeffries, Fast, Zatezalo, Kelly, Phillips, Hillenbrand, Clark and Storch - **Creating special revenue account known as School Building Authority Agricultural, Vocational and Technical Training Facilities Grant Fund** - Introduced 1/26/2023 - To Economic Development and Tourism then Education - To House Education 2/8/2023 - Passed House 2/28/2023 - To Senate 3/1/2023 - To Finance
- *3098. By Del. Ellington, Statler, Toney, Clark and Hornby - **Relating to the West Virginia Summative Assessment and formative assessment** - Introduced 1/27/2023 - To Education - Amended - Passed House 2/14/2023 - To Senate 2/15/2023 - To Education
- *3101. By Del. Jeffries, Kimble, Warner, Crouse, Tully and Dittman - **Relating to notification of breast density** - Introduced 1/27/2023 - To Health and Human Resources - Passed House 2/20/2023 - To Senate 2/21/2023 - To Health and Human Resources
3108. By Del. Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive] - **Supplementing and amending appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities - State Rail Authority** - Introduced 1/27/2023 - To Finance - Passed House 3/6/2023 - Effective from passage - To Senate 3/8/2023 - Committee reference dispensed - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 28, Acts, Regular Session, 2023

3109. By Del. Hanshaw (Mr. Speaker) and Hornbuckle [By Request of the Executive] - **Supplementing and amending appropriations to the State Board of Education - State Department of Education** - Introduced 1/27/2023 - To Finance - Passed House 3/9/2023 - Effective from passage - To Senate 3/10/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 29, Acts, Regular Session, 2023
- *3110. By Del. Anderson, Zatezalo, Horst, Hansen, Fehrenbacher, Cooper, Martin, Young, Hardy and Heckert - **Relating to funding the Office of Oil and Gas in the Department of Environmental Protection** (original similar to SB448) - Introduced 1/27/2023 - To Energy and Manufacturing then Finance - To House Finance 2/3/2023 - Recommitted to Finance on 2nd reading 2/15/2023 - Passed House 2/23/2023 - To Senate 2/24/2023 - To Finance - Amended - Passed Senate 3/10/2023 - Title amended - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 150, Acts, Regular Session, 2023
- *3111. By Del. Linville, Cannon, Hanshaw (Mr. Speaker), Phillips, Hardy, Summers and Keaton - **Creating Infrastructure Ready Jurisdictions** - Introduced 1/27/2023 - To Political Subdivisions then Technology and Infrastructure - To House Technology and Infrastructure 2/3/2023 - Passed House 2/13/2023 - To Senate 2/14/2023 - To Economic Development - On 2nd reading to Economic Development 3/2/2023
- *3113. By Del. Martin, Clark, Ferrell, Phillips, Hardy, Toney, Ellington, Barnhart, Tully, Mazzocchi and Howell - **Requiring high school students to complete course of study in personal finance** (original similar to HB2242) - Introduced 1/27/2023 - To Education - Passed House 2/14/2023 - To Senate 2/15/2023 - To Education - Amended - Passed Senate 2/25/2023 - House concurred in Senate amend with title amend, passed 3/2/2023 - Senate concurred in House amendments and passed bill 3/3/2023 - To Governor 3/13/2023 - Approved by Governor 3/23/2023 - Chapter 141, Acts, Regular Session, 2023
- *3114. By Del. Street, Gearheart, Kirby, Butler, Burkhammer, Chiarelli, Mazzocchi, Hillenbrand, Petitto, Willis and Brooks - **Deny severance pay to employees of DOT for failure or refusal of drug testing** - Introduced 1/27/2023 - To Prevention and Treatment of Substance Abuse then Judiciary - To House Judiciary 2/16/2023 - Passed House 2/25/2023 - To Senate 2/27/2023 - To Government Organization - Amended - Passed Senate 3/6/2023 - House concurred in Senate amendment and passed 3/7/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 249, Acts, Regular Session, 2023
- *3122. By Del. Vance, Butler, Burkhammer, Longanacre, Dean, Kirby, Dillon, Nestor, Brooks, Toney and Cooper - **Permitting certain types of rifles using an encapsulated propellant charge that loads from the breech** - Introduced 1/27/2023 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/8/2023 - Amended - Passed House 2/15/2023 - To Senate 2/16/2023 - To Agriculture and Natural Resources - Passed Senate 2/23/2023 - To Governor 2/27/2023 - Approved by Governor 3/4/2023 - Chapter 222, Acts, Regular Session, 2023

- *3130. By Del. Capito, Gearheart, Smith, Ellington, Steele, Cooper, Toney and Riley - **Creating the Coalfields Energy Research and Economic Development Authority** - Introduced 1/30/2023 - To Energy and Manufacturing then Government Organization - To House Government Organization 2/3/2023 - Passed House 2/10/2023 - To Senate 2/17/2023 - To Government Organization - Removed from calendar by action of Committee on Rules on 3rd reading
- *3133. By Del. Barnhart, Ferrell and Reynolds - **Create a credit against the severance tax to encourage private companies to make infrastructure improvements to highways, roads and bridges in this state** - Introduced 1/30/2023 - To Technology and Infrastructure then Finance - To House Finance 2/13/2023 - Amended - Passed House 3/1/2023 - Title amended - To Senate 3/2/2023 - To Finance
- *3135. By Del. Westfall and Riley - **To modify the salaries of the Governor and Constitutional officers beginning January 1, 2025** - Introduced 1/30/2023 - To Finance - Amended - Passed House 3/1/2023 - To Senate 3/2/2023 - To Finance - Amended - Passed Senate with amended title 3/10/2023 - House concurred in Senate amend with amend, passed bill 3/11/2023 - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 75, Acts, Regular Session, 2023
3141. By Del. Summers and Tully - **Relating to the practice of dentistry** - Introduced 1/30/2023 - To Health and Human Resources - Amended - Passed House 2/6/2023 - To Senate 2/7/2023 - To Health and Human Resources then Government Organization - To Health and Human Resources 2/7/2023 - 2nd reference dispensed - Amended - Passed Senate 2/23/2023 - House concurred in Senate amend with amend, passed bill 3/2/2023 - Senate concurred in House amendments and passed bill 3/6/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 236, Acts, Regular Session, 2023
- *3145. By Del. Storch, Howell, Clark and Linville - **Recognizing the Commission on Uniform State Laws as a presumptive provider of continuing legal education** (original similar to SB435) - Introduced 1/30/2023 - To Judiciary - Passed House 2/10/2023 - To Senate 2/13/2023 - To Judiciary
3146. By Del. Storch, Howell, Clark and Linville - **Establishing in West Virginia Code, the contents of the Uniform Public Meetings During Emergencies Act** (original similar to SB296) - Introduced 1/30/2023 - To Judiciary - Passed House 2/28/2023 - To Senate 3/1/2023 - To Judiciary - Amended - Passed Senate 3/8/2023 - House concurred in Senate amendment and passed 3/9/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 169, Acts, Regular Session, 2023
- *3147. By Del. Storch, Howell and Clark - **To create the Upper Ohio Valley Trail Network** - Introduced 1/30/2023 - To Economic Development and Tourism - Passed House 2/20/2023 - To Senate 2/21/2023 - To Outdoor Recreation then Judiciary - To Outdoor Recreation 2/21/2023 - To Judiciary 3/1/2023 - Amended - Passed Senate with amended title 3/10/2023 - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 223, Acts, Regular Session, 2023

- *3148. By Del. Storch, Marple, Anderson, Pritt, E. and Pritt, C. - **Relating to financing municipal policemen's and firemen's pension and relief funds** (original similar to SB477) - Introduced 1/30/2023 - To Pensions and Retirement then Finance - To House Finance 2/8/2023 - Passed House 2/23/2023 - To Senate 2/24/2023 - To Pensions then Finance - To Pensions 2/24/2023 - 2nd reference dispensed - Passed Senate 3/6/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 89, Acts, Regular Session, 2023
- *3153. By Del. Jennings, Mallow, Hillenbrand, Warner, DeVault, Garcia, Dean, Sheedy, Ferrell, Reynolds and Rowe - **Relating to distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers.** (original similar to HB3266) - Introduced 1/30/2023 - To Fire Departments and Emergency Medical Services then Finance - To House Finance 2/16/2023 - Amended - Previous Question - Passed House 3/1/2023 - Title amended - To Senate 3/2/2023 - To Finance - Amended - Passed Senate with amended title 3/10/2023 - House concurred in Senate amendment with amendment 3/11/2023 - Passed House 3/11/2023 - Effect January 1, 2024 - Senate concur in part; refuse concur in part; request House recede 3/11/2023 - Passed Senate 3/11/2023 - Effective January 1, 2024 - Senate reconsidered action - Senate refused to concur in House amendment 3/11/2023
3156. By Del. Steele, Nestor, Fast, Kirby, Riley, Pritt, C., Hanna, Holstein, Dean, Shamblin and Householder - **Raising the compensation rates of panel attorneys** - Introduced 1/30/2023 - To Judiciary then Finance - Passed House 2/28/2023 - To Senate 3/1/2023 - To Judiciary then Finance - To Judiciary 3/1/2023 - On 2nd reading to Finance 3/7/2023 - Amended - Passed Senate 3/9/2023 - Title amended - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 110, Acts, Regular Session, 2023
- *3164. By Del. Summers, Tully and Walker - **To extend the termination date of the West Virginia Advisory Council on Rare Diseases due to a delay in beginning its duties** - Introduced 1/31/2023 - To Health and Human Resources - Passed House 2/9/2023 - Effective from passage - To Senate 2/10/2023 - To Health and Human Resources - Passed Senate 2/20/2023 - Effective from passage - To Governor 2/23/2023 - Approved by Governor 3/1/2023 - Chapter 266, Acts, Regular Session, 2023
3166. By Del. Summers, Tully and Heckert - **To permit a hospital to hold a patient experiencing a psychiatric emergency for up to 72 hours** - Introduced 1/31/2023 - To Health and Human Resources then Judiciary - To House Judiciary 2/10/2023 - Passed House 2/24/2023 - To Senate 2/25/2023 - To Health and Human Resources then Judiciary - To Health and Human Resources 2/25/2023 - To Judiciary 2/28/2023 - Passed Senate with amended title 3/10/2023 - House concurred in Senate title amendment 3/11/2023 - Passed House 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 267, Acts, Regular Session, 2023
- *3168. By Del. Criss, Hanshaw (Mr. Speaker), Riley and Espinosa - **Ensuring investment in WV Tourism is competitive with other states and accessible long term** - Introduced 1/31/2023 - To Economic Development and Tourism then Finance - To House Finance 2/8/2023 - Passed House 2/16/2023 - To

Senate 2/20/2023 - To Economic Development then Finance - To Economic Development 2/20/2023 - To Finance 3/1/2023 - Passed Senate 3/9/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 321, Acts, Regular Session, 2023

3188. By Del. Linville, Tully, Summers, Young and Maynor - **Relating to the establishment of an alert system for missing cognitively impaired persons** - Introduced 1/31/2023 - To Judiciary - Passed House 2/24/2023 - To Senate 2/25/2023 - To Judiciary - Amended - Passed Senate with amended title 3/7/2023
- *3189. By Del. Riley, Hansen, Westfall, Clark, Horst, Hanshaw (Mr. Speaker), Hornby, Steele, Storch, Hardy and Hillenbrand - **The PFAS Protection Act** - Introduced 1/31/2023 - To Energy and Manufacturing then Judiciary - To House Judiciary 2/10/2023 - Passed House 2/24/2023 - To Senate 2/25/2023 - To Government Organization - Amended - Passed Senate with amended title 3/9/2023 - House concurred in Senate amendment and passed 3/10/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 151, Acts, Regular Session, 2023
- *3190. By Del. Steele - **Amending the definition of “minor”** - Introduced 1/31/2023 - To Judiciary - Passed House 2/16/2023 - Title amended - To Senate 2/17/2023 - To Judiciary - Amended - Passed Senate with amended title 3/10/2023 - House concurred in Senate amend with amend, passed bill 3/11/2023 - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 103, Acts, Regular Session, 2023
- *3191. By Del. Summers, Tully and Pushkin - **Relating to certain facilities operated by the state government to obtain a license** - Introduced 1/31/2023 - To Health and Human Resources - Passed House 2/9/2023 - Title amended - Effective from passage - To Senate 2/10/2023 - To Health and Human Resources - Amended - Passed Senate 3/10/2023 - Effective from passage - House concurred in Senate amendment and passed 3/11/2023 - Effective from passage - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 268, Acts, Regular Session, 2023
3192. By Del. Ellington, Chiarelli, Willis, Hornby, Summers, Tully and Toney - **Abolishing the Center for Nursing and transferring its duties and authorities to the Higher Education Policy Commission** - Introduced 1/31/2023 - To Education then Finance - To House Finance 2/2/2023 - Passed House 2/16/2023 - Effective July 1, 2023 - To Senate 2/17/2023 - To Education then Finance - To Education 2/17/2023 - To Finance 2/28/2023
- *3198. By Del. Ferrell, Honaker, Worrell, Kelly, Foggin, Clark, Tully, Ward, Hall, W., Brooks and Chiarelli - **Relating to obtaining title to abandoned or junked motor vehicles abandoned on the property or place of business of an automobile dealer** - Introduced 2/2/2023 - To Technology and Infrastructure - Passed House 2/24/2023 - To Senate 2/25/2023 - To Transportation and Infrastructure
3199. By Del. Summers and Ellington - **Relating to removing the requirement that an ectopic pregnancy be reported** - Introduced 2/2/2023 - To Health and Human Resources - Passed House 2/14/2023 - Effective from passage - To

Senate 2/15/2023 - To Health and Human Resources - Referred to Rules on 3rd reading 3/2/2023 - Passed Senate 3/11/2023 - Effective from passage - To Governor 3/27/2023 - Became law without Governor's signature 3/29/2023 - Chapter 269, Acts, Regular Session, 2023

- *3200. By Del. Summers and Tully - **Authorize DHHR to transfer state facilities to regional mental health centers or intellectual disability facilities** - Introduced 2/2/2023 - To Health and Human Resources - Passed House 2/15/2023 - Effective from passage - To Senate 2/16/2023 - To Health and Human Resources
3203. By Del. Steele, Hornby, Young and Lucas - **Relating generally to West Virginia Real Estate License Act** - Introduced 2/2/2023 - To Government Organization - Passed House 3/1/2023 - To Senate 3/2/2023 - To Government Organization - Amended - Passed Senate with amended title 3/10/2023 - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 237, Acts, Regular Session, 2023
- *3210. By Del. Phillips, Horst, Crouse and Thorne - **Relating to the performance of installation of propane gas systems** - Introduced 2/2/2023 - To Government Organization - Passed House 2/14/2023 - To Senate 2/15/2023 - To Government Organization - Passed Senate 3/2/2023 - To Governor 3/7/2023 - Approved by Governor 3/29/2023 - Chapter 285, Acts, Regular Session, 2023
- *3211. By Del. Storch, Anderson, Kump, Reynolds, Ferrell, Hite, Pritt, C., Marple, Hornbuckle, Pritt, E. and Fluharty - **Relating to authorizing service credit for unused accrued annual or sick leave days for use in determining retirement benefits in the Municipal Police Officer and Firefighter Retirement System** - Introduced 2/2/2023 - To Pensions and Retirement then Finance - To House Finance 2/15/2023 - Passed House 2/27/2023 - To Senate 2/28/2023 - To Pensions then Finance - To Pensions 2/28/2023 - 2nd reference dispensed - Amended - Passed Senate with amended title 3/7/2023 - House concurred in Senate amendment and passed 3/8/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 90, Acts, Regular Session, 2023
- *3214. By Del. Capito, Riley, Williams, Young, Storch and Jennings - **To create the Road Optimization & Assessment Data (ROAD) Pilot Project** - Introduced 2/2/2023 - To Technology and Infrastructure - Passed House 2/25/2023 - To Senate 2/27/2023 - To Transportation and Infrastructure - Amended - Passed Senate with amended title 3/8/2023 - House concurred in Senate amendment and passed 3/10/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 297, Acts, Regular Session, 2023
3215. By Del. Riley - **Relating to land use** - Introduced 2/2/2023 - To Economic Development and Tourism - Amended - Passed House 2/20/2023 - To Senate 2/21/2023 - To Government Organization - Passed Senate 3/2/2023 - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 196, Acts, Regular Session, 2023
3218. By Del. Reynolds, Tully, Ferrell, Sheedy, Zatezalo, Jeffries, Willis, Hott, Hite, Kimble and Mazzocchi - **Relating to requiring suicide prevention resources be printed on student identification cards** (original similar to HB3019) - Introduced 2/2/2023 - To Education - Passed House 2/16/2023 - To Senate

2/17/2023 - To Education - Passed Senate 3/1/2023 - To Governor 3/7/2023 - Approved by Governor 3/15/2023 - Chapter 142, Acts, Regular Session, 2023

- *3224. By Del. Statler, Ellington, Toney, Hansen, Walker, Williams, Warner and Chiarelli - **Adding West Virginia Junior College to the list of eligible institutions that accept PROMISE scholarship recipients** - Introduced 2/2/2023 - To Education then Finance - To House Finance 2/9/2023 - Passed House 2/28/2023 - To Senate 3/1/2023 - To Education then Finance - To Education 3/1/2023 - 2nd reference dispensed - Passed Senate 3/9/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 181, Acts, Regular Session, 2023
- *3232. By Del. Riley and Nestor - **Regulation of Sports Wagering** - Introduced 2/2/2023 - To Judiciary - Passed House 2/27/2023 - To Senate 3/6/2023 - To Judiciary
- *3233. By Del. Cooper, Toney, Heckert and Hott - **Relating generally to uniform and equipment allowances for the National Guard** (original similar to HB3452) - Introduced 2/2/2023 - To Veterans' Affairs and Homeland Security then Finance - To House Finance 2/9/2023 - Passed House 2/22/2023 - To Senate 2/23/2023 - To Military then Finance - To Military 2/23/2023 - On 2nd reading to Finance 3/6/2023 - Amended - Passed Senate 3/8/2023 - House concurred in Senate amendment and passed 3/9/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 286, Acts, Regular Session, 2023
3244. By Del. Storch, Marple, Pritt, C., Anderson and Hornbuckle - **Relating to Municipal Pensions Oversight Board proposing legislative rules** (original similar to SB474) - Introduced 2/3/2023 - To Pensions and Retirement then Finance - To House Finance 2/15/2023 - Passed House 2/27/2023 - Effective from passage - To Senate 2/28/2023 - To Pensions - Passed Senate 3/6/2023 - Effective from passage - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 91, Acts, Regular Session, 2023
- *3247. By Del. Linville, Rohrbach, Summers, Mazzocchi, Kump and Tully - **Relating to abuse and or neglect of individuals with an intellectual and or developmental disability** - Introduced 2/3/2023 - To Health and Human Resources - Amended - Passed House 2/24/2023 - Title amended - To Senate 2/25/2023 - To Health and Human Resources
- *3254. By Del. Street, Pinson, Butler, Keaton, Holstein, Forsht, Gearheart, Crouse, Howell, Hott and Householder - **Establishing the Hershel "Woody" Williams State Military Funeral Honor Guard** - Introduced 2/3/2023 - To Veterans' Affairs and Homeland Security then Finance - To House Finance 2/9/2023 - Passed House 2/27/2023 - To Senate 2/28/2023 - To Finance
- *3261. By Del. Young - **Relating to Social Workers Qualifications** - Introduced 2/3/2023 - To Government Organization - Passed House 2/14/2023 - To Senate 2/15/2023 - To Government Organization - Removed from calendar by action of Committee on Rules on 2nd reading - Amended - Passed Senate with amended title 3/8/2023 - House refused to concur and requested Senate to recede 3/9/2023 - Senate refused to recede and requested conference 3/11/2023 - To conference 3/11/2023 - House adopted conference report and passed bill 3/11/2023 - Senate adopted conference report and passed bill 3/11/2023 - To

Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 238, Acts, Regular Session, 2023

- *3265. By Del. Heckert, Adkins, Ross, Maynor, Foggin, Cooper, Miller, Crouse and Kump - **Remove statutory mandates that the sheriff of a county shall serve process or is responsible for cost of service or arrest by another law enforcement agency** - Introduced 2/3/2023 - To Judiciary - Passed House 2/24/2023 - To Senate 2/25/2023 - To Government Organization - Amended - Passed Senate 3/7/2023 - House concurred in Senate amendment and passed 3/10/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 92, Acts, Regular Session, 2023
3268. By Del. Barnhart, Worrell, Linville, Reynolds and Ferrell - **Add protections for WV residents who reside out of state for certain time periods from non-renewal of licenses and registration** - Introduced 2/3/2023 - To Technology and Infrastructure - Passed House 2/13/2023 - Effective July 1, 2023 - To Senate 2/16/2023 - To Banking and Insurance
- *3270. By Del. Hott, Westfall, Householder, Criss, Espinosa, Hardy, Cooper, Heckert, Howell, Hillenbrand and Jennings - **To amend the deliberate intent statute to limit noneconomic damages to \$500,000** (original similar to SB685) - Introduced 2/3/2023 - To Judiciary - Passed House 2/28/2023 - Title amended - To Senate 3/1/2023 - To Judiciary 3/9/2023 - Referred to Rules on 2nd reading 3/9/2023 - On 3rd reading 3/10/2023 - Passed Senate 3/10/2023 - To Governor 3/20/2023 - Became law without Governor's signature 3/29/2023 - Chapter 331, Acts, Regular Session, 2023
- *3271. By Del. Mazzocchi, Kimble, Holstein, Fast, Ellington, Longanacre, Horst, Walker, Statler, Keaton and Warner - **Relating to increasing monitoring of special education classrooms** - Introduced 2/3/2023 - To Education then Judiciary - To House Judiciary 2/13/2023 - Amended - Passed House 2/27/2023 - To Senate 2/28/2023 - To Education then Finance - To Education 2/28/2023 - To Finance 3/2/2023 - Passed Senate 3/9/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 143, Acts, Regular Session, 2023
3272. By Del. Criss, Hardy, Householder, Barnhart, Westfall, Jeffries, Hott, Capito, Pritt, C., Espinosa and Riley - **Relating to the operation of private trust companies in West Virginia** - Introduced 2/3/2023 - To Banking and Insurance then Judiciary - To House Judiciary 2/8/2023 - Passed House 2/14/2023 - To Senate 2/15/2023 - Committee reference dispensed - Amended - Passed Senate with amended title 2/21/2023 - House concurred in Senate amendment and passed 2/22/2023 - To Governor 3/1/2023 - Approved by Governor 3/7/2023 - Chapter 154, Acts, Regular Session, 2023
- *3274. By Del. Worrell, Crouse, Westfall, Dean, Hornby, Petitto, Storch, Honaker, Hite and Longanacre - **Creating the Affordable Medicaid Buy-in Program** (original similar to SB610) - Introduced 2/3/2023 - To Health and Human Resources then Judiciary - 2nd reference dispensed - Passed House 2/25/2023 - To Senate 2/27/2023 - To Health and Human Resources then Finance - To Health and Human Resources 2/27/2023
- *3278. By Del. Summers and Tully - **Relating to the practice of optometry** - Introduced 2/3/2023 - To Health and Human Resources then Government

Organization - To House Government Organization 2/8/2023 - Passed House 2/24/2023 - Title amended - To Senate 2/25/2023 - To Government Organization then Finance - To Government Organization 2/25/2023

- *3280. By Del. Marple, Dean, Hott, Anderson, Zatezalo, Jennings, Adkins, Mallow, Petitto, DeVault and Kimble - **Authorizing adjustment from federal adjusted gross income for certain law enforcement pension benefit payments** - Introduced 2/3/2023 - To Pensions and Retirement then Finance - To House Finance 2/15/2023 - Passed House 2/27/2023 - To Senate 2/28/2023 - To Pensions then Finance - To Pensions 2/28/2023
3286. By Del. Criss - **Relating to an additional modification decreasing federal taxable income** - Introduced 2/3/2023 - To Finance - Passed House 2/16/2023 - To Senate 2/17/2023 - To Finance - Amended - Passed Senate 3/6/2023 - House concurred in Senate amendment and passed 3/9/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 319, Acts, Regular Session, 2023
- *3293. By Del. Statler, Ellington, Toney, Crouse and Clark - **Relating generally to identifying and educating exceptional children exhibiting indicators or diagnosed with dyslexia or dyscalculia** (original similar to HB3462) - Introduced 2/3/2023 - To Education - Passed House 2/16/2023 - To Senate 2/17/2023 - To Education
3299. By Del. Storch, Pritt, C., Anderson, Kump, Marple, Pritt, E. and Hornbuckle - **Relating to Natural Resource Police Officer Retirement** - Introduced 2/6/2023 - To Pensions and Retirement then Finance - To House Finance 2/15/2023 - Passed House 2/27/2023 - Title amended - To Senate 2/28/2023 - To Pensions then Finance - To Pensions 2/28/2023 - On 2nd reading to Finance 3/6/2023 - Passed Senate 3/8/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 250, Acts, Regular Session, 2023
- *3302. By Del. Westfall, Burkhammer, Pinson, Capito, Kelly, Steele, Fast, Kimble, Martin, Kump and Pritt, C. - **To recognize unborn child as distinct victim in a DUI causing death** - Introduced 2/6/2023 - To Judiciary - Passed House 2/14/2023 - To Senate 2/15/2023 - To Judiciary - Amended - Passed Senate with amended title 3/6/2023 - House refused to concur and requested Senate to recede 3/9/2023 - Senate refused to recede and requested conference 3/11/2023 - To conference 3/11/2023 - House adopted conference report and passed bill 3/11/2023 - Senate adopted conference report and passed bill 3/11/2023 - To Governor 3/15/2023 - Approved by Governor 3/15/2023 - Chapter 104, Acts, Regular Session, 2023
- *3303. By Del. Reynolds, Bridges, Sheedy, Crouse, Hott, Zatezalo, Willis, Phillips, Ward and Brooks - **Clarifying and expanding the powers and duties of the director of the Coalfield Community Development Office** (original similar to SB157) - Introduced 2/6/2023 - To Government Organization then Finance - To House Finance 2/20/2023 - Passed House 3/1/2023 - To Senate 3/2/2023 - To Finance - Amended - Passed Senate 3/10/2023 - Title amended - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/20/2023 - Approved by Governor 3/22/2023 - Chapter 122, Acts, Regular Session, 2023

- *3306. By Del. Summers, Tully and Heckert - **Relating to the organizational structure of the Office of Drug Control Policy** - Introduced 2/6/2023 - To Health and Human Resources - Passed House 2/13/2023 - To Senate 2/14/2023 - To Health and Human Resources - Amended - Amended on 3rd reading - Passed Senate with amended title 3/10/2023 - House concurred in Senate amend with amend, passed bill 3/11/2023 - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 270, Acts, Regular Session, 2023
3307. By Del. Hanshaw (Mr. Speaker), Street, Zatezalo, Ward, Fluharty, Phillips, McGeehan and Howell - **Establishing the West Virginia-Ireland Trade Commission** - Introduced 2/7/2023 - To Economic Development and Tourism - Passed House 2/13/2023 - To Senate 2/14/2023 - To Economic Development - Amended - Passed Senate with amended title 2/27/2023 - Effective March 17, 2023 - House concurred in Senate amendment and passed 3/2/2023 - Effect March 17, 2023 - To Governor 3/15/2023 - Approved by Governor 3/17/2023 - Chapter 170, Acts, Regular Session, 2023
- *3308. By Del. Criss, Hardy, Householder, Storch, Ferrell, Howell, Reynolds, Anderson, Gearheart, Zatezalo and Espinosa - **Authorizing PSC consider and issue financing orders to certain utilities to permit the recovery of certain costs through securitization via consumer rate relief bonds** (original similar to SB564) - Introduced 2/7/2023 - To Finance - Passed House 2/15/2023 - Effective from passage - To Senate 2/16/2023 - To Finance - Passed Senate 2/28/2023 - Effective from passage - To Governor 3/6/2023 - Approved by Governor 3/11/2023 - Chapter 293, Acts, Regular Session, 2023
- *3311. By Del. Hornby, Phillips, Westfall, Willis, Hardy, Chiarelli, Maynor, Dean, Hite, Espinosa and McGeehan - **Relating to wine alcohol by volume as compared to beer** - Introduced 2/7/2023 - To Government Organization - Passed House 2/14/2023 - Title amended - To Senate 2/15/2023 - To Government Organization - Removed from calendar by action of Committee on Rules on 2nd reading - Passed Senate 3/10/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 5, Acts, Regular Session, 2023
- *3313. By Del. Phillips, Martin, Fast, Nestor, Hornby, Barnhart, Longanacre, Thorne and Pritt, C. - **Restraining county commissions from imposing rules and regulations on farmers beyond what is already prescribed through state statute** - Introduced 2/7/2023 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/15/2023 - Passed House 3/1/2023 - To Senate 3/2/2023 - To Government Organization - Amended - Passed Senate 3/10/2023 - Title amended - House refused to concur and requested Senate to recede 3/11/2023 - Senate refused to recede and requested conference 3/11/2023
- *3315. By Del. Cooper and Heckert - **Relating generally to readiness enhancement and commission bonuses** - Introduced 2/7/2023 - To Veterans' Affairs and Homeland Security then Finance - To House Finance 2/16/2023 - Passed House 2/28/2023 - To Senate 3/1/2023 - To Finance - Amended - Passed Senate 3/10/2023 - Title amended - House refused to concur and requested Senate to recede 3/11/2023 - Senate receded and passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 287, Acts, Regular Session, 2023

- *3317. By Del. Summers and Tully - **Relating to removing specific continuing education requirements** - Introduced 2/7/2023 - To Health and Human Resources - Passed House 2/15/2023 - Effective from passage - To Senate 2/16/2023 - To Health and Human Resources - Amended - Passed Senate with amended title 2/25/2023 - Effective from passage - House concurred in Senate amendment and passed 3/3/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/23/2023 - Chapter 239, Acts, Regular Session, 2023
- *3318. By Del. McGeehan and Ward - **Relating to location of services provided by the Workforce Development Board as related to the one-stop delivery system** - Introduced 2/7/2023 - To Government Organization - Amended - Passed House 2/16/2023 - To Senate 2/17/2023 - To Workforce
3328. By Del. Howell, Dean, Heckert and Zatezalo - **Authorizing the Hatfield-McCoy Regional Recreation Authority to contract to build and maintain trails on privately owned property** - Introduced 2/7/2023 - To Economic Development and Tourism - Passed House 2/16/2023 - To Senate 2/17/2023 - To Outdoor Recreation - Passed Senate 3/8/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 224, Acts, Regular Session, 2023
3330. By Del. Hanshaw (Mr. Speaker) (By Request) and Pritt, C. - **Creating family court circuits and assigning the number of family court judges in each family court circuit to be elected in the 2024 election** - Introduced 2/8/2023 - To Judiciary - Passed House 3/1/2023 - To Senate 3/3/2023 - To Judiciary then Finance - To Judiciary 3/3/2023
3331. By Del. Hanshaw (Mr. Speaker) (By Request) and Kump - **Relating generally to support staff in the family courts and magistrate courts of this state** - Introduced 2/8/2023 - To Judiciary - Passed House 2/28/2023 - To Senate 3/1/2023 - To Judiciary then Finance - To Judiciary 3/1/2023
- *3332. By Del. Hanshaw (Mr. Speaker) (By Request), Pritt, C. and Vance - **Creating judicial circuits and assigning the number of circuit judges in each circuit to be elected in the 2024 election** - Introduced 2/8/2023 - To Judiciary - Amended - Passed House 3/1/2023 - To Senate 3/3/2023 - To Judiciary then Finance - To Judiciary 3/3/2023 - On 2nd reading to Finance 3/6/2023 - Amended - Passed Senate 3/9/2023 - Title amended - House concurred in Senate amend with amend, passed bill 3/11/2023 - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 98, Acts, Regular Session, 2023
- *3337. By Del. Heckert, Fehrenbacher, Cooper, Foggin, Hott, Criss, Hanshaw (Mr. Speaker), Rohrbach, Petitto, Hall, A. and Anderson - **Prohibiting additional drug and alcohol treatment facilities and services in a certain county** - Introduced 2/8/2023 - To Health and Human Resources - Passed House 2/23/2023 - Title amended - Effective from passage - To Senate 2/24/2023 - To Health and Human Resources - Amended - Passed Senate with amended title 3/7/2023 - Effective from passage - House concurred in Senate amendment and passed 3/8/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/23/2023 - Chapter 271, Acts, Regular Session, 2023

3340. By Del. Hardy, Espinosa, Storch, Statler, Hott, Hite, Horst and Toney - **To revise the West Virginia Tax Increment Financing Act** - Introduced 2/8/2023 - To Finance - Passed House 2/23/2023 - Effective from passage - To Senate 2/24/2023 - Passed Senate 2/27/2023 - Effective from passage - To Governor 3/2/2023 - Became law without Governor's signature 3/8/2023 - Chapter 93, Acts, Regular Session, 2023
- *3341. By Del. Maynor, Howell, Phillips, Lucas, Clark, Linville, Bridges, Crouse, Householder, Gearheart and Willis - **To allow cigar bars** - Introduced 2/8/2023 - To Judiciary - Passed House 2/25/2023 - To Senate 2/27/2023 - To Government Organization then Health and Human Resources - To Government Organization 2/27/2023
3342. By Del. Gearheart, Householder, Storch, Howell, Clark, Maynor, Riley, Kump, Ellington and Espinosa - **Relating to cooperation between municipal and county economic development authorities** - Introduced 2/8/2023 - To Economic Development and Tourism then Finance - To House Finance 2/20/2023 - Passed House 2/28/2023 - To Senate 3/1/2023 - To Economic Development
- *3344. By Del. Criss, Storch, Riley, Gearheart, Reynolds, Hott, Statler, Rowe, Espinosa, Anderson and Horst - **To pay certain moral obligations of the state** - Introduced 2/8/2023 - To Finance - Passed House 3/2/2023 - Effective from passage - To Senate 3/2/2023 - To Finance - Passed Senate 3/9/2023 - Effective from passage - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 68, Acts, Regular Session, 2023
3353. By Del. McGeehan, Dillon and Pritt, C. - **Relating to the limitations on the financial relationships with foreign entities that have values antithetical to those of the State of West Virginia** - Introduced 2/8/2023 - To Government Organization then Judiciary - To House Judiciary 2/16/2023 - House further considered bill - 2nd reference dispensed - Amended - Passed House 2/23/2023 - To Senate 2/24/2023 - To Government Organization then Judiciary - To Government Organization 2/24/2023
- *3354. By Del. Rowe, Hanshaw (Mr. Speaker), Foster and Steele - **To authorize municipalities to combine operations with other municipalities and counties to provide governmental services** - Introduced 2/9/2023 - To Judiciary - Amended - Passed House 3/1/2023 - Title amended - To Senate 3/2/2023 - To Government Organization - Amended - Passed Senate with amended title 3/10/2023 - House refused to concur and requested Senate to recede 3/11/2023 - Senate receded and passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 94, Acts, Regular Session, 2023
3360. By Del. Kelly and Hott - **Creating an office of the Inspector General within the Department of Homeland Security** - Introduced 2/10/2023 - To Judiciary - Amended - Passed House 2/28/2023 - Title amended - To Senate 3/1/2023 - To Judiciary - Amended - Passed Senate with amended title 3/10/2023 - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 171, Acts, Regular Session, 2023

- *3363. By Del. Brooks, Foster, Kump, Hott, Ward, Honaker, Street, Dean, Bridges, Barnhart and Kelly - **Law Enforcement Officers Safety Act** - Introduced 2/10/2023 - To Jails and Prisons then Judiciary - To House Judiciary 2/17/2023 - Passed House 2/27/2023 - To Senate 2/28/2023 - To Judiciary
- *3364. By Del. Storch - **Requiring the closure of certain municipal policemen's and firemen's pension and relief funds as condition of issuance of pension funding revenue bonds** - Introduced 2/10/2023 - To Pensions and Retirement then Finance - To House Finance 2/15/2023 - Passed House 2/27/2023 - Effective from passage - To Senate 2/28/2023 - To Pensions - Passed Senate 3/3/2023 - Effective from passage - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 95, Acts, Regular Session, 2023
- *3369. By Del. Kelly, Hott, Garcia, Worrell, Westfall, Fast and Kimble - **Creating a School Safety Unit within the Division of Protective Services** (original similar to SB614) - Introduced 2/10/2023 - To Judiciary - Passed House 2/28/2023 - To Senate 3/1/2023 - To Education - On 2nd reading to Finance 3/7/2023 - Passed Senate 3/9/2023 - To Governor 3/20/2023 - Approved by Governor 3/21/2023 - Chapter 288, Acts, Regular Session, 2023
- *3370. By Del. Howell and Storch - **Creating loan program for certain properties and developments on U. S. Army Corps of Engineers land, state parks and resorts** - Introduced 2/10/2023 - To Economic Development and Tourism then Finance - To House Finance 2/16/2023 - Passed House 2/28/2023 - To Senate 3/1/2023 - To Economic Development - Amended - Passed Senate with amended title 3/8/2023 - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 225, Acts, Regular Session, 2023
3371. By Del. Ellington, Statler and Toney - **Relating to federal funds for land-grant institutions** - Introduced 2/13/2023 - To Education then Finance - To House Finance 2/16/2023 - Passed House 3/1/2023 - To Senate 3/2/2023 - To Finance - Passed Senate 3/9/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 182, Acts, Regular Session, 2023
3376. By Del. Ellington, Statler and Toney - **Relating to changing the term teacher in residence to clinical teacher of record** - Introduced 2/13/2023 - To Education - Passed House 2/23/2023 - To Senate 2/24/2023 - To Education
3387. By Del. Hardy, Storch, Westfall and Espinosa - **Extending the moratorium on the authorization of new convention and visitors bureaus for an additional two years** - Introduced 2/13/2023 - To Economic Development and Tourism - Passed House 2/23/2023 - To Senate 2/24/2023 - To Economic Development - Passed Senate 3/6/2023 - To Governor 3/16/2023 - Approved by Governor 3/23/2023 - Chapter 96, Acts, Regular Session, 2023
3391. By Del. Householder and Gearheart - **Establishing filing deadlines for appeals of property tax valuations and issues involving property tax classification and taxability to the West Virginia Office of Tax Appeals** - Introduced 2/13/2023 - To Finance - Passed House 2/23/2023 - Effective from passage - To Senate 2/24/2023 - To Finance - Passed Senate 3/3/2023 - Effective from passage - To Governor 3/9/2023 - Approved by Governor 3/23/2023 - Chapter 320, Acts, Regular Session, 2023

3396. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing, amending, and increasing existing items of appropriation from the State Road Fund to the Department of Transportation, Division of Highways** (original similar to SB711) - Introduced 2/13/2023 - To Finance - Passed House 2/28/2023 - Effective from passage - To Senate 3/1/2023 - To Education - Referred to Finance 3/2/2023 - Amended - Passed Senate 3/7/2023 - Effective from passage - House concurred in Senate amendment and passed 3/8/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 30, Acts, Regular Session, 2023
- *3398. By Del. McGeehan - **Relating to the establishment of the West Virginia Memorial to Fallen Heroes of the Global War on Terrorism** - Introduced 2/13/2023 - To Government Organization - Passed House 2/25/2023 - To Senate 2/27/2023 - To Military then Finance - To Military 2/27/2023 - On 2nd reading to Finance 3/6/2023 - Amended - Passed Senate 3/9/2023 - Title amended - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 327, Acts, Regular Session, 2023
- *3405. By Del. Foster, Kump, Kirby and Ridenour - **Change the maximum time period of a protective order to one year** - Introduced 2/13/2023 - To Judiciary - Passed House 3/1/2023 - Title amended - To Senate 3/2/2023 - To Judiciary
3408. By Del. Ellington, Hornby, Clark and Crouse - **To clean up statutory provisions regarding the Hope Scholarship program to better reflect the intent and operation of the program** - Introduced 2/13/2023 - To Education - Amended - Passed House 3/1/2023 - Title amended - Effective from passage - To Senate 3/2/2023 - To Finance
- *3409. By Del. Criss - **Relating to authorizing application of the manufacturing investment tax credit and the manufacturing property tax adjustment credit against personal income tax** - Introduced 2/13/2023 - To Finance - Passed House 2/25/2023 - To Senate 2/27/2023 - To Finance
3417. By Del. Howell - **Including Potomac State College in the definition of community and technical college education program for participation in the "Learn and Earn Program"** - Introduced 2/13/2023 - To Economic Development and Tourism - Passed House 2/24/2023 - To Senate 2/25/2023 - To Education - On 2nd reading to Finance 3/7/2023
3428. By Del. Howell - **Relating to the West Virginia Business Ready Sites Program** - Introduced 2/13/2023 - To Economic Development and Tourism - Passed House 2/20/2023 - To Senate 2/21/2023 - To Economic Development - Amended - Passed Senate with amended title 2/27/2023 - Effective from passage - House concurred in Senate amendment and passed 3/2/2023 - Effective from passage - To Governor 3/13/2023 - Approved by Governor 3/23/2023 - Chapter 294, Acts, Regular Session, 2023
3431. By Del. Criss - **Eliminating the requirement that the apprenticeship training tax credit base be limited to wages paid to apprentices in the construction trades** - Introduced 2/13/2023 - To Finance - Passed House 2/23/2023 - To Senate 2/24/2023 - To Finance

3432. By Del. Hanshaw (Mr. Speaker) - **Relating to statutory construction** - Introduced 2/13/2023 - To Judiciary - Passed House 2/27/2023 - Effective from passage - To Senate 2/28/2023 - To Judiciary - Amended - Passed Senate with amended title 3/10/2023 - Effective from passage - House concurred in Senate amendment and passed 3/11/2023 - Effective from passage - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 303, Acts, Regular Session, 2023
3439. By Del. Pinson, Westfall and Burkhammer - **To limit the civil liability of child placing agencies that obtain an insurance policy in an amount not less than \$1 million per incident** - Introduced 2/13/2023 - To Judiciary - Amended - Passed House 2/28/2023 - To Senate 3/1/2023 - To Judiciary - Amended - Amended on 3rd reading - Passed Senate 3/10/2023 - Title amended - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 65, Acts, Regular Session, 2023
3441. By Del. Ellington - **Revising the training requirements for members of the Higher Education Policy Commission, Council for Community and Technical College Education and the institutional governing boards** - Introduced 2/14/2023 - To Education - Passed House 2/23/2023 - To Senate 2/24/2023 - To Education - Passed Senate 3/9/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 183, Acts, Regular Session, 2023
3443. By Del. Maynor, Linville, Hall, A. and Ridenour - **Relating to a development or improvement on land subject to review by the State Historic Preservation Office** - Introduced 2/14/2023 - To Economic Development and Tourism - Passed House 2/28/2023 - To Senate 3/1/2023 - To Government Organization - Amended - Passed Senate 3/10/2023 - House refused to concur and requested Senate to recede 3/11/2023 - Senate receded and passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 197, Acts, Regular Session, 2023
3444. By Del. Phillips - **Relating to the creation of the West Virginia Semiquincentennial Commission and Fund** - Introduced 2/14/2023 - To Economic Development and Tourism then Government Organization - 2nd reference dispensed - Passed House 2/25/2023 - To Senate 2/27/2023 - To Government Organization - Passed Senate 3/6/2023 - Effective from passage - Senate requests House to concur in changed effective date 3/6/2023 - House concurred in Senate effective date 3/7/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/23/2023 - Chapter 172, Acts, Regular Session, 2023
- *3445. By Del. Nestor and Kirby - **Relating generally to probation and parole** - Introduced 2/14/2023 - To Judiciary - Amended - Passed House 2/27/2023 - To Senate 2/28/2023 - To Judiciary
3448. By Del. Kelly and Hott - **Relating generally to probation officer field training** - Introduced 2/14/2023 - To Judiciary - Passed House 2/24/2023 - To Senate 2/25/2023 - To Judiciary - Amended - Passed Senate with amended title 3/6/2023 - House concurred in Senate amendment and passed 3/7/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 111, Acts, Regular Session, 2023

- *3450. By Del. Espinosa, Willis, Householder, Hardy, Criss, Zatezalo, Storch, Clark, Fluharty and Shamblin - **Relating generally to racetrack video lottery and the Licensed Racetrack Modernization Fund** (original similar to SB636) - Introduced 2/14/2023 - To Finance - Amended - Passed House 2/25/2023 - Title amended - To Senate 2/27/2023 - To Government Organization - Passed Senate 3/6/2023 - To Governor 3/22/2023 - Approved by Governor 3/29/2023 - Chapter 161, Acts, Regular Session, 2023
3451. By Del. Hillenbrand, Ridenour, Sheedy, Street and Cooper - **Updating the veteran preference ratings in state code for state employment** - Introduced 2/14/2023 - To Government Organization - Passed House 3/1/2023 - Title amended - To Senate 3/2/2023 - To Government Organization - Amended - Passed Senate with amended title 3/10/2023 - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 328, Acts, Regular Session, 2023
3464. By Del. Espinosa, Criss, Hardy, Summers, Ridenour, Householder, Storch, Willis and Fluharty - **Relating to the transfer of certain revenues derived from lottery activities** - Introduced 2/14/2023 - To Finance - Passed House 2/28/2023 - Title amended - To Senate 3/1/2023 - To Finance
3473. By Del. Linville and Maynor - **Creating a workgroup relating to Dig Once Policy** - Introduced 2/14/2023 - To Technology and Infrastructure - Amended - Passed House 2/25/2023 - Effective July 1, 2023 - To Senate 2/27/2023 - To Transportation and Infrastructure - Amended - Passed Senate with amended title 3/10/2023 - Effective July 1, 2023 - House concurred in Senate amendment and passed 3/11/2023 - Effective July 1, 2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 191, Acts, Regular Session, 2023
- *3479. By Del. Fehrenbacher, Espinosa, Mallow, Adkins, DeVault, Riley, Fast, Hillenbrand, Westfall, Anderson and Zatezalo - **Creating requirements for use of unmanned aerial vehicles** - Introduced 2/14/2023 - To Judiciary - Amended - Passed House 2/25/2023 - Title amended - To Senate 2/27/2023 - To Judiciary - Amended - Passed Senate with amended title 3/8/2023 - House concurred in Senate amendment and passed 3/9/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 105, Acts, Regular Session, 2023
- *3480. By Del. Hite, Horst, Miller, Hornby, Linville and Cannon - **Enact the West Virginia Consumer Financial Privacy Act of 2023** - Introduced 2/14/2023 - To Judiciary - Passed House 3/1/2023 - To Senate 3/2/2023 - To Banking and Insurance
- *3482. By Del. Howell - **To create the Coal Fired Grid Stabilization and Security Act of 2023** - Introduced 2/14/2023 - To Economic Development and Tourism - Amended - Passed House 3/1/2023 - To Senate 3/2/2023 - To Energy, Industry, and Mining then Finance - To Energy, Industry, and Mining 3/2/2023 - 2nd reference dispensed - Amended - Passed Senate with amended title 3/10/2023 - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/20/2023 - Approved by Governor 3/22/2023 - Chapter 123, Acts, Regular Session, 2023

3493. By Del. Capito, Holstein, Martin, Horst, Pritt, C. and Kump - **Relating to prohibiting certain foreign ownership of agricultural land** - Introduced 2/14/2023 - To Judiciary - Passed House 2/25/2023 - To Senate 2/27/2023 - To Judiciary
3499. By Del. Fast, Petitto, Warner, Lucas, Pritt, C., Cooper and Steele - **To permit joint tenancy with rights of survivorship when transfer on death deeds specify a joint tenancy with right of survivorship** - Introduced 2/14/2023 - To Judiciary - Amended - Passed House 2/24/2023 - To Senate 2/25/2023 - To Judiciary - Amended - Passed Senate with amended title 3/8/2023 - House concurred in Senate amendment and passed 3/10/2023 - To Governor 3/21/2023 - Approved by Governor 3/29/2023 - Chapter 155, Acts, Regular Session, 2023
3500. By Del. Westfall, Barnhart and Hott - **Allowing consumer lenders to permit employees to conduct certain business at locations other than the licensee's designated office** - Introduced 2/14/2023 - To Judiciary - Passed House 3/1/2023 - To Senate 3/2/2023 - To Banking and Insurance - Amended - Passed Senate with amended title 3/8/2023 - House concurred in Senate amendment and passed 3/10/2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 158, Acts, Regular Session, 2023
3509. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission – Consumer Advocate Fund** (original similar to SB709) - Introduced 2/14/2023 - To Finance - Passed House 2/28/2023 - Effective from passage - To Senate 3/7/2023 - Committee reference dispensed - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 31, Acts, Regular Session, 2023
3510. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Administration, Office of Technology – Chief Technology Officer Administration Fund** (original similar to SB712) - Introduced 2/14/2023 - To Finance - Passed House 2/28/2023 - Effective from passage - To Senate 3/3/2023 - Committee reference dispensed - Passed Senate 3/8/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 32, Acts, Regular Session, 2023
3511. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Education, State Board of Education – School Lunch Program** (original similar to SB708) - Introduced 2/14/2023 - To Finance - Passed House 3/2/2023 - Effective from passage - To Senate 3/3/2023 - Committee reference dispensed - Passed Senate 3/8/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 33, Acts, Regular Session, 2023
3512. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services** (original similar to SB724) - Introduced 2/14/2023 - To Finance - Passed House 3/2/2023 - Effective from passage - To Senate 3/6/2023 - Committee reference dispensed - Passed Senate

3/9/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 34, Acts, Regular Session, 2023

3513. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority** (original similar to SB714) - Introduced 2/14/2023 - To Finance - Passed House 3/2/2023 - Effective from passage - To Senate 3/7/2023 - Committee reference dispensed - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 35, Acts, Regular Session, 2023
3514. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Birth-to-Three Fund** (original similar to SB715) - Introduced 2/14/2023 - To Finance - Passed House 3/2/2023 - Effective from passage - To Senate 3/6/2023 - Committee reference dispensed - Passed Senate 3/9/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 36, Acts, Regular Session, 2023
3515. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Veterans’ Assistance, Veterans’ Facilities Support Fund** (original similar to SB716) - Introduced 2/14/2023 - To Finance - Passed House 3/2/2023 - Effective from passage - To Senate 3/7/2023 - Committee reference dispensed - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 37, Acts, Regular Session, 2023
3516. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Safe Drinking Water Treatment** (original similar to SB717) - Introduced 2/14/2023 - To Finance - Passed House 3/2/2023 - Effective from passage - To Senate 3/6/2023 - Committee reference dispensed - Passed Senate 3/9/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 38, Acts, Regular Session, 2023
3517. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Division of Human Services – Child Care and Development** (original similar to SB718) - Introduced 2/14/2023 - To Finance - Passed House 3/2/2023 - Effective from passage - To Senate 3/6/2023 - Committee reference dispensed - Passed Senate 3/9/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 39, Acts, Regular Session, 2023
3518. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Agriculture** (original similar to SB723) - Introduced 2/14/2023 - To Finance - Passed House 3/2/2023 - Effective from passage - To Senate 3/7/2023 - Committee reference dispensed - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 40, Acts, Regular Session, 2023

3519. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Transportation, Division of Motor Vehicles** (original similar to SB703) - Introduced 2/14/2023 - To Finance - Passed House 2/27/2023 - Effective from passage - To Senate 2/28/2023 - To Finance - Passed Senate 3/3/2023 - Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/16/2023 - Chapter 41, Acts, Regular Session, 2023
3520. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Education, State Board of Education – Vocational Division** (original similar to SB704) - Introduced 2/14/2023 - To Finance - Passed House 2/27/2023 - Effective from passage - To Senate 2/28/2023 - To Finance - Passed Senate 3/3/2023 - Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/16/2023 - Chapter 42, Acts, Regular Session, 2023
3521. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Division of Health – Maternal and Child Health** (original similar to SB705) - Introduced 2/14/2023 - To Finance - Passed House 2/27/2023 - Effective from passage - To Senate 2/28/2023 - To Finance - Passed Senate 3/3/2023 - Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/16/2023 - Chapter 43, Acts, Regular Session, 2023
3522. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Commerce, Division of Natural Resources – License Fund – Wildlife Resources** (original similar to SB702) - Introduced 2/14/2023 - To Finance - Passed House 2/27/2023 - Effective from passage - To Senate 2/28/2023 - To Finance - Passed Senate 3/3/2023 - Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/16/2023 - Chapter 44, Acts, Regular Session, 2023
3523. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to Miscellaneous Boards and Commissions, Economic Development Authority** (original similar to SB707) - Introduced 2/14/2023 - To Finance - Passed House 2/27/2023 - Effective from passage - To Senate 2/28/2023 - To Finance - Passed Senate 3/3/2023 - Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/16/2023 - Chapter 45, Acts, Regular Session, 2023
3524. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Agriculture – West Virginia Spay Neuter Assistance Fund** (original similar to SB706) - Introduced 2/14/2023 - To Finance - Passed House 3/2/2023 - Effective from passage - To Senate 3/7/2023 - Committee reference dispensed - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 46, Acts, Regular Session, 2023
3526. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission** (original similar to SB720) - Introduced 2/14/2023 - To Finance - Passed House 2/28/2023 - Effective from

passage - To Senate 3/7/2023 - Committee reference dispensed - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 47, Acts, Regular Session, 2023

3527. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending appropriations to Department of Education, School Building Authority** - Introduced 2/14/2023 - To Finance - Passed House 2/28/2023 - Effective from passage - To Senate 3/1/2023 - To Finance - Passed Senate 3/3/2023 - Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/16/2023 - Chapter 48, Acts, Regular Session, 2023
3528. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – Hospital Services Revenue Account Special Fund Capital Improvement, Renovation and Operations** - Introduced 2/14/2023 - To Finance - Passed House 2/27/2023 - Effective from passage - To Senate 2/28/2023 - To Finance - Passed Senate 3/3/2023 - Effective from passage - To Governor 3/8/2023 - Approved by Governor 3/16/2023 - Chapter 49, Acts, Regular Session, 2023
3529. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Commerce, State Board of Rehabilitation – Division of Rehabilitation Services** (original similar to SB722) - Introduced 2/14/2023 - To Finance - Passed House 2/28/2023 - Effective from passage - To Senate 3/3/2023 - Committee reference dispensed - Passed Senate 3/8/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 50, Acts, Regular Session, 2023
3542. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Expiring funds to the Department of Administration, Board of Risk and Insurance Management, Public Entity Insurance Trust Fund** - Introduced 2/14/2023 - To Finance - Passed House 3/9/2023 - Effective from passage - To Senate 3/10/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 51, Acts, Regular Session, 2023
3547. By Del. Clark, Ferrell, Longanacre, Maynor, Jennings, Walker, Ellington and Toney - **Increasing the number of personal leave days that county board of education employees may use** - Introduced 2/14/2023 - To Education then Finance - 2nd reference dispensed - Amended - Passed House 2/23/2023 - To Senate 2/24/2023 - To Education - Passed Senate 3/3/2023 - Effective July 1, 2023 - Senate requests House to concur in changed effective date 3/3/2023 - House concurred in Senate effective date 3/6/2023 - Effective July 1, 2023 - To Governor 3/20/2023 - Approved by Governor 3/29/2023 - Chapter 302, Acts, Regular Session, 2023
3548. By Del. Clark, Ferrell, Longanacre, Hanna, Maynor, Jennings, Hite, Walker, Ellington and Toney - **Relating to teacher duty-free lunch and daily planning periods** - Introduced 2/14/2023 - To Education - Amended - Passed House 2/23/2023 - To Senate 2/24/2023 - To Education - Removed from calendar by action of Committee on Rules on 1st reading

3549. By Del. Clark, Statler, Ferrell, Longanacre, Hanna, Jennings, Hornby, Hite, Walker, Ellington and Toney - **Relating to classroom teachers and special education classroom teachers individualized education program requirements** - Introduced 2/14/2023 - To Education - Passed House 2/23/2023 - To Senate 2/24/2023 - To Education
- *3551. By Del. Pritt, C., Crouse, Clark, Garcia, Shamblin and Fluharty - **Provide for criminal history record restrictions for certain persons** - Introduced 2/14/2023 - To Judiciary - Passed House 2/25/2023 - To Senate 2/27/2023 - To Judiciary
3552. By Del. Brooks, Phillips, Honaker, Hott and Heckert (Originating in House Jails and Prisons) - **Relating to per diem jail costs** - Introduced 2/20/2023 - Amended - Passed House 2/25/2023 - To Senate 2/27/2023 - To Government Organization then Finance - To Government Organization 2/27/2023 - 2nd reference dispensed - Amended - Passed Senate with amended title 3/10/2023 - House concurred in Senate amend with amend, passed bill 3/11/2023 - Senate concurred in House amendments and passed bill 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 79, Acts, Regular Session, 2023
3553. By Del. Summers, Espinosa, Gearheart, Horst, Hott, Riley, Barnhart, Mazzocchi, Anderson and Rowe (Originating in House Finance) - **Supplementing and amending appropriations to Department of Health and Human Resources** - Introduced 3/4/2023 - Passed House 3/8/2023 - Effective from passage - To Senate 3/10/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 52, Acts, Regular Session, 2023
3555. By Del. Statler, Toney, Foggin, Hornby, Lucas, Mazzocchi, Pritt, E. and Willis (Originating in House Education) - **Relating to student purchase and refunds of course material** - Introduced 2/21/2023 - Passed House 2/24/2023 - To Senate 2/25/2023 - To Education - Amended - Passed Senate with amended title 3/9/2023 - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/29/2023 - Chapter 184, Acts, Regular Session, 2023
3556. By Del. Steele, Garcia, Fast and Marple (Originating in House Judiciary) - **Uniform Recognition and Enforcement of Canadian Domestic Violence Protective Orders Act** - Introduced 2/22/2023 - Passed House 2/25/2023 - To Senate 2/27/2023 - To Judiciary - Removed from calendar by action of Committee on Rules on 3rd reading
3557. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Veterans' Assistance** - Introduced 2/22/2023 - To Finance - Passed House 3/3/2023 - Effective from passage - To Senate 3/6/2023 - To Finance - Passed Senate 3/9/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 53, Acts, Regular Session, 2023

3559. By Del. Westfall, Fluharty, Hillenbrand, Steele, Ward, Ridenour, Warner, Martin, Kump, Marple and Kimble (Originating in House Judiciary) - **Relating to defining a newborn safety device** - Introduced 2/23/2023 - Amended - Passed House 2/28/2023 - To Senate 3/1/2023 - To Judiciary - Amended - Passed Senate with amended title 3/9/2023 - House concurred in Senate amendment and passed 3/11/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 66, Acts, Regular Session, 2023
3560. By Del. Howell (Originating in House Economic Development and Tourism) - **Relating to expanding the definitions of land and recreational purposes** - Introduced 2/24/2023 - Passed House 2/28/2023 - To Senate 3/2/2023 - To Judiciary - Passed Senate 3/10/2023 - To Governor 3/27/2023 - Approved by Governor 3/28/2023 - Chapter 3, Acts, Regular Session, 2023
3561. By Del. Phillips, McGeehan, Chiarelli, Adkins and Longanacre (Originating in House Government Organization) - **Relating generally to creating the Joint Legislative Committee on Civic Life** - Introduced 2/25/2023 - House rejected 3/1/2023
3562. By Del. Jennings, Phillips, McGeehan, Crouse, Honaker, Dean, Heckert, Longanacre, Adkins, Brooks and Pritt, C. (Originating in House Government Organization) - **Relating to the West Virginia Fusion Center** - Introduced 2/25/2023 - Amended - Passed House 3/1/2023 - To Senate 3/2/2023 - To Government Organization then Finance - To Government Organization 3/2/2023
3563. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services** - Introduced 3/1/2023 - To Finance - Passed House 3/8/2023 - Effective from passage - To Senate 3/10/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 54, Acts, Regular Session, 2023
3564. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Making a supplementary appropriation to the Division of Human Services - Energy Assistance** - Introduced 3/1/2023 - To Finance - Passed House 3/8/2023 - Effective from passage - To Senate 3/9/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 3/10/2023 - Effective from passage - To Governor 3/15/2023 - Approved by Governor 3/16/2023 - Chapter 55, Acts, Regular Session, 2023

HOUSE CONCURRENT RESOLUTIONS COMMUNICATED TO SENATE

1. By Del. Hanshaw (Mr. Speaker) - **Raising a Joint Assembly to hear remarks of the Governor** - Introduced 1/11/2023 - Reference dispensed - Adopted by House 1/11/2023 - To Senate 1/11/2023 - Committee reference dispensed - Adopted by Senate 1/11/2023

- *2. By Del. Cooper, Longanacre, Anderson, Heckert, Reynolds, Sheedy and Smith - **U. S. Army Cpl. Billy F. Mann Memorial Bridge** - Introduced 1/12/2023 - To Technology and Infrastructure then Rules - To House Rules 2/20/2023 - Adopted by House 2/23/2023 - To Senate 2/24/2023 - To Transportation and Infrastructure - Adopted by Senate 3/8/2023
4. By Del. Reynolds, Cooper, Sheedy, Zatezalo, Miller, Horst, Jeffries, Willis, Hall, W., Nestor and Kelly - **U. S. Army MSG Jon D. Wayt Memorial Bridge** - Introduced 1/12/2023 - To Technology and Infrastructure then Rules - To House Rules 2/20/2023 - Adopted by House 2/27/2023 - To Senate 2/28/2023 - To Transportation and Infrastructure - Adopted by Senate 3/7/2023
9. By Del. Rowe - **U. S. Army PFC Walter C. Horner Memorial Bridge** - Introduced 1/25/2023 - To Rules - Adopted by House 2/27/2023 - To Senate 2/28/2023 - To Transportation and Infrastructure - Adopted by Senate 3/7/2023
10. By Del. Rowe - **Shelby “Cubby” Foster and Robert “Robbie” Collins Memorial Road** - Introduced 1/25/2023 - To Rules - Adopted by House 2/27/2023 - To Senate 2/28/2023 - To Transportation and Infrastructure - Amended - Adopted by Senate 3/7/2023 - House concurred in Senate amendment and adopted 3/11/2023
11. By Del. Hanshaw (Mr. Speaker), Anderson, Brooks, Cannon, Chiarelli, Ellington, Foster, Garcia, Gearheart, Hall, A., Hornbuckle, Hott, Householder, Linville, Lucas, McGeehan, Phillips, Riley, Rohrbach, Smith, Statler, Steele, Storch, Street, Thorne, Vance, Warner, Westfall, Worrell, Young and Zatezalo - **Relating to Higher Education Consortium for Emerging Energy Technologies** - Introduced 1/30/2023 - To Rules - Adopted by House 2/1/2023 - To Senate 2/2/2023 - To Education - Adopted by Senate 3/1/2023
12. By Del. Heckert, Criss, Zatezalo, Mallow, Crouse, Sheedy, Chiarelli, Devault, Warner, Fehrenbacher and Hall, W. - **Requesting that the Division of Highways place roadway welcome signs containing the phrase “West Virginia a Purple Heart State”** - Introduced 1/30/2023 - To Technology and Infrastructure then Rules - To House Rules 2/28/2023 - Adopted by House 3/3/2023 - To Senate 3/6/2023 - To Transportation and Infrastructure
13. By Del. Chiarelli, Devault, Warner, Householder, Sheedy, Horst, Mallow, Street, Pritt, C., Hillenbrand and Brooks - **Make 2nd week of February of every year a week of recognition of the Boy Scouts of America.** - Introduced 1/30/2023 - To Rules - Adopted by House 2/1/2023 - To Senate 2/2/2023 - To Outdoor Recreation - Adopted by Senate 2/17/2023
14. By Del. Ward and Espinosa - **Stanley W. and Evelyn C. See Memorial Bridge** - Introduced 2/1/2023 - To Technology and Infrastructure then Rules - To House Rules 2/20/2023 - Adopted by House 2/23/2023 - To Senate 2/24/2023 - To Transportation and Infrastructure
15. By Del. Hillenbrand, Cooper, Ridenour, Sheedy, Heckert, Kirby, Crouse, Nestor, Kimble, Griffith and Mazzocchi - **Requesting That the Joint Committee on Government and Finance send official correspondence to West Virginia’s federal delegations stating West Virginia veterans’ concerns and objections to the two TRICARE for Life (“TFL”) proposals**

- Introduced 2/3/2023 - To Veterans' Affairs and Homeland Security then Rules
- To House Rules 2/16/2023 - Adopted by House 3/4/2023 - To Senate 3/7/2023
- To Military - Adopted by Senate 3/9/2023
16. By Del. Gearheart, Smith, Maynor, Ellington, Cooper, Worrell, Longanacre, Butler, McGeehan, Ridenour and Householder - **U. S. Army Staff Sgt. James Ira “Junior” Spurrier Memorial Bridge** - Introduced 2/3/2023 - To Technology and Infrastructure then Rules - To House Rules 2/20/2023 - Adopted by House 2/23/2023 - To Senate 2/24/2023 - To Transportation and Infrastructure
21. By Del. Westfall - **Michael Lee “Rube” Ruben Memorial Bridge** - Introduced 2/8/2023 - To Technology and Infrastructure then Rules - To House Rules 2/20/2023 - Adopted by House 2/23/2023 - To Senate 2/24/2023 - To Transportation and Infrastructure - Adopted by Senate 3/7/2023
22. By Del. Hanshaw (Mr. Speaker) - **U.S. Army T/5 Doyle Bedell Taylor Memorial Bridge** - Introduced 2/8/2023 - To Technology and Infrastructure then Rules - To House Rules 2/20/2023 - Adopted by House 2/23/2023 - To Senate 2/24/2023 - To Transportation and Infrastructure - Adopted by Senate 3/7/2023
23. By Del. Holstein - **U.S. Army SGT Theron Turner Memorial Bridge** - Introduced 2/10/2023 - To Technology and Infrastructure then Rules - To House Rules 2/24/2023 - Adopted by House 2/27/2023 - To Senate 2/28/2023 - To Transportation and Infrastructure - Amended - Adopted by Senate 3/7/2023 - House concurred in Senate amendment and adopted 3/11/2023
24. By Del. Linville - **U. S. Army PFC Herman H. Lucas Memorial Bridge** - Introduced 2/10/2023 - To Technology and Infrastructure then Rules - To House Rules 2/20/2023 - Adopted by House 2/23/2023 - To Senate 2/24/2023 - To Transportation and Infrastructure - Adopted by Senate 3/7/2023
25. By Del. Hite, Hardy, Hornby, Horst, Reynolds, Riley, Hanna, Ridenour, Espinosa, Maynor and Garcia - **U. S. Marine Corps, PFC John Louis “Johnny” Brumbaugh, Jr. Memorial Bridge** - Introduced 2/10/2023 - To Technology and Infrastructure then Rules - To House Rules 2/20/2023 - Adopted by House 2/23/2023 - To Senate 2/24/2023 - To Transportation and Infrastructure - Adopted by Senate 3/7/2023
26. By Del. Capito - **U.S. Army SGT Samuel D. Roberts Sr. Memorial Bridge** - Introduced 2/10/2023 - To Technology and Infrastructure then Rules - To House Rules 2/20/2023 - Adopted by House 2/23/2023 - To Senate 2/24/2023 - To Transportation and Infrastructure - Adopted by Senate 3/7/2023
27. By Del. Summers, Toney, Mallow, Fehrenbacher, Honaker, Hite, Vance, Barnhart, Miller, Hall, W. and Forsht - **Requesting Joint Committee on Government and Finance study all benefits of state employees to determine which benefits, if any, may be refused by an employee in exchange for a cash equivalent.** - Introduced 2/13/2023 - To Workforce Development then Rules - To House Rules 2/20/2023 - Adopted by House 2/23/2023 - To Senate 2/24/2023 - To Government Organization - Referred to Rules 3/8/2023

28. By Del. Dittman, Mazzocchi and Petitto - **Terra Dawn Lewis Memorial Road and Bridge** - Introduced 2/13/2023 - To Technology and Infrastructure then Rules - To House Rules 2/20/2023 - Adopted by House 2/23/2023 - To Senate 2/24/2023 - To Transportation and Infrastructure
29. By Del. Hanshaw (Mr. Speaker) - **Amending Joint Rule 13 of the Joint Rules of the Senate and House that clarifies that when two or more bills amending the same statute are passed in the same session, the last passed controls** - Introduced 2/13/2023 - Reference dispensed - Adopted by House 2/13/2023 - To Senate 2/16/2023 - Committee reference dispensed - Adopted by Senate 2/16/2023
- *31. By Del. Ross, Lucas, Dillon, Cannon, Chiarelli, Griffith, Pushkin, Adkins, Hornbuckle, Linville and Butler - **Permitting the West Virginia Department of Tourism to proceed with procuring bids/interest in companies to place a lodge on the property of Beech Fork Lake.** - Introduced 2/13/2023 - To Economic Development and Tourism then Rules - To House Rules 2/23/2023 - Adopted by House 2/28/2023 - To Senate 3/1/2023 - To Economic Development
32. By Del. Dillon - **The Albert “Ab” Baisden Memorial Bridge.** - Introduced 2/13/2023 - To Technology and Infrastructure then Rules - To House Rules 2/20/2023 - Adopted by House 2/23/2023 - To Senate 2/24/2023 - To Transportation and Infrastructure
33. By Del. Skaff, Pushkin and Fluharty - **Lt. Col. Mitchell M. Mickel Memorial Bridge** - Introduced 2/13/2023 - To Technology and Infrastructure then Rules - To House Rules 2/28/2023 - Adopted by House 3/3/2023 - To Senate 3/6/2023 - To Transportation and Infrastructure - Amended - Adopted by Senate 3/9/2023 - House concurred in Senate amendment and adopted 3/11/2023
34. By Del. Hite, Horst, Reynolds, Storch, Hanna, Willis and Barnhart - **William N. “Shug” Kisner Memorial Bridge** - Introduced 2/13/2023 - To Technology and Infrastructure then Rules - To House Rules 2/24/2023 - Adopted by House 2/27/2023 - To Senate 2/28/2023 - To Transportation and Infrastructure - Adopted by Senate 3/7/2023
36. By Del. Skaff and Young - **U. S. Army Pvt. Charles A. White, Sr. Memorial Bridge** - Introduced 2/14/2023 - To Technology and Infrastructure then Rules - To House Rules 2/28/2023 - Adopted by House 3/3/2023 - To Senate 3/6/2023 - To Transportation and Infrastructure
40. By Del. Toney - **USMC Corporal Larry Allen “Crocky” Holstein, Jr. Memorial Bridge** - Introduced 2/15/2023 - To Technology and Infrastructure then Rules - To House Rules 2/24/2023 - Amended - Adopted by House 2/27/2023 - To Senate 2/28/2023 - To Transportation and Infrastructure - Adopted by Senate 3/7/2023
41. By Del. Linville - **U. S. Army PFC Herman H. Lucas Memorial Bridge** - Introduced 2/16/2023 - To Technology and Infrastructure then Rules - To House Rules 2/24/2023 - Adopted by House 2/27/2023 - To Senate 2/28/2023 - To Transportation and Infrastructure

42. By Del. Ellington, Gearheart, Smith and Ridenour - **U. S. Army SSG William Joseph “Will” Thompson Memorial Bridge** - Introduced 2/16/2023 - To Technology and Infrastructure then Rules - To House Rules 2/24/2023 - Adopted by House 2/27/2023 - To Senate 2/28/2023 - To Transportation and Infrastructure - Amended - Adopted by Senate 3/7/2023 - House concurred in Senate amendment and adopted 3/11/2023
43. By Del. Westfall - **U.S. Navy Quartermaster C.E. “Red” Landfried Memorial Bridge** - Introduced 2/16/2023 - To Technology and Infrastructure then Rules - To House Rules 2/24/2023 - Adopted by House 2/27/2023 - To Senate 2/28/2023 - To Transportation and Infrastructure
44. By Del. Fast, Brooks and Ridenour - **U. S. Army PV2 Harold Richard Plumley Memorial Bridge** - Introduced 2/16/2023 - To Technology and Infrastructure then Rules - To House Rules 2/24/2023 - Adopted by House 2/27/2023 - To Senate 2/28/2023 - To Transportation and Infrastructure
45. By Del. Toney and Vance - **Lewis Joseph D’Antoni Memorial Road** - Introduced 2/17/2023 - To Technology and Infrastructure then Rules - To House Rules 2/24/2023 - Adopted by House 2/27/2023 - To Senate 2/28/2023 - To Transportation and Infrastructure
47. By Del. Hott, Kelly, Reynolds, Coop-Gonzalez, Ward, Heckert, Riley, Smith, Petitto, Mazzocchi and Marple - **U. S. Army SGT Walter Hedrick Memorial Bridge** - Introduced 2/21/2023 - To Technology and Infrastructure then Rules - To House Rules 2/24/2023 - Adopted by House 2/27/2023 - To Senate 2/28/2023 - To Transportation and Infrastructure - Adopted by Senate 3/7/2023
49. By Del. Ward, Smith, Crouse, Hott, Ridenour, Thorne, Maynor, Marple, Dean, Lucas and Keaton - **U. S. Army 1SG Elmer C. Lofton Memorial Bridge** - Introduced 2/22/2023 - To Technology and Infrastructure then Rules - To House Rules 2/24/2023 - Adopted by House 2/27/2023 - To Senate 2/28/2023 - To Transportation and Infrastructure - Adopted by Senate 3/7/2023
50. By Del. Toney - **U. S. Army PVT Leon ‘Deacon’ Stover Memorial Bridge** - Introduced 2/22/2023 - To Technology and Infrastructure then Rules - To House Rules 2/24/2023 - Adopted by House 2/27/2023 - To Senate 2/28/2023 - To Transportation and Infrastructure
51. By Del. Coop-Gonzalez and Nestor - **U. S. Army SFC Samuel Evans Miller Memorial Bridge** - Introduced 2/23/2023 - To Technology and Infrastructure then Rules - To House Rules 2/28/2023 - Adopted by House 3/3/2023 - To Senate 3/6/2023 - To Transportation and Infrastructure - Adopted by Senate 3/9/2023
52. By Del. Barnhart - **Study the financial effects of raising the threshold from \$25,000 to \$50,000 for the requirement of bids for municipal, public service district, county and state public works project.** - Introduced 2/24/2023 - To Government Organization then Rules - To House Rules 3/7/2023 - Adopted by

- House 3/9/2023 - Committee reference dispensed - Adopted by Senate 3/11/2023
54. By Del. Foster - **U.S. Army PFC Russell Richard Ferguson Memorial Bridge** - Introduced 2/24/2023 - To Technology and Infrastructure then Rules - To House Rules 2/28/2023 - Adopted by House 3/3/2023 - To Senate 3/6/2023 - To Transportation and Infrastructure - Adopted by Senate 3/7/2023
55. By Del. Pinson and Westfall - **Chief Lee Thomas Memorial Bridge.** - Introduced 2/24/2023 - To Technology and Infrastructure then Rules - To House Rules 2/28/2023 - Adopted by House 3/3/2023 - To Senate 3/6/2023 - To Transportation and Infrastructure
56. By Del. Gearheart and Smith - **George M. Hall Memorial Bridge** - Introduced 2/27/2023 - To Technology and Infrastructure then Rules - To House Rules 2/28/2023 - Adopted by House 3/3/2023 - To Senate 3/6/2023 - To Transportation and Infrastructure
57. By Del. Howell, Clark, Cannon, Fehrenbacher, Nestor, Lucas and Skaff - **Requesting Department of Economic Development to create a plan of incentives to encourage small businesses in highly regulated states to relocate to WV** - Introduced 2/27/2023 - To Economic Development and Tourism then Rules - To House Rules 3/7/2023 - Adopted by House 3/9/2023
58. By Del. Jennings, Street, Storch, Barnhart, Reynolds, Cooper, Dittman, Smith, Jeffries, Tully and Hornby - **U. S. Army SSG Steven “Todd” Shay Memorial Bridge** - Introduced 2/27/2023 - To Technology and Infrastructure then Rules - To House Rules 2/28/2023 - Adopted by House 3/3/2023 - To Senate 3/6/2023 - To Transportation and Infrastructure - Adopted by Senate 3/7/2023
59. By Del. Howell, Hall, A., Clark, Dillon, Petitto, Storch, Ferrell, Fehrenbacher, Cannon, Nestor and Lucas - **Requesting a study to establish a motorsport events welcome center and implement a program to promote motorsport events in West Virginia** - Introduced 2/27/2023 - To Economic Development and Tourism then Rules - To House Rules 3/7/2023 - Adopted by House 3/9/2023
60. By Del. Howell, Clark, Petitto, Dittman, Ferrell, Hornby, Pritt, E., Hanna, Cannon, Thorne and Hall, W. - **Requesting the Joint Committee on Government and Finance study the economic and tourism impacts creating a cross state biking and hiking trail.** - Introduced 2/27/2023 - To Economic Development and Tourism then Rules - To House Rules 3/7/2023 - Adopted by House 3/9/2023
61. By Del. Jeffries - **U.S. Army Sgt. John Edsel Edens Memorial Road** - Introduced 2/28/2023 - To Rules - Adopted by House 3/3/2023 - To Senate 3/6/2023 - To Transportation and Infrastructure - Amended - Adopted by Senate 3/9/2023 - House concurred in Senate amendment and adopted 3/11/2023

62. By Del. Mazzocchi, Holstein, Adkins, Ridenour, Bridges, Butler, Honaker, Heckert, Smith, Longanacre and Cooper - **U.S. Army PFC Clayton Collins Memorial Bridge** - Introduced 3/1/2023 - To Rules - Adopted by House 3/4/2023 - To Senate 3/6/2023 - To Transportation and Infrastructure - Adopted by Senate 3/7/2023
64. By Del. Skaff, Young, Pushkin, Ferrell, Hall, W. and Shamblin - **U. S. Army Air Corps PVT-II Charles A. White Memorial Road** - Introduced 3/2/2023 - To Rules - Adopted by House 3/4/2023 - To Senate 3/6/2023 - To Transportation and Infrastructure
65. By Del. Linville and Cannon (Originating in House Technology and Infrastructure) - **Requesting a study of the effects of eliminating the mandatory inspection of motor vehicles** - Introduced 3/7/2023 - To House Rules 3/7/2023 - Adopted by House 3/9/2023
66. By Del. Linville and Cannon (Originating in House Technology and Infrastructure) - **Requesting a study on the effects of conservation easements** - Introduced 3/7/2023 - To House Rules 3/7/2023 - Adopted by House 3/9/2023
67. By Del. Linville and Cannon (Originating in House Technology and Infrastructure) - **Requesting a study of the effects of using blockchain technology on vital public and government data security.** - Introduced 3/7/2023 - To House Rules 3/7/2023 - Adopted by House 3/9/2023
68. By Del. Linville and Cannon (Originating in House Technology and Infrastructure) - **Requesting a study on the effects of site preparedness on economic development.** - Introduced 3/7/2023 - To House Rules 3/7/2023 - Adopted by House 3/9/2023
69. By Del. Linville and Cannon (Originating in House Technology and Infrastructure) - **Requesting a study on the use of larger crews and continuous working hours on smaller roadway projects.** - Introduced 3/7/2023 - To House Rules 3/7/2023 - Adopted by House 3/9/2023
70. By Del. Howell - **Requesting a study to assess on selective regulation of short-term rental properties.** - Introduced 3/8/2023 - To House Rules 3/8/2023 - Adopted by House 3/11/2023
71. By Del. Vance, Burkhammer, Toney, Brooks, Kirby, Worrell, Holstein, Dean, Fast, Hall, A. and Longanacre - **November 7th to be designated as “Pastor Appreciation Day” in West Virginia.** - Introduced 3/8/2023 - To Rules - Adopted by House 3/11/2023
72. By Del. Mazzocchi, Adkins, Anderson, Brooks, Clark, Cooper, Crouse, Dean, DeVault, Ferrell, Forsht, Hillenbrand, Hite, Holstein, Honaker, Hott, Howell, Jeffries, Jennings, Kelly, Kirby, Lucas, Mallow, Marple, Miller, Nestor, Petitto, Pritt, C., Ridenour, Sheedy, Steele, Storch, Tully, Ward, Westfall, Willis, Worrell and Zatezalo - **To study the effect of the establishment Whole-Homes**

- Repair Act of 2023.** - Introduced 3/8/2023 - To Rules - Adopted by House 3/11/2023
73. By Del. Howell - **Requesting a study to assess whether amending the tax code to provide tax incentives upon manufacturing.** - Introduced 3/8/2023 - To House Rules 3/8/2023 - Adopted by House 3/11/2023
74. By Del. Howell - **Requesting a study to assess whether the code contains outdated excessive or unnecessary provisions.** - Introduced 3/8/2023 - To House Rules 3/8/2023 - Adopted by House 3/11/2023
75. By Del. Howell - **Requesting a study concerning the construction of welcome centers.** - Introduced 3/8/2023 - To House Rules 3/8/2023 - Adopted by House 3/11/2023
76. By Del. Storch - **Requesting a study of creating regional intra-state tourism districts** - Introduced 3/8/2023 - To House Rules 3/8/2023 - Adopted by House 3/11/2023
77. By Del. Storch - **Requesting a study concerning tourism related infrastructure issues post covid-19.** - Introduced 3/8/2023 - To House Rules 3/8/2023 - Adopted by House 3/11/2023
78. By Del. Hanshaw (Mr. Speaker) - **Proclaiming the extension of a state of emergency in our correctional institutions** - Introduced 3/9/2023 - Adopted by House 3/9/2023 - Committee reference dispensed - Adopted by Senate 3/11/2023
79. By Del. Hornby - **Requesting the Department of Economic Development to create a plan of incentives to encourage small businesses based in agritourism, craft breweries, distilleries, vineyards, wineries and other specialized agriculture of tourism interest to locate or relocate to West Virginia** - Introduced 3/9/2023 - To Rules - Adopted by House 3/11/2023
80. By Del. Holstein, Adkins, Anderson, Barnhart, Brooks, Burkhammer, Butler, Cannon, Capito, Chiarelli, Clark, Cooper, Coop-Gonzalez, Criss, Crouse, Dean, DeVault, Dittman, Ellington, Espinosa, Fast, Fehrenbacher, Ferrell, Fluharty, Forsht, Foster, Garcia, Gearheart, Griffith, Hall, A., Hall, W., Hanna, Hansen, Hanshaw (Mr. Speaker), Hardy, Heckert, Hillenbrand, Hite, Honaker, Hornbuckle, Hornby, Horst, Hott, Householder, Howell, Jeffries, Jennings, Keaton, Kelly, Kimble, Kirby, Linville, Longanacre, Lucas, Marple, Maynor, Mazzocchi, McGeehan, Miller, Petitto, Phillips, Pinson, Pritt, C., Pritt, E., Pushkin, Reynolds, Ridenour, Riley, Rohrbach, Rowe, Shamblyn, Sheedy, Skaff, Smith, Statler, Steele, Storch, Street, Summers, Thorne, Toney, Tully, Vance, Walker, Ward, Warner, Westfall, Williams, Willis, Young and Zatezalo - **To study pediatric cancer in Appalachia and to provide directive language asking for a report on this issue in the appalachian region.** - Introduced 3/10/2023 - To Rules - Adopted by House 3/11/2023 - Committee reference dispensed - Adopted by Senate 3/11/2023

81. By Del. Hillenbrand, DeVault and Linville - **Requesting Joint Committee on Government and Finance study on the problem of tire disposal and finding solutions to rid our landscape of waste tires.** - Introduced 3/10/2023 - To Rules - Adopted by House 3/11/2023

82. By Del. Capito, Westfall, Fast, Hornby, Criss and Summers - **February to be designated annually as West Virginia Cancer Prevention Month.** - Introduced 3/10/2023 - To Rules - Adopted by House 3/11/2023 - Committee reference dispensed - Adopted by Senate 3/11/2023

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ACTIONS, SUITS AND LIENS

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- 236. Motorsports Responsibility Act
- 572. Reforming cause of action for public nuisance
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APPROPRIATIONS

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- 226. Expiring funds from Coronavirus State Fiscal Recovery Fund to Reclamation of Abandoned and Dilapidated Properties Program Fund
- 272. Authorizing use of Reclamation of Abandoned and Dilapidated Properties Program Fund
- 423. Increasing salary for certain state employees
- 481. Extending sunset provision of Upper Kanawha Valley Resiliency and Revitalization Program
- 575. Expiring funds to unappropriated surplus balance in State Fund, General Revenue
- 678. Adding appropriations to DHHR, Division of Human Services

BANKING AND FINANCE

- 423. Increasing salary for certain state employees
- 460. Relating to WV Grant Transparency and Accountability Act
- 466. Prohibiting financial institutions from discriminating against firearms businesses

- 555. Prohibiting banks and payment networks from tracking firearm-related data and outlining penalties
- 576. Creating Securities Restitution Assistance Fund for victims of securities violations
- 637. Fair Access to Financial Services Act
- 639. Authorizing restitution to victims of securities fraud

BOARDS AND COMMISSIONS

- 62. Establishing secondary location for racetrack video lottery terminals
- 172. Increasing number of members on WV Parole Board
- 240. Requiring state board of examination or registration proceedings to be open to public inspection
- 244. Making rosters of individuals who obtain professional, occupational, and trade licenses, registrations, and certificates available to public
- 247. Making administrative appeals and judicial review of board action subject to provisions of Administrative Procedures Act
- 248. Clarifying when excess funds accumulated by boards are to be transferred to General Revenue Fund
- 249. WV Real Estate License Act
- 271. Modifying approval process requirements for First Responders Honor Board
- 276. Awarding service weapon of retiring State Fire Marshal
- 423. Increasing salary for certain state employees
- 512. Providing that continuing education credits shall be valid for three years
- 513. Relating to brewer and resident brewer licenses
- 566. Extending termination date of WV Advisory Council on Rare Diseases
- 585. Prohibiting county commissions from adopting any authorization that exceeds state law regarding agricultural operations
- 636. Authorizing transfers to and from Licensed Racetrack Modernization Fund
- 649. Authorizing Berkeley County Council to change its name to Berkeley County Commission
- 667. Requiring periodic performance audits of WV Secondary School Activities Commission
- 674. Providing statutory recognition and appointment of board members for WV First Foundation
- 701. Updating administration and requirements of Managed Timberland Program

BONDS

- 423. Increasing salary for certain state employees

CLAIMS

- 423. Increasing salary for certain state employees
- 579. Providing payment to vendors who provided services to state

COMPACTS

- 423. Increasing salary for certain state employees

CONSTITUTIONAL AMENDMENTS

- 201. Increasing Homestead Property Tax Exemption for homeowners
- 423. Increasing salary for certain state employees

CONSTITUTIONAL OFFICERS

- 223. Permitting Legislature to file suit in limited circumstances against Executive branch to faithfully execute laws passed

CONSUMER PROTECTION

- 134. Protecting consumers against businesses using automatic renewals without consent
- 220. Industrial Hemp Development Act

CORPORATIONS

- 95. Establishing WV business growth in low-income communities tax credit
- 562. Relating to operation of private trust companies in WV

CORRECTIONS

- 17. Extending expiration date of current cap on per diem cost for incarcerated inmates in regional jail
- 44. Requiring certain municipalities pay for incarceration of inmates
- 108. Requiring certain probationers to participate in work release program and spend six months in work release center
- 141. Adding Division of Corrections and Rehabilitation employees working at certain institutions to WV Emergency Responders Survivor Benefits Act
- 213. Relating to responsibility for reimbursement of training cost of law-enforcement employees who leave original jurisdiction
- 294. Clarifying amount of deputy sheriff annual salary increase
- 495. Providing correctional institutions and juvenile facilities video and audio records be confidential
- 509. Requiring that free feminine hygiene products be provided to female prisoners
- 596. Modifying payment for housing and maintenance of inmates

COUNTIES

- 39. Relating to assessment of real property
- 105. Allowing county commissions to impose amusement tax
- 213. Relating to responsibility for reimbursement of training cost of law-enforcement employees who leave original jurisdiction
- 465. Increasing limit on moneys placed in county's rainy day fund
- 522. Allocating percentage of county excise taxes for funding improvements to election administration
- 550. Requiring state entities, local entities and law enforcement agencies to enforce immigration laws
- 585. Prohibiting county commissions from adopting any authorization that exceeds state law regarding agricultural operations
- 649. Authorizing Berkeley County Council to change its name to Berkeley County Commission

COUNTY OFFICIALS

467. Providing county commissioners ongoing mechanism to consider compensation increases for elected officials every two years

COURTS

69. Patrolman Cassie Johnson Memorial Act
178. Adding grievance and appellate procedures for individuals participating in DMV safety and treatment program
196. Creating Substance Abuse Intervention Act
482. Relating to circuit composition and staffing of circuit courts, family courts, and magistrates
498. Relating to employee jury service tax credit
530. Expanding candidates eligible for judicial retirement
538. Updating procedure on appeals of level three decisions issued by Public Employees Grievance Board
681. Clarifying that juvenile competency determination process extends to status offenders

CRIME

28. Relating to nonferrous metal sales and transportation to secondary recycler
49. Establishing criminal offense for being under influence of controlled substance unless specifically prescribed
67. Requiring DHHR file petition to terminate parental rights under certain circumstances
68. Relating to use of force, including deadly force, in defense of self, real, and personal property
69. Patrolman Cassie Johnson Memorial Act
72. Modifying definition of sexual contact
78. Creating felony offense of aggravated cruelty to animals
90. Amending penalty of simple possession of marijuana from misdemeanor crime to civil violation
102. Prohibiting smoking in vehicle when minor 16 or under is present.
104. Campus Self-Defense Act
108. Requiring certain probationers to participate in work release program and spend six months in work release center
120. Requiring registered sex offenders pay annual fee
123. Creating enhanced penalties for fleeing officer
124. Authorizing child sexual abuse and sexual violence prevention program and in-service training in child sexual abuse prevention
125. Safeguarding concealed carry permit holder's information
132. Clarifying criminal offense of harassment
133. Adding definition of "ammunition" for purposes of obtaining state license to carry concealed deadly weapon
135. Relating to Uniform Controlled Substances Act
136. Requiring persons convicted of certain offenses to undergo psychological or psychiatric testing and have treatment plan to be eligible for probation
137. Clarifying offenses of kidnapping and unlawful restraint
140. Updating offenses of extortion and attempted extortion

154. Penalizing removal of serial number from firearm or to possess firearm with missing serial number
158. Prohibiting person under age of 18 from entering into marriage
172. Increasing number of members on WV Parole Board
179. Relating to controlled substances schedule
187. Making it felony offense for school employee or volunteer to engage in sexual contact with students
191. Relating to liability for payment of court costs as condition of pretrial diversion agreement
194. Relating to general provisions concerning crimes
196. Creating Substance Abuse Intervention Act
208. Relating to criminal justice training for all law-enforcement and correction officers regarding individuals with autism spectrum disorders
217. Requiring animal owners protect animals in cold weather
225. Banning sale of Kratom in WV
228. Mandating extended supervision for persons convicted of stalking and related felonious acts
232. Creating study group to make recommendations regarding diversion of persons with disabilities from criminal justice system
249. WV Real Estate License Act
253. Criminalizing engaging in adult cabaret performance where it may be viewed by minor
270. Adding exemption to permit requirement for cremation
278. Protecting minors from exposure to indecent displays of sexually explicit nature
279. Increasing protection for minor victims of human trafficking
288. Relating to Sexual Assault Examination Network
291. Eliminating restriction to carry firearm on State Capitol Complex grounds
299. Relating to crime of trespass generally
301. Relating to Community Crime Prevention Act
302. Relating to Law Enforcement Safety Act
303. Relating to Violent Crime Prevention Act
304. Increasing criminal penalty for fentanyl
457. Removing certain activities Alcohol Beverage Control Commission licensee is prohibited to permit on private club premises
464. Authorizing locality pay to correctional officers working at facilities having critical staffing shortages
472. Creating criminal offense of indecent exposure in front of minors
484. Clarifying terms and offense of human smuggling
490. Patrol Officer Cassie Marie Johnson Memorial Act
532. Sex Offender Registration Act
537. Eliminating marital exception to criminal prosecution of sexual assault offenses
540. Creating misdemeanor offense of willfully urinating or defecating in public
546. Adding and removing certain compounds from controlled substance list
547. Increasing penalties for drug possession and updating list of offenses
558. Prohibiting law-enforcement agencies from posting booking photographs of certain criminal defendants on social media
559. Relating to spousal privilege

- 568. Relating to Dangerousness Assessment Advisory Board
- 605. Requiring state medical examiner to enter into contracts with procurement organization
- 624. Clarifying offense of vehicular homicide
- 626. Increasing penalties for operating house of prostitution
- 630. Creating offense of knowingly and willfully obstructing social service worker
- 633. Requiring prompt appearances for persons detained on capiases
- 635. Updating language and increasing penalties for indecent exposure
- 660. Establishing aggravated felony offense of reckless driving resulting in death
- 666. Placing cap on maximum penalty that may be imposed for first-degree robbery
- 669. Creating criminal offense prohibiting public disclosure of restricted information
- 675. Increasing reimbursement of sexual assault forensic medical examination kits
- 695. Increasing penalties for sexual assault against minors

DOMESTIC RELATIONS

- 58. Creating mechanism for enforcement of spousal support
- 158. Prohibiting person under age of 18 from entering into marriage
- 573. Relating to child support guidelines and Support Enforcement Commission

ECONOMIC DEVELOPMENT

- 4. Creating Adopt-A-Trail volunteer programs for public land under DNR jurisdiction
- 160. WV Rail Trails Program
- 188. Grid Stabilization and Security Act of 2023
- 207. Relating to state allocation of funding to regional councils
- 214. Prohibiting certain advertising by adult venues on public billboards
- 231. Transferring administration of WV Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program to Department of Economic Development
- 246. Revising membership of Broadband Enhancement Council
- 256. Relating to WV Economic Development Authority
- 523. Clarifying purpose and use of Economic Development Project Fund
- 591. Allowing counties and municipalities to jointly undertake development projects
- 595. Relating to real property, tax, and registration requirements associated with carbon offset agreements
- 658. Clarifying WV follow market-based approach to business and occupation taxation
- 671. Modifying e-bike regulations
- 735. Clarifying department responsible for administration of certain programs

EDUCATION (HIGHER)

- 1. Requiring Higher Education Policy Commission to create and administer PROMISE Plus Program

10. Campus Self-Defense Act
104. Campus Self-Defense Act
121. Creating Student Journalist Press Freedom Protection Act
227. Promise for Promise Act
230. Allowing voluntary immunization of students in private schools
434. School Safety Act
445. Repealing outdated section of WV code relating to WV Graduate College and Marshall University
488. Aligning state and federal accreditation rules
518. Establishing dual enrollment pilot program
543. Authorizing rule-making changes to terms, procedures and reporting duties in higher education
578. Hunger-Free Campus Act
602. Enabling WVSU and Bluefield State University to offer associate degrees

EDUCATION (K12)

2. Allowing private schools option of making vaccinations required for enrollment
3. Requiring parental notification of school-based dispensaries of contraceptives to minors
41. Establishing minimum student enrollment for school aid formula
46. Allowing WV Professional Charter School Board to vote for employees to participate in Teachers' Retirement System
47. Creating Charter Schools Stimulus Fund
48. Relating to licensed school psychologists salary supplement and expense reimbursements
51. Requiring impact statement in certain instances of school closing or consolidation
56. Relating to employment of retired bus operators as substitutes in areas of critical need and shortage
74. Providing for substantial deference to State Superintendent's interpretations of school laws
93. Prohibiting teaching of divisive acts and critical race theory in public schools
99. Relating to meetings among county boards of education
113. Restricting participation in Teachers Retirement System by members who serve as officer in professional teaching association
121. Creating Student Journalist Press Freedom Protection Act
130. Anti-Racism Act of 2023
139. Requiring each county BOE to ensure all its meetings are open to public through in-person attendance and broadcast live on its website
144. Regulating schools for students with disabilities
145. Allowing county BOE participating in operation of multicounty vocational center to withdraw
195. Glucagon for Schools Act
204. Increasing salary for teachers with less than eight years of experience
216. Requiring all schools to instruct students on Holocaust, other genocides and financial literacy
222. Creating adult education taskforce
230. Allowing voluntary immunization of students in private schools

- 237. Relating to Public Employees Retirement System and State Teachers Retirement System
- 251. Displaying official motto of United States in public schools and institutions of higher education
- 252. Prohibiting obscene materials in or within 2,500 feet of WV schools
- 262. Allowing students to transfer schools and retain athletic eligibility
- 264. Prohibiting persons who have been convicted of certain crimes against minors from holding positions on boards of education
- 274. Third Grade Success Act
- 275. Adding State Fire Marshals to statute included with law enforcement and first responders that receive information on school safety requirements
- 282. Creating WV Guardian Program
- 306. Establishing Summer Feeding for All Program
- 422. Requiring public schools to publish curriculum online at beginning of each new school year
- 428. Revising requirements of local school improvement councils
- 433. Establishing requirements for state board and local education agency to screen for dyslexia
- 434. School Safety Act
- 454. WV Children's Vision Act
- 469. Providing funding for CPR instruction to high school students
- 489. Requiring BOE provide free feminine hygiene products in certain grades
- 518. Establishing dual enrollment pilot program
- 519. School Personnel Whistle-Blower Law
- 535. Creating religious and philosophical exemptions for school attendance vaccines
- 560. Limiting recovery on claims for abuse to secure financial solvency of public and private school system
- 589. Relating to nonpublic kindergarten, elementary, and secondary school education
- 599. Requiring moment of silence at beginning of each school day
- 601. Providing that WV Secondary School Activities Commission promulgate legislative rules
- 603. Authorizing WVSSAC to promulgate legislative rules
- 614. Extending jurisdiction of School Safety Unit
- 619. Allowing teachers in public schools to teach intelligent design
- 625. Requiring certain transcripts to be accepted as record of student's performance for placement in micro school programs
- 628. Revising provisions related to public charter schools
- 632. Prohibiting mandatory COVID-19 or other experimental vaccines for school attendance
- 638. Providing bonuses to school personnel for unused personal days
- 655. Parents' Bill of Rights
- 663. Approving overtime pay for teachers
- 667. Requiring periodic performance audits of WV Secondary School Activities Commission
- 683. Changing name of School Building Authority to School Maintenance Authority
- 687. Requiring law-enforcement agencies and CPS report certain allegations to county school personnel

- 688. Allowing BOE to hire retired teachers to assist with tutoring
- 691. Requiring Mountaineer Challenge Academy and Bureau for Social Services to provide reimbursement for cadets' enrollment costs
- 693. Permitting Mountaineer ChalleNge Academy cadets to enroll in accredited courses to obtain WV Education Information System Number
- 736. Establishing three-year nontraditional school week pilot project

ELECTIONS

- 25. Requiring disclaimers on third-party, nongovernment solicitations of services for filing business annual reports with Secretary of State
- 50. Requiring one-year residency within district or county to fill vacancy in Legislature
- 57. Requiring political action committee to disclose contributors' names and addresses to Secretary of State
- 66. Relating to regulation and control of elections
- 152. Moving state primaries to August
- 156. Relating to modernization of procedures for voting in public elections
- 163. Relating to absentee voting
- 170. Increasing transparency in apportionment process for congressional and legislative districts
- 218. Establishing presidential primary election in presidential election years
- 234. Clarifying uniform statewide deadline for electronically submitted voter registration applications
- 235. Relating to voting rights of formerly incarcerated individuals
- 257. Providing for nonpartisan election of county sheriffs, prosecutors, assessors, county clerks, and circuit clerks
- 280. Relating to electoral reforms of WV judiciary
- 459. Clarifying residency requirements for voter registration
- 541. Providing for election reforms
- 574. Establishing residency requirements for candidates seeking nomination to US Congress
- 580. Authorizing election for special levy renewal
- 620. Increasing maximum number of registered voters per precinct and distance between polling places
- 631. Updating administration, funding, and requirements for federal elections held in WV
- 641. Clarifying when magistrate vacancies shall be filled
- 642. Changing deadline for county clerks to report voter participation history
- 643. Updating administration of federal elections held in WV
- 644. Updating contested elections procedures
- 653. Allowing group of affiliated voters to become recognized political party
- 673. Providing voters with ability to identify and verify their ballot cast
- 682. Requiring municipal elections to be held on same day as statewide elections
- 725. Requiring runoff elections for judicial candidates

ENERGY

- 183. Creating Natural Resources Anti-Commandeering Act
- 609. Obtaining approval for decommissioning or deconstructing of existing power plant

ENVIRONMENT

- 13. Establishing annual oversight fee for wells producing more than 10,000 cubic feet of gas per day
- 28. Relating to nonferrous metal sales and transportation to secondary recycler
- 35. Limiting DEP employees entering private lands for environmental purposes only
- 106. Protecting albino deer
- 109. Orphan Oil and Gas Well Prevention Act
- 143. Relating to Adopt-A-Stream Program
- 439. Establishing design-build program for DEP

ESTATES AND TRUSTS

- 192. Relating to Uniform Real Property Transfer on Death Act
- 443. Directing payment of estate administration fee to State Auditor
- 616. WV Veterans' Home Loan Mortgage Program of 2023

ETHICS

- 164. Prohibiting legislators and part-time public officials from having interest in public contracts under certain circumstances
- 508. Clarifying reporting and disclosure requirements for grassroots lobbying expenditures
- 516. Relating to requirements for disclosure of donor contributions

FINANCE AND ADMINISTRATION

- 9. WV Monument and Memorial Protection Act of 2023
- 112. Relating to financial institutions engaged in boycotts of firearms companies
- 199. Requiring purchases of certain commodities and services from state use program partners
- 247. Making administrative appeals and judicial review of board action subject to provisions of Administrative Procedures Act
- 248. Clarifying when excess funds accumulated by boards are to be transferred to General Revenue Fund
- 249. WV Real Estate License Act
- 297. Mountain Homes Act
- 430. Relating to State Treasurer's authority to contract with financial institutions for banking goods and services
- 436. Prompt Payment Act of 2023
- 437. Relating to payment of state funds to qualified childcare entities
- 514. Clarifying procedure for administrative dissolution of corporations by Secretary of State
- 515. Clarifying deadline to file annual report for companies authorized to do business in WV
- 536. Relating to distribution of certain taxes to benefit fire departments and emergency medical services providers
- 539. Authorizing state and subdivisions to negotiate price for construction when all bids received exceed maximum budget
- 553. Allowing for evaluation of prequalified bidders to be based on best value

- 554. Exempting purchases made by Auditor and WV Enterprise Resource Planning Board from certain provisions of WV code
- 560. Limiting recovery on claims for abuse to secure financial solvency of public and private school system
- 576. Creating Securities Restitution Assistance Fund for victims of securities violations
- 586. Requiring spending units to submit software procurement requests to Enterprise Resource Planning Board
- 600. Specifying requirements for shareholder voting by WV Investment Management Board and Board of Treasury Investments
- 611. Applying penalties for nonpayment of royalties under terms of oil and natural gas leases
- 639. Authorizing restitution to victims of securities fraud
- 656. Verifying legal employment status of workers to governmental agencies
- 734. Requiring adoption of cloud computing services by state agencies
- 737. Emergency Medical Services Act

GOVERNOR -- BILLS REQUESTED BY

- 150. Budget Bill
- 420. Establishing one-time bonus payment for certain retirants
- 421. Updating federal taxable income and other terms in WV Corporation Net Income Tax Act
- 422. Requiring public schools to publish curriculum online at beginning of each new school year
- 423. Increasing salary for certain state employees
- 424. Authorizing refundable tax credit applied against personal income tax or corporation net income tax
- 425. Granting cost-of-living stipend to correctional officers employed by Division of Corrections and Rehabilitation
- 426. Banning use of certain products and platforms deemed unsafe or high risk on government systems
- 427. Updating meaning of federal adjusted gross income and certain other terms used in WV Personal Income Tax Act
- 499. Expiring unappropriated funds in General Revenue from Excess Lottery Revenue Fund
- 500. Expiring unappropriated funds in General Revenue from Lottery Net Profits
- 501. Making supplementary appropriation to Department of Administration, Public Defender Services
- 502. Supplementing and amending appropriations to Department of Education
- 503. Supplementing and amending appropriations to DHS, WV State Police
- 504. Supplementing and amending appropriations to DHHR, Consolidated Medical Services Fund
- 505. Supplementing and amending appropriations to Department of Administration, Office of Secretary
- 506. Supplementing and amending appropriations to Department of Education, Hope Scholarship
- 507. Supplementing and amending appropriations to DHS, Division of Administrative Services

510. Supplementing and amending appropriations to BOE, Department of Education
702. Making supplementary appropriation to Division of Natural Resources, Wildlife Resources
703. Making supplementary appropriation to Department of Transportation, DMV
704. Making supplementary appropriation to BOE, Vocational Division
705. Making supplementary appropriation to Division of Health, Maternal and Child Health
706. Making supplementary appropriation to Department of Agriculture, WV Spay Neuter Assistance Fund
707. Making supplementary appropriation to Miscellaneous Boards and Commissions, Economic Development Authority
708. Making supplementary appropriation to BOE, School Lunch Program
709. Making supplementary appropriation to Miscellaneous Boards and Commissions, Consumer Advocate Fund
710. Establishing Welcome Home Grant Program
711. Making supplementary appropriation to DOT, Division of Highways
712. Making supplementary appropriation to Department of Administration, Office of Technology
713. Increasing number of districts and limit on approved costs under BUILD WV Act
714. Making supplementary appropriation to DHS, Regional Jail and Correctional Facility Authority
715. Making supplementary appropriation to DHHR, WV Birth-to-Three Fund
716. Making supplementary appropriation to Department of Veterans' Assistance, Veterans' Facilities Support Fund
717. Making supplementary appropriation to DHHR, WV Safe Drinking Water Treatment
718. Making supplementary appropriation to Division of Human Services, Child Care Development
719. Making supplementary appropriation to BOE, School Building Authority
720. Making supplementary appropriation to Miscellaneous Boards and Commissions, PSC
721. Making supplementary appropriation to DHHR, Hospital Service Revenue Account
722. Making supplementary appropriation to Department of Commerce, Division of Rehabilitation Services
723. Making supplementary appropriation to Department of Agriculture
724. Making supplementary appropriation to DHHR, Division of Human Services
741. Supplementing and amending appropriations to Department of Commerce, Division of Forestry
742. Making supplementary appropriation to Department of Veterans' Assistance
743. Supplementing and amending appropriations to BOE, Department of Education
744. Making supplemental appropriation to Department of Economic Development, Office of Secretary

- 745. Making supplemental appropriation to Executive, Governor's Office, Coronavirus State Fiscal Recovery Fund
- 746. Supplementing appropriations to DOT, Division of Multimodal Transportation Facilities
- 747. Making supplementary appropriation to Adjutant General, State Militia
- 748. Supplementing and amending appropriations to Governor's Office, Civil Contingent Fund
- 749. Supplementing and amending appropriations to DOT, Division of Multimodal Transportation Facilities, State Rail Authority
- 750. Supplementing and amending appropriations to Department of Administration, Division of General Services
- 751. Supplementing and amending appropriations to BOE, State Department of Education, Classroom Aide Program
- 752. Making a supplemental appropriation to Department of Revenue, State Budget Office
- 753. Supplementing and amending appropriations to Adjutant General, State Militia
- 754. Supplementing and amending appropriations to Department of Commerce, Office of Secretary
- 755. Supplementing and amending appropriations to DHHR, Division of Health
- 756. Supplementing and amending appropriations to DOT, Division of Multimodal Transportation Facilities, Public Transit
- 757. Supplementing and amending appropriations to DHS, Division of Administrative Services
- 758. Supplementing and amending appropriation to DHS, Division of Corrections and Rehabilitations, Correctional Units
- 759. Supplementing appropriations to DOT, Division of Multimodal Transportation Facilities, Aeronautics Commission

HEALTH

- 2. Allowing private schools option of making vaccinations required for enrollment
- 5. Requiring parental notification of minors being prescribed contraceptives
- 23. Fetal Heartbeat Act
- 24. Relating to long-term care and substance abuse treatment
- 32. Allowing parents to decline required medication administered to newborns
- 67. Requiring DHHR file petition to terminate parental rights under certain circumstances
- 88. Permitting medical marijuana be prescribed in edible form
- 102. Prohibiting smoking in vehicle when minor 16 or under is present.
- 116. Collecting and analyzing statistical information pertaining to terminating pregnancies under Medicaid Program
- 147. Creating pilot program for recovery residences in Cabell County
- 153. WV Chemical Abortion Prohibition Act
- 155. Requiring medical professionals to report injuries and side effects from vaccines to Bureau for Public Health
- 158. Prohibiting person under age of 18 from entering into marriage
- 159. Relating to treatment of persistent symptoms of hypothyroidism

- 167. Legalizing cannabis production, sales, and adult consumption
- 196. Creating Substance Abuse Intervention Act
- 208. Relating to criminal justice training for all law-enforcement and correction officers regarding individuals with autism spectrum disorders
- 230. Allowing voluntary immunization of students in private schools
- 239. Requiring Commissioner of Bureau for Behavioral Health to engage certain providers and leaders to study homeless demographic
- 241. Patient Brokering Act
- 242. Relating to residential substance use disorder programs
- 243. Requiring substance use disorder inpatient providers to provide transportation to patients
- 255. Prohibiting discrimination against patients for declining or delaying vaccines
- 266. Relating to tobacco usage restrictions
- 289. Establishing Minority Health Advisory Team
- 292. Health Care Sharing Ministries Freedom to Share Act
- 295. Extending time that prescription for spectacles remains valid
- 454. WV Children's Vision Act
- 479. Expanding certain insurance coverages for pregnant women
- 480. Modifying group accident and sickness insurance requirements
- 485. PFAS Protection Act
- 489. Requiring BOE provide free feminine hygiene products in certain grades
- 494. Creating WV Black Lung Program
- 509. Requiring that free feminine hygiene products be provided to female prisoners
- 517. Medical Ethics Defense Act
- 521. Improving patient safety in medical cannabis program
- 524. Relating to family planning services
- 526. Including Alzheimer's disease in existing public health programs
- 528. Requiring certificate of need be subject to legislative rulemaking
- 551. Creating Medicaid state plan amendment
- 552. Relating to abortion
- 561. Relating to administration of WV Drinking Water Treatment Revolving Fund Act
- 563. Providing whistleblower protections to healthcare workers who report unsafe patient care
- 584. Removing rape and incest exception to obtain abortion in WV
- 585. Prohibiting county commissions from adopting any authorization that exceeds state law regarding agricultural operations
- 598. Increasing availability of prescription nonopioid medications
- 612. Eliminating certain centers from certificate of need review
- 613. Relating generally to certificates of need
- 615. Prohibiting mandates for vaccines
- 632. Prohibiting mandatory COVID-19 or other experimental vaccines for school attendance
- 645. Prohibiting laws requiring person to receive or use medical products
- 650. Allowing physician assistants to own practice
- 651. Oral Health and Cancer Rights Act
- 655. Parents' Bill of Rights
- 662. Expanding exemption for private practice physicians to provide MRIs

- 668. Requiring patient notification when screening indicates dense breast tissue
- 675. Increasing reimbursement of sexual assault forensic medical examination kits
- 676. Requiring report on Medicaid fees and managed care provider reimbursements compared to PEIA, Medicare, and surrounding states
- 679. Requiring Office of Inspector General to promulgate rules concerning location of forensic group homes
- 686. Youth Mental Health Protection Act
- 687. Requiring law-enforcement agencies and CPS report certain allegations to county school personnel
- 692. Relating to gender reassignment medical services for minors
- 694. Providing supplemental Medicaid reimbursement for academic medical center acute care providers
- 697. Prohibiting gender transition surgeries, treatments, and therapies to minors
- 698. Updating term of "physician assistant" to "physician associate"
- 726. Preventing compensatory damage awards for outstanding medical expenses
- 730. Expanding authority of Legislative Oversight Commission on Health and Human Resources Accountability
- 731. Requiring adjustment of verdicts for past expenses to reflect amount incurred and paid
- 732. Prohibiting insurer from imposing copayment for certain services

HUMAN RIGHTS

- 11. Prohibiting excessive government limitations on exercise of religion
- 33. Prohibiting certain divisive acts or concepts from schools, state agencies and any groups receiving state funding
- 55. WV Freedom of Conscience Protection Act
- 121. Creating Student Journalist Press Freedom Protection Act
- 169. Requiring certain movie theaters to provide open captioning during certain showings
- 655. Parents' Bill of Rights
- 696. Prohibiting unlawful discriminatory practices covered by Human Rights Act and Fair Housing Act

HUMAN SERVICES

- 24. Relating to long-term care and substance abuse treatment
- 30. Transferring child welfare enforcement responsibilities to WV State Police
- 67. Requiring DHHR file petition to terminate parental rights under certain circumstances
- 126. Reorganizing DHHR
- 177. Increasing minimum salaries for Bureau for Child Support Enforcement attorneys
- 181. Creating Closed Captioning Act
- 269. Increasing dental coverage limit for Medicaid enrollees
- 273. Relating to allocation of child protective workers in counties based upon population of county
- 476. Exempting managed care contracts from purchasing requirements
- 479. Expanding certain insurance coverages for pregnant women

- 565. Firearm Industry Non-Discriminations Act
- 617. Relating to Intellectual and Development Disabilities Waiver Program Workforce Study
- 654. Requiring cooperation with child support enforcement as condition for public assistance

INSURANCE

- 45. Requiring coverage of treatment for certain pediatric autoimmune neuropsychiatric disorders in certain circumstances
- 73. Removing PEIA exemption from provisions of chapters 5 and 33 of Code of WV
- 80. Modifying witness fee and mileage rate paid by state to match federal court system
- 114. Prohibiting abortion coverage in certain qualified health care plans
- 127. Relating to reimbursement of hospital inpatient rates by PEIA
- 138. Clarifying secondary sources are not law and public policy of WV in certain instances
- 174. Increasing required medical coverage for autism spectrum disorders
- 175. Requiring medical insurance providers to include infertility services in their policies
- 182. Prohibiting discriminatory practices by financial institution or government entity against firearms manufacturers
- 219. Requiring medically necessary care and treatment to address congenital anomalies associated with cleft lip and cleft palate
- 238. Specifying when public employee's spouse may be covered by PEIA
- 267. Updating law regarding prior authorizations
- 268. Relating to PEIA
- 290. Relating to dental health care service plans
- 520. Removing decrease in amount of certain benefits PEIA employees are entitled to at 65
- 557. Providing that pharmacy may decline to dispense prescription drug where reimbursement is less than pharmacy's cost
- 560. Limiting recovery on claims for abuse to secure financial solvency of public and private school system
- 577. Reducing copay cap on insulin and devices and permitting purchase of testing equipment without prescription
- 594. Specifying fairness in cost sharing calculations for certain high deductible health plans
- 610. Affordable Medicaid Buy-in Program
- 618. Providing that fairness in cost sharing calculation does not apply to voluntary Cost Share Assistance Program
- 657. WV Long-Term Care Insurance Act
- 664. Dissolving PEIA and converting to employer-owned mutual insurance company
- 672. Requiring parity with non-preferred oral branded antipsychotic agents
- 676. Requiring report on Medicaid fees and managed care provider reimbursements compared to PEIA, Medicare, and surrounding states

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AZINGER, MICHAEL T., a Senator from the 3rd District:

appointed to standing committees	142-144
bills introduced (by request)	85, 86, 94-95, 96, 98, 102, 106, 110-111, 119, 120, 123, 130-131, 132, 136, 150, 153, 155, 186, 194, 196, 197-198, 208, 218, 229, 233, 234, 247, 302, 336, 350, 351, 361, 376, 397, 399, 403, 423, 450, 451, 500, 502, 534, 576, 714, 718, 893, 896, 906, 907, 1062, 1115
leave of absence granted to	466
Pledge of Allegiance led by	732
qualified	3
remarks by (ordered printed in appendix)	(429)
reports by, as Chair of Committee on Banking and Insurance	315, 778, 781, 931-932, 1253, 1314, 1626, 1628
resolutions offered (by request)	701, 2032, 2509-2510, 3064
years and nays demanded by	2674

BARRETT, JASON, a Senator from the 16th District:

appointed to conference committee as to Eng. Com. Sub. for Senate Bill 617 ...	3002
appointed to standing committees	142-144
bills introduced (by request)	96, 98, 110-111, 126, 132, 153, 155, 186, 189, 201-202, 233, 238, 247, 250-251, 324, 326, 362, 376, 377, 391, 416, 436, 450, 512-513, 543, 558, 568, 576, 578, 634, 670, 672, 684, 714, 719, 739, 740, 790, 794, 829, 839, 862, 878, 975-976
Pledge of Allegiance led by	313, 807, 977
qualified	4
removal of sponsorship	730
resolutions offered (by request)	218, 425, 568, 612, 701, 1017, 1259, 1260, 2032, 2510, 3064

BLAIR, CRAIG, a Senator from the 15th District:

(see President of the Senate)

BOLEY, DONNA J., a Senator from the 3rd District:

appointed President <i>pro Tempore</i>	145
appointed to select committee to escort Governor to joint assembly (H. C. R. 1)	102
appointed to standing committees	142-144
bills introduced (by request)	96, 98, 102, 110, 120, 153, 155, 218, 233, 251, 718, 861, 862
called Senate to order	1
leave of absence granted to	415
Pledge of Allegiance led by	2678
requested removal of member from chamber	2493
resolutions offered (by request)	701, 2032, 2509-2510, 3064

CAPUTO, MIKE, a Senator from the 13th District:

appointed to standing committees	142-144
bills introduced (by request)	113, 123, 127, 151, 153, 155, 165-167, 168, 169-170, 173, 175, 181, 187-189, 201-202, 240, 250, 296, 304, 351, 362, 376, 378, 392, 398, 399, 450, 512-513, 621-623, 654, 717, 790, 862, 878, 896, 921, 1062

Pledge of Allegiance led by	1259
remarks by (ordered printed in appendix)	(390), (802)
removal of sponsorship	543, 621
resolutions offered (by request)	189, 200, 251, 296, 352, 392, 425, 624, 654, 731, 765, 921, 1897, 2009, 2032, 2510, 3064
voting sentiment	591
yeas and nays demanded by	215, 379, 503, 834, 908, 1263

CHAPMAN, LAURA WAKIM, a Senator from the 1st District:

appointed to standing committees	142-144
appointed to select committee to escort President-elect to chair	5
bills introduced (by request)	96, 153, 155, 159, 177, 183, 231, 240, 247, 302, 304, 312, 350, 361, 362, 391, 396, 397, 399, 403, 416, 437, 451, 500, 502, 534, 543, 544, 576, 635, 788, 791-792, 806, 839, 862, 878, 893, 895, 1017, 1174
objection to unanimous consent	2493, 2495
Pledge of Allegiance led by	251, 1497
qualified	3
remarks by (ordered printed in appendix)	(730), 804
removal of sponsorship	920, 975, 1115, 1174
resolutions offered (by request)	313, 405, 538, 701, 831, 1330, 2032, 2509-2510, 3064
yeas and nays demanded by	2462, 2593, 2658

CLEMENTS, CHARLES H., a Senator from the 2nd District:

appointed to standing committees	142-144
bills introduced (by request)	54, 68, 96, 98, 110-111, 118, 119, 120, 124, 126, 130, 135-136, 153, 155, 176, 180, 182, 184, 189, 195, 207, 217, 232, 240, 251, 295, 304, 305, 312, 324, 325, 326, 336, 350, 391, 415, 437, 513, 576, 595, 685, 717, 743, 839-840, 861, 862, 895, 1062
nominated David Lavender, Sergeant at Arms	8
presided as President	108
qualified	3
reports by, as Chair of Committee on Transportation and Infrastructure	203, 316-318, 439, 599, 607-608, 778-779, 785-786, 1250-1252, 1310, 1622, 1682- 1683, 1815-1822, 2000, 2004
resolutions offered (by request)	200, 240, 313, 425, 579, 701, 1033, 2032, 2510, 3064
withdraws (committee) amendment	(1305), (1944), (2040)

DEEDS, VINCE S., a Senator from the 10th District:

appointed to conference committee as to Eng. Com. Sub. for House Bill 3302	2735
appointed to select committee to escort President-elect to chair	5
appointed to standing committees	142-144
bills introduced (by request)	95, 96, 102, 106, 108, 110, 115, 116, 118, 120, 123, 136, 150, 153, 155, 181, 188-189, 194, 201-202, 217- 218, 233, 239-240, 247, 250, 312, 336, 361-362, 391-392, 397, 399, 415-416, 437, 451, 467, 500, 502, 512-513, 534, 544, 568, 576, 577, 578, 594, 595, 623, 653-654, 684-685, 714, 731, 743, 764-765, 806-807, 839-840, 862, 878, 891-892, 895, 906, 921, 976

Pledge of Allegiance led by	337
prayer by	392
qualified	3
remarks by (ordered printed in appendix)	(705)
resolutions offered (by request)	218, 405, 437, 595, 624, 654, 701, 832, 921, 2009, 2032, 2509-2510, 3064

GRADY, AMY N., a Senator from the 4th District:

appointed to standing committees	142-144
bills introduced (by request) 54, 56, 81, 96, 110, 120, 123, 130, 153, 155, 158-160, 189, 218, 227, 231, 233, 240, 301, 306, 312-313, 351, 361, 375-376, 392, 397, 399, 403, 424, 436, 450, 500, 513, 531, 568, 610, 623, 634, 654, 684, 700, 739, 790, 807, 859-860, 862, 892, 921, 976, 1174	
nominated Jeffrey L. Branham, Doorkeeper	8
Pledge of Allegiance led by	147
prayer by	189
presided as President	2678
remarks by (ordered printed in appendix)	682
removal of sponsorship	594
reports by, as Chair of Committee on Education	164, 205-206, 259, 263, 265, 342, 346, 368, 371, 373, 441, 444, 446, 554, 555, 573, 599, 604, 608, 658, 696, 698, 775, 787, 813, 823, 826, 849, 979, 985-986, 989, 1097, 1106, 1110, 1111, 1112, 1312, 1313, 1316, 1317-1318, 1467, 1487-1488, 1490, 1802-1804, 1809, 1812-1813, 1814
resolutions offered (by request)	218, 313, 405, 467, 513, 539, 701, 719, 1030, 1629, 2032, 2510, 3064
withdraws (committee) amendment	(1787), (1788), (2063), (2086)

HAMILTON, BILL, a Senator from the 11th District:

appointed to conference committee as to Eng. Com. Sub. for House Bill 3302	2735
appointed to conference committee as to Eng. Com. Sub. for House Bill 3313	3001
appointed to standing committees	142-144
bills introduced (by request)	66-67, 68, 70, 73, 95, 110, 113, 123-124, 135, 150, 153, 155, 179, 180, 181, 186-188, 194, 218, 237-240, 247, 250, 295-296, 304, 312, 336, 350, 397, 398, 415, 451, 467, 502, 544, 576, 594, 611, 623, 635, 653, 685, 731, 743, 764, 806, 862, 878, 976, 1062, 1330
leave of absence granted to	466
prayer by	569
qualified	4
remarks by (ordered printed in appendix)	(798)
removal of sponsorship	186, 312, 1115
reports by, as Chair of Committee on Agriculture and Natural Resources	207, 314, 603, 607, 667, 668, 737, 825, 934, 1172, 1443
resolutions offered (by request)	185, 240, 296, 313, 353, 362, 406, 467, 513, 595, 624, 654, 701, 765, 840, 864, 1504, 2032, 2510, 3064
voting sentiment	620-621

HUNT, MARK, a Senator from the 8th District:

appointed to standing committees	142-144
bills introduced (by request)	153, 155, 186, 217, 233, 237-239, 247, 250-251, 312, 361, 397, 450, 451, 466, 534, 543-544, 576, 577, 594, 634, 685, 743, 806, 839, 862, 878, 893, 895, 1062, 1175

Pledge of Allegiance led by	686, 1331
point of order raised by	2670
qualified	3
resolutions offered (by request)	251, 405, 612, 637, 701, 2032, 2509-2510, 3064

JEFFRIES, GLENN D., a Senator from the 8th District:

announced change in party affiliation	2
appointed to standing committees	142-144
bills introduced (by request) 108, 113, 115, 120, 123-124, 131, 135, 153, 155, 181, 194, 195, 209, 210-211, 217, 233, 237-240, 247, 295, 323, 351, 361, 376, 378, 397, 557-558, 568, 576, 622, 634, 654, 717, 790, 806, 828, 829, 840, 862, 907, 1016- 1017, 1115	
Pledge of Allegiance led by	1452
prayer by	544
remarks by (ordered printed in appendix)	(876)
removal of sponsorship	921
reports by, as Chair of Committee on Economic Development	1030, 1032-1033, 1445, 1446, 1503, 1681
resolutions offered (by request)	235, 247, 291, 353, 612, 685, 701, 795, 2510
withdraws motion	3066

KARNES, ROBERT L., a Senator from the 11th District:

appointed to standing committees	142-144
bills introduced (by request)	56, 65-66, 71-72, 91-94, 106, 110, 120, 128, 130, 153, 155, 158-160, 233, 238-240, 245, 247, 302, 362, 397, 399, 500, 502, 512-513, 534, 568, 576, 579, 634, 684-685, 731, 743, 806, 862, 895, 975, 1062
main motion	1046
removal from chamber	2493
removal of sponsorship	684
resolutions offered (by request)	138, 185, 362, 405, 568, 701, 1063, 2032, 2510, 3064
yeas and nays demanded by	1047

MARONEY, MICHAEL J., a Senator from the 2nd District:

appointed to conference committee as to Eng. Com. Sub. for Senate Bill 617 ...	3002
appointed to standing committees	142-144
bills introduced (by request)	98, 111, 186-189, 350, 397, 512, 556, 576, 578, 610, 684-685, 700, 717, 719, 739, 764-765, 827, 828, 860, 862, 907, 921, 1062
birthday noted	2005
leave of absence granted to	415
main motion	3043
Pledge of Allegiance led by	1175
remarks by (ordered printed in appendix)	100, (798)
reports by, as Chair of Committee on Health and Human Resources	164, 221-222, 224, 264, 344-345, 394-395, 495, 546-547, 627, 629, 633, 693, 780, 784, 787, 855, 858, 890, 983, 988-989, 1100, 1106, 1107, 1169, 1309, 1311, 1315, 1316, 1486, 1489, 1490, 1491, 1494, 1796, 1804, 1809, 1896
resolutions offered (by request)	189, 200, 215, 425, 685, 701, 765, 1063, 2032, 2510, 3064

voting sentiment 1823
 withdraws (committee) amendment (2530), (2537)

MARTIN, PATRICK S., a Senator from the 12th District:

appointed to standing committees 142-144
 bills introduced (by request) 95, 110, 120, 135, 153, 155, 158, 160, 174-175, 194,
 217, 233, 247, 302, 336-337, 361, 397, 436-437, 467, 500, 502, 544, 576, 634, 653,
 714, 731, 743, 806-807, 862, 1062, 1115
 objection to unanimous consent 1067
 point of order raised by 2536
 remarks by (ordered printed in appendix) (1263)
 removal of sponsorship 684
 resolutions offered (by request) 218, 405, 437, 832, 1187, 2032, 2510, 3064
 yeas and nays demanded by 1215

MAYNARD, MARK R., a Senator from the 6th District:

appointed to standing committees 142-144
 bills introduced (by request) 53-55, 96, 106, 111, 120,
 127, 131, 136, 150, 153, 155, 158, 193, 195, 209, 233-234, 245, 247, 295, 302,
 312, 361, 392, 397, 399, 423, 450, 451, 500, 537, 576, 578, 594, 621-623, 634,
 653-654, 764-765, 827, 839, 860, 861, 862, 894-895, 896, 897, 1062, 1330
 prayer by 686
 qualified 3
 remarks by (ordered printed in appendix) 361, 713, (798), 1255
 removal of sponsorship 1330
 reports by, as Chair of Committee on Outdoor Recreation 258, 261,
 366, 825, 826, 1032, 1247, 1447, 1627
 resolutions offered (by request) 214, 291, 405, 595, 611,
 701, 831, 832, 1033, 2032, 2509-2510, 3064
 withdraws (committee) amendment (1652)

NELSON, ERIC, JR., a Senator from the 17th District:

appointed to standing committees 142-144
 bills introduced (by request) 75-76, 85, 87-88, 98, 108, 110,
 153, 155, 160, 192, 194, 196, 201, 226, 247, 295, 312, 322-323, 324, 336, 352,
 362, 375, 376, 392, 447, 452, 594, 634, 669, 731, 740, 790, 793, 862, 878, 975,
 1062
 Pledge of Allegiance led by 219, 2009
 remarks by (ordered printed in appendix) 249
 removal of sponsorship 653, 3082
 reports by, as Chair of Committee on Pensions 262, 366, 528, 530,
 553, 663-664, 813, 821, 1444, 1447-1448, 1623, 1626
 resolutions offered (by request) 160, 218, 467, 612, 701, 1452, 2032, 2510, 3064
 withdraws (committee) amendment 2658

OLIVERIO, MICHAEL A. II, a Senator from the 13th District:

appointed to standing committees 142-144
 bills introduced (by request) 96, 98, 110, 113, 116,
 118, 124, 126, 135, 149-150, 153, 155, 179, 183, 209, 247, 295, 336, 350, 376, 378,
 415, 534, 544, 558, 576, 594, 622-623, 653, 684-685, 714, 717, 743, 790-791, 806,
 839, 862, 878, 975, 1115, 1330

Pledge of Allegiance led by	438, 715
qualified	4
remarks by (ordered printed in appendix)	100, 216, 390, (454), 876, 1450
resolutions offered (by request)	139, 200, 240, 425, 624, 701, 1116, 2032, 2510, 3064
yeas and nays demanded by	720
PHILLIPS, RUPIE, a Senator from the 7th District:	
appointed to standing committees	142-144
bills introduced (by request)	55, 62, 77-78, 83, 84-85, 88, 96, 116-118, 120, 124, 126-127, 132, 135-136, 152, 153, 155, 158-159, 167, 168, 176, 182, 194, 201, 211, 217-218, 233, 240, 247, 295, 302, 304, 324, 326, 350, 361-362, 392, 397, 399, 415, 437, 500, 544, 568, 576, 623, 634, 684, 699, 718, 790, 806-807, 861, 862, 878, 976, 1062
Pledge of Allegiance led by	2467
remarks by (ordered printed in appendix)	876, 1016, 1450
removal of sponsorship	157
resolutions offered (by request)	160, 218, 240, 251, 362, 405, 437, 467, 612, 731, 863-864, 921, 2510, 3064
yeas and nays demanded by	802
PLYMALE, ROBERT H., a Senator from the 5th District:	
appointed Minority Whip	145
appointed to conference committee as to Eng. Com. Sub. for House Bill 3261	2972
appointed to conference committee as to Eng. Com. Sub. for House Bill 3313	3001
appointed to standing committees	142-144
bills introduced (by request)	102, 110, 132, 153, 155, 189, 217, 237-239, 268, 295-296, 306, 312, 361-362, 378, 391-392, 415-416, 436- 437, 450, 451, 534, 568, 595, 622-623, 653-654, 714, 839, 862, 878, 893, 896, 1016-1017, 1330
excused from voting	2508
leave of absence granted to	466
Pledge of Allegiance led by	202, 595, 1017
remarks by (ordered printed in appendix)	100, (713) (798) (839)
resolutions offered (by request)	240, 296, 313, 362, 392, 437, 454, 568, 595, 624, 654, 701, 832, 840, 879, 2032, 2510, 3064
QUEEN, BEN, a Senator from the 12th District:	
appointed to select committee to escort President-elect to chair	5
appointed to standing committees	142-144
bills introduced (by request)	98, 108, 111, 113, 118, 124, 135-136, 153, 155, 158-159, 196, 201, 233, 239-240, 247, 250, 336, 361-362, 376, 392, 416, 436-437, 502, 512, 531, 534, 557, 576, 684-685, 714, 788, 790, 839, 862, 976, 1062, 1115, 1174
Pledge of Allegiance led by	416, 514
qualified	4
reports by, as Vice Chair of Committee on Energy, Industry, and Mining ...	784, 795
resolutions offered (by request)	218, 296, 352, 701, 832, 921, 1115, 1187, 1260, 2032, 2510, 3064

ROBERTS, ROLLAN A., a Senator from the 9th District:

appointed to standing committees	142-144
bills introduced (by request)	98, 102, 110-111, 113, 123, 130, 135-136, 150, 153, 155, 158-159, 188-189, 194, 201-202, 233, 239-240, 247, 250-251, 336, 376, 436-437, 451, 466-467, 576, 634, 653, 673, 714, 731, 764- 765, 839, 862, 878, 1062, 1115, 1259
Pledge of Allegiance led by	569
prayer by	147, 1175
qualified	3
remarks by (ordered printed in appendix)	(2679)
reports by, as Chair of Committee on the Workforce	297, 888, 890, 1625
resolutions offered (by request)	240, 701, 879, 1330, 2032, 2509-2510, 3064
yeas and nays demanded by	1073

RUCKER, PATRICIA PUERTAS, a Senator from the 16th District:

appointed to standing committees	142-144
bills introduced (by request)	68-70, 71, 85, 94, 96, 102, 106, 108, 110-111, 113, 120, 127, 130, 150, 153, 155, 170, 178, 185, 186-187, 189, 194, 218, 238, 240, 247, 295, 302, 312, 325, 361-362, 377-378, 392, 396, 397, 399, 403, 415, 424, 450, 451, 466, 500, 502, 512-513, 538, 576, 577, 579, 594, 623, 634, 636, 653-654, 673, 699, 700, 714, 719, 731, 741-742, 743, 790, 791, 793, 794, 806, 831, 839-840, 862, 976, 1017, 1062, 1115, 1175
Pledge of Allegiance led by	392, 922
remarks by (ordered printed in appendix)	294, (359), 361, 567, 1450, 2005
removal of sponsorship	311
reports by, as Chair of Committee on School Choice	365, 529, 819, 823, 1027-1028
resolutions offered (by request)	189, 200, 202, 291, 313, 327, 362, 405, 425, 437, 513, 558, 568, 612, 624, 654, 765, 831, 840, 863, 1017, 1115, 1117, 1187, 1259, 1330, 2032, 2467, 2509-2510, 3064
withdraws (committee) amendment	(1980)

SMITH, RANDY E., a Senator from the 14th District:

appointed to standing committees	142-144
bills introduced (by request)	56-57, 61-64, 77, 89-91, 96, 98, 105, 106, 108, 110-111, 120, 127, 130, 150, 153, 155, 158, 160, 194, 232- 233, 240, 247, 251, 301, 302, 304, 321, 362, 376, 378, 391, 397, 399, 500, 502, 513, 544, 568, 576, 579, 594, 623, 634, 636, 670, 673, 718, 719, 731, 790, 861, 862, 892, 896, 921, 975-976, 1062
main motion	804, 2001
Pledge of Allegiance led by	241, 544, 1858
prayer by	715
presided as President	113
remarks by (ordered printed in appendix)	(359), 647, 1450, (2679)
reports by, as Chair of Committee on Energy, Industry, and Mining	224, 349, 496, 545, 692, 1499, 1800, 2000
resolutions offered (by request)	138, 157, 189, 200, 405, 425, 437, 453, 568, 595, 623, 701, 921, 2032, 2509-2510, 3064
withdraws (committee) amendment	(872)

STOVER, DAVID, a Senator from the 9th District:

appointed to standing committees	142-144
bills introduced (by request)	110, 153, 155, 238-239, 247, 336, 361, 376, 392, 398, 399, 450, 451, 502, 576, 577, 578, 636, 743, 861, 862, 1062, 1115
Pledge of Allegiance led by	766
removal of sponsorship	1062, 1330
resolutions offered (by request)	425, 831, 1187, 1504, 2032, 2510, 3064

STUART, MIKE, a Senator from the 7th District:

appointed to standing committees	142-144
bills introduced (by request)	95, 96, 108, 110-111, 113, 115, 116, 118, 120, 123-124, 126, 132, 135-136, 150, 153, 155, 178, 187, 189, 192, 194, 201, 208, 217, 233, 238, 247, 266-267, 312, 397, 450, 451, 466, 500, 502, 531-534, 576, 577, 634, 673, 684, 806, 839, 861, 862, 895, 975, 1016, 1062, 1174-1175
qualified	3
remarks by (ordered printed in appendix)	249, (591), (730), 2463
resolutions offered (by request)	189, 200, 612, 624, 701, 863, 1175, 2032, 2509-2510, 3064

SWOPE, CHANDLER, a Senator from the 6th District:

appointed to standing committees	142-144, 920
bills introduced (by request)	57, 59-60, 65, 96, 98, 106, 135, 153, 155, 192, 194, 202, 218, 226, 229, 233, 295, 336, 362, 436-437, 500, 555, 623, 635, 654, 670, 731, 765, 806, 840, 862
Pledge of Allegiance led by	654, 1544
presided as President	129, 802, 2635
remarks by (ordered printed in appendix)	(876)
reports by, as Chair of Committee on Economic Development	244, 367, 523, 660, 665, 668, 822, 824
resolutions offered (by request)	218, 362, 392, 437, 467, 513, 624, 654, 731, 2032, 2509-2510, 3064

TAKUBO, TOM, a Senator from the 17th District:

appointed Majority Leader	144
appointed to conference committee as to Eng. Com. Sub. for House Bill 3261	2972
appointed to select committee to escort Governor to joint assembly (H. C. R. 1)	102
appointed to standing committees	142-144, 335, 920
bills introduced (by request)	52, 74, 81-83, 88, 98, 110, 114, 120, 153, 155, 212-214, 233, 247, 361, 392, 398, 399, 415, 448, 450, 513, 636, 670, 671, 718, 740, 765, 794-795, 862, 895, 896, 1017
excused from voting	2509
main motion	97, 99, 103, 107, 108, 110, 111, 115, 117, 124, 126, 128, 130, 131, 133, 135, 136, 153, 155, 404, 499, 649, 673, 872, 1034, 1047, 1150, 1156, 1329, 2488, 2491, 2493, 2495, 2640, 2642, 2643, 2644, 2646, 2647, 3002, 3025, 3031, 3066, 3182
Pledge of Allegiance led by	189, 1063, 1687
point of order raised by	2675
presided as President	118, 807
qualified	4
remarks by (ordered printed in appendix)	(1255), (1262)
resolutions offered (by request)	9, 34, 425, 467, 513, 701, 1117, 1696, 2032, 2510, 3064
withdraws (committee) amendment	1034

withdraws motion 3025, 3032
 yeas and nays demanded by 865

TARR, ERIC J., a Senator from the 4th District:

appointed to standing committees 142-144
 bills introduced (by request) 88, 96, 102, 105, 106,
 120, 135, 153, 155, 158-159, 191-192, 194, 230-231, 233, 246, 301-302, 303, 305-
 306, 352, 392, 397, 424, 448-449, 450, 500, 538, 575, 610, 634, 671-672, 700, 738,
 794, 806, 827, 829, 861, 891, 906, 978
 objection to unanimous consent 2001
 Pledge of Allegiance led by 160, 296
 presided as President 876, 1268
 qualified 3
 remarks by (ordered printed in appendix) 510, (1174), 1450, 2463, (2679)
 reports by, as Chair of Committee on Finance 345, 374, 440, 498,
 626, 628, 629, 631, 648, 657, 659, 736, 815, 822, 850-851, 853-854, 930, 934,
 1015, 1022, 1025-1026, 1094, 1099, 1104, 1111, 1112, 1113, 1133, 1173, 1245-
 1246, 1248, 1307, 1314, 1445, 1449, 1490, 1492, 1493, 1679-1680, 1797, 1805,
 1806, 1807, 1810-1811, 1812, 1991-1992, 1993, 1995, 1997-1998
 resolutions offered (by request) 33, 51, 137, 405, 701, 720,
 2032, 2510, 3064
 withdraws (committee) amendment (1339), (2131), (2538), (2594)
 yeas and nays demanded by 1262, 2001, 2679

TAYLOR, JAY, a Senator from the 14th District:

appointed to standing committees 142-144
 bills introduced (by request) 96, 102, 105, 106, 120, 127,
 153, 155, 158-159, 202, 233, 295, 301, 302, 304, 361, 391, 397, 415, 436, 450, 451,
 500, 512, 534, 568, 576, 577, 578, 579, 594, 621, 623, 634, 673, 700, 731, 738,
 793, 806, 829-830, 839, 862, 878, 892, 894, 896, 975, 1017, 1452
 Pledge of Allegiance led by 363, 879, 1116
 qualified 4
 remarks by (ordered printed in appendix) (359)
 removal of sponsorship 217, 512, 806
 resolutions offered (by request) 200, 202, 218, 416,
 425, 437, 453, 568, 701, 862, 976, 1330, 2032, 2510, 3064

TRUMP, CHARLES S. IV, a Senator from the 15th District:

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(committee report) double committee reference; committee substitute reported from first committee without recommendation; read first time; rereferred to committee	1168
(committee report) double committee reference; reported from first committee; read first time; referred to second committee	1624, 1625
(committee report) double committee reference; reported from first committee; referred to second committee	164, 225, 446, 530, 546, 555, 599, 692, 783, 825, 978, 1315, 1316, 1444, 1445, 1447, 1488, 1503, 1803
(committee report) double committee reference; reported from first committee; second committee reference dispensed with	259, 297, 319, 528-529, 664, 784, 859, 1448, 1624, 1682, 1806, 1810, 2001
(committee report) double committee reference; reported from first committee with amendments pending; read first time; referred to second committee	1626, 1684, 1800, 1804, 1808
(committee report) double committee reference; reported from first committee with amendments pending; referred to second committee	262, 608, 826, 1253, 1310, 1311, 1316, 1487, 1993
(committee report) double committee reference; reported from first committee with amendments pending; second committee reference dispensed with	2002
(committee report) originating bill (or resolution); referred to second committee	796, (3014)
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(committee report) single committee reference; read first time; referred to second committee	1813
(committee report) single committee reference; referred to second committee	224, 1112, 2004
(committee report) single committee reference; reported without recommendation; read first time; rereferred to committee	1989

(committee report) single committee reference; reported without recommendation; referred to second committee	1467
(committee report) single committee reference; reported without recommendation; rereferred to committee	1112
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deferred position of legislation reached	1152, 1155, 1156, 1282, 1305, 1417, 1419, 1422, 1425, 1483, 1787, 2255, 2671
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Senate concurs in part to House amendments	3062-3063
Supreme Court of Appeals of West Virginia Administrative Order regarding recommended allocation of magistrates in West Virginia	142

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
1 -	By Senators Takubo, Queen, Maroney, Nelson, Plymale, and Hamilton: Requiring Higher Education Policy Commission to create and administer PROMISE Plus Program	52	977				53, 158, 186, 201, 978, 1016, 1062
2 -	By Senators Maynard and Rucker: Allowing private schools option of making vaccinations required for enrollment	53					53, 158, 186, 684
3 -	By Senators Maynard and Karnes: Requiring parental notification of school-based dispensaries of contraceptives to minors	53					53, 975
4 -	By Senators Maynard, Smith, Maroney, Woodrum, Plymale, Jeffries, Hunt, and Caputo: Creating Adopt-A-Trail volunteer programs for public land under DNR jurisdiction	53	258		354	625	53, 158, 186, 217, 237, 250, 259, 311, 330, 354, 762, 886
5 -	By Senators Maynard, Karnes, Azinger, and Taylor: Requiring parental notification of minors being prescribed contraceptives	54					54, 158, 336, 975
6 -	By Senators Grady, Roberts, and Phillips: Providing protection for property owner when someone visiting private cemetery causes damage to property	54					54, 158
*7 -	By Senators Clements, Smith, Stuart, Plymale, and Jeffries: Returning refundable exemption for road construction contractors to State Road Fund	54	203				54, 158, 204, 217
8 -	By Senators Woelfel and Phillips: Clarifying that tenancy includes persons who reside in sober living home	54					54, 158
9 -	By Senators Maynard, Karnes, Rucker, Woodrum, Azinger, Maroney, and Taylor: WV Monument and Memorial Protection Act of 2023	55					55, 158, 186, 512, 975

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*10 -	By Senators Phillips, Karnes, Martin, Maynard, Tarr, Grady, Taylor, Roberts, Smith, Rucker, Hamilton, Barrett, Woodrum, Hunt, Azinger, Stuart, and Deeds: Campus Self-Defense Act	55	242		328	977	56, 158, 186, 201, 250, 294, 310, 328, 1114, 1440
11 -	By Senators Grady, Roberts, Phillips, Tarr, Woodrum, Maynard, Rucker, Taylor, Martin, Karnes, and Smith: Prohibiting excessive government limitations on exercise of religion	56					56, 158, 186, 312, 361, 621, 731
12 -	By Senators Karnes, Rucker, and Woelfel: Increasing limit on value of agricultural products under Farm-To-Food Bank Tax Credit	56					56, 186
13 -	By Senator Smith: Establishing annual oversight fee for wells producing more than 10,000 cubic feet of gas per day	56	545				56, 546
14 -	By Senators Smith and Hunt: Allocating proceeds of sales tax from sale of parts, tires, repair and maintenance services for motor vehicles to State Road Fund	57					57, 237
15 -	By Senators Smith, Clements, and Maroney: Relating to apportionment of oil and gas severance taxes and funding WV DEP Office of Oil and Gas	57					57, 312, 1062
16 -	By Senator Swope: Local Government Labor and Consumer Marketing Regulatory Limitation Act	57					57
17 -	By Senator Woodrum: Extending expiration date of current cap on per diem cost for incarcerated inmates in regional jail	57					58
18 -	By Senators Woodrum, Phillips, and Hunt: Clarifying amount of deputy sheriff annual salary increase	58					58, 158, 237
19 -	By Senator Woodrum: Revised Uniform Athlete Agents Act	58					59

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
20 -	By Senator Woodrum: Relating to authorization and administration of county sales and use taxes	59					59
21 -	By Senators Swope and Roberts: Requiring certain documents that contain wage records be considered confidential	59	297		380		60, 158, 297, 334, 360, 380
22 -	By Senator Swope: Local Government Labor and Consumer Marketing Regulatory Limitation Act	60					60
23 -	By Senators Smith, Karnes, and Phillips: Fetal Heartbeat Act	61					61, 158
24 -	By Senators Smith and Hamilton: Relating to long-term care and substance abuse treatment	61					61, 187
25 -	By Senator Smith: Requiring disclaimers on third-party, nongovernment solicitations of services for filing business annual reports with Secretary of State	61					62
26 -	By Senators Phillips, Maroney, Hamilton, and Oliverio: Requiring WV State Police to provide medical care for illness or injury received in line of duty	62					62, 187, 237, 594
27 -	By Senators Smith, Phillips, Rucker, and Hunt: Assessing wildlife impact fee on wind power projects	62					62, 158, 187, 237
28 -	By Senator Smith: Relating to nonferrous metal sales and transportation to secondary recycler	62					64
29 -	By Senators Smith and Phillips: Relating to funding for volunteer fire departments and emergency medical services units	64					64, 158
30 -	By Senator Smith: Transferring child welfare enforcement responsibilities to WV State Police	64					65

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*31 -	By Senators Swope, Jeffries, Maynard, and Plymale: Relating to permissible expenditures by Water Development Authority from Infrastructure Fund	65	657		745		65, 361, 653, 712, 727, 745
32 -	By Senators Karnes, Rucker, and Maynard: Allowing parents to decline required medication administered to newborns	65					65, 187, 621
33 -	By Senator Karnes: Prohibiting certain divisive acts or concepts from schools, state agencies and any groups receiving state funding	65					66
34 -	By Senator Karnes: Establishing 80 miles per hour speed limit on interstate highways	66					66
35 -	By Senator Karnes: Limiting DEP employees entering private lands for environmental purposes only	66					66
36 -	By Senator Woelfel: Authorizing child or child care tax credit	66					66
37 -	Granting all public employees 10 percent per year permanent pay increase	66					67, 186
38 -	Eliminating restrictions on voting rights for formerly incarcerated individuals	67					67, 186
*39 -	Relating to assessment of real property	67	848				67, 186, 849
40 -	By Senators Weld, Phillips, and Oliverio: Providing waiver of fees for emergency responders disabled in line of duty for hunting, trapping, and fishing licenses	67					68, 158, 594
41 -	By Senators Clements, Grady, and Queen: Establishing minimum student enrollment for school aid formula	68	164				68, 158, 164

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
42 -	By Senator Clements: Adjusting interest rate paid in condemnation cases	68					68
43 -	By Senators Clements, Phillips, and Jeffries: Permitting Commissioner of DOH to make money transfers within State Road Fund	68					68, 158, 237
44 -	By Senator Hamilton: Requiring certain municipalities pay for incarceration of inmates	68					68
45 -	By Senator Rucker: Requiring coverage of treatment for certain pediatric autoimmune neuropsychiatric disorders in certain circumstances	68					69
46 -	By Senators Rucker and Deeds: Allowing WV Professional Charter School Board to vote for employees to participate in Teachers' Retirement System	69					69, 391
**47 -	By Senators Rucker, Oliverio, and Roberts: Creating Charter Schools Stimulus Fund	69	365, 626		721	2680	70, 365, 653, 681, 710, 721, 3094, 3160
48 -	By Senator Rucker: Relating to licensed school psychologists salary supplement and expense reimbursements	70					70
49 -	By Senators Hamilton and Hunt: Establishing criminal offense for being under influence of controlled substance unless specifically prescribed	70					70, 217
*50 -	By Senator Hamilton: Requiring one-year residency within district or county to fill vacancy in Legislature	70	522		614		70, 566, 582, 614
*51 -	By Senators Rucker, Grady, Maynard, and Chapman: Requiring impact statement in certain instances of school closing or consolidation	71	342		426	1828	71, 312, 361, 389, 412, 426, 2677, 3140
52 -	By Senators Rucker, Taylor, Woodrum, Smith, Maynard, Hunt, Karnes, Caputo, Martin, Queen, and Roberts: Relating to administration of anesthetics	71					71, 391, 415, 594, 1062, 1115, 1174, 1259

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*53 -	By Senators Rucker, Woodrum, Woelfel, Stuart, Hunt, Plymale, Taylor, and Maynard: Relating to DNA data maintained for law enforcement purposes	71	204				71, 187, 201, 205, 217, 237, 391, 621
54 -	By Senator Karnes: Authorizing public retirement system participants to receive cash value of retirement benefits in lieu of regular payments	71					72
55 -	By Senators Karnes, Maynard, and Taylor: WV Freedom of Conscience Protection Act	72					72, 764, 975
56 -	By Senators Weld and Roberts: Relating to employment of retired bus operators as substitutes in areas of critical need and shortage	72	164				73, 158, 164
57 -	By Senator Hamilton: Requiring political action committee to disclose contributors' names and addresses to Secretary of State	73					73
58 -	By Senator Hamilton: Creating mechanism for enforcement of spousal support	73					73
*59 -	By Senators Takubo, Woodrum, Hunt, and Barrett: Requiring work search activities to qualify for unemployment benefits	74	219		307		74, 187, 238, 249, 293, 307-308
60 -	By Senator Trump: Relating to tax on income of nonresidents from natural resources royalty payments	74					75
*61 -	By Senators Nelson, Phillips, and Queen: Providing personal property tax credit to graduates of certain higher education institutions or trade schools	75	775				75, 158, 776
*62 -	By Senator Nelson: Establishing secondary location for racetrack video lottery terminals	75	1092	1224-1228, 1264	1264		75, 1131, 1228, 1263-1264
63 -	By Senator Nelson: Relating to wages and salary under Parental Leave Act	75					76

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
64 -	By Senator Nelson: Relating to WV Public Employees Retirement Act	76					76
**65 -	By Senators Nelson, Hamilton, and Stuart: Granting municipal fire marshal authority to assist law-enforcement officer	76	148, 221		308		76, 148, 187, 249, 293, 308
66 -	By Senators Nelson and Hamilton: Relating to regulation and control of elections	76					77, 187
67 -	By Senator Smith: Requiring DHHR file petition to terminate parental rights under certain circumstances	77					77
68 -	By Senators Smith, Hunt, Chapman, and Maynard: Relating to use of force, including deadly force, in defense of self, real, and personal property	77					77, 238, 361, 621
69 -	By Senators Phillips and Hunt: Patrolman Cassie Johnson Memorial Act	77					78, 238
70 -	By Senators Phillips and Rucker: Permitting special registration plates for persons with medical conditions that cause erratic behavior	78					78, 158, 187
71 -	By Senator Weld: Relating to real property conveyed by land installment agreement	78					79
72 -	By Senators Weld, Woelfel, Jeffries, and Caputo: Modifying definition of sexual contact	79					79, 187, 238, 621
73 -	By Senator Weld: Removing PEIA exemption from provisions of chapters 5 and 33 of Code of WV	79					79
74 -	By Senators Weld, Roberts, and Rucker: Providing for substantial deference to State Superintendent's interpretations of school laws	79	190		248		79, 159, 187, 217, 236, 248

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
75 -	By Senator Weld: Exempting certain persons from hunting, trapping, and fishing license fees	79					80
76 -	By Senators Weld and Smith: Modifying requirement that racetrack participate in WV Thoroughbred Development Fund by certain date	80					80, 594
77 -	By Senators Weld and Caputo: Updating language regarding Fairmont State University alumni license plates	80					80, 187
78 -	By Senators Weld and Woelfel: Creating felony offense of aggravated cruelty to animals	80					80, 187
**79 -	By Senators Weld, Hamilton, Woelfel, Queen, Barrett, and Oliverio: Relating to compensable diseases of certain firefighters covered by workers' compensation	80	148, 930		1074		81, 149, 187, 714, 975, 1015, 1057, 1074-1075
*80 -	By Senators Grady, Phillips, and Smith: Modifying witness fee and mileage rate paid by state to match federal court system	81	343				81, 159, 344, 594
81 -	By Senators Grady and Queen: Allowing Tier II Teachers Retirement System members to apply accrued annual and sick leave toward an increase in retirement benefits	81					81, 159
82 -	By Senator Takubo: Relating to unemployment benefits program	81					82
*83 -	By Senators Takubo, Phillips, and Hamilton: Authorizing tactical medical professionals to carry firearms	82	165	514-519	236, 520	514	82, 159, 187, 201, 216, 236, 520, 593, 691
84 -	By Senator Takubo: Tobacco Products Excise Tax Act	82					82
*85 -	By Senators Takubo, Phillips, Plymale, and Woodrum: Establishing tax credit for certain physicians who locate to practice in WV	82	222				83, 159, 222, 238, 436

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
86 -	By Senators Takubo and Phillips: Exempting physicians from specified traffic laws when responding to emergencies	83					83, 159
87 -	By Senator Phillips: Restoring major health care benefits to certain public employees who retired and then returned to employment	83					83
88 -	By Senators Woelfel and Caputo: Permitting medical marijuana be prescribed in edible form	83					84, 187
*89 -	By Senators Woelfel, Grady, Woodrum, Hamilton, Rucker, and Plymale: Requiring hospitals to staff qualified personnel to perform sexual assault forensic exams	84	223	922-927	309, 927	922	84, 159, 187, 238, 249, 293, 309, 927, 1060, 1441
90 -	By Senator Woelfel: Amending penalty of simple possession of marijuana from misdemeanor crime to civil violation	84					84, 159
**91 -	By Senators Phillips, Caputo, Woodrum, Hamilton, Oliverio, and Plymale: Relating to distribution of certain taxes and surcharges to benefit fire departments and emergency medical services providers	84	1094, 1245, 1307	1339-1356	1356		84, 187, 1094, 1246, 1259, 1308, 1330, 1339-1357
92 -	By Senators Phillips, Rucker, and Stuart: Providing compensation to victims of abusive lawsuits	85					85, 187, 1174
93 -	By Senators Azinger, Roberts, Karnes, and Maynard: Prohibiting teaching of divisive acts and critical race theory in public schools	85					85, 159, 238, 622
94 -	By Senator Rucker: Removing limitations on nonintoxicating craft beer delivery licenses	85					85
95 -	By Senators Nelson, Woelfel, and Plymale: Establishing WV business growth in low-income communities tax credit	85					86, 217, 238

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
96 -	By Senator Azinger: Timber Co-tenancy Modernization and Majority Protection Act and Unknown and Unlocatable Timber Interest Owners Act	86					87
97 -	By Senator Nelson: Modifying contribution levels of certain judges who participate in retirement system	87					87
98 -	By Senators Nelson and Chapman: Exempting capital gains from personal and corporate taxation	87					87, 361
99 -	By Senators Nelson, Roberts, and Oliverio: Relating to meetings among county boards of education	87	659	745- 746	745	2010	87, 159, 713, 714, 727, 746, 3083, 3160
100 -	By Senators Nelson, Woodrum, and Jeffries: Permitting newly hired 911 personnel to participate in Emergency Medical Services Retirement System	87					88, 187, 238
101 -	By Senators Nelson, Roberts, Queen, Woelfel, Chapman, Taylor, Smith, Stuart, and Rucker: Exempting Social Security from personal income tax	88					88, 159, 187, 361, 415, 594, 684, 839
102 -	By Senators Takubo, Grady, Woodrum, Woelfel, and Queen: Prohibiting smoking in vehicle when minor 16 or under is present	88					88, 159, 187, 436
103 -	By Senators Tarr, Roberts, Karnes, and Maynard: Prohibiting certain funding and attendance of minors to drag shows	88					88, 159, 188, 238, 336, 622
104 -	By Senators Karnes, Tarr, Woodrum, and Maynard: Campus Self-Defense Act	88					89, 157, 159, 188, 217, 622
*105 -	By Senators Smith and Hamilton: Allowing county commissions to impose amusement tax	89	223				89, 188, 224, 250
106 -	By Senator Smith: Protecting albino deer	89					89

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
107 -	By Senators Smith, Caputo, and Takubo: Relating to time limitation for filing occupational pneumoconiosis claims	89					90, 188, 415
108 -	By Senator Smith: Requiring certain probationers to participate in work release program and spend six months in work release center	90					90
109 -	By Senator Smith: Orphan Oil and Gas Well Prevention Act	90					90
110 -	By Senators Smith, Chapman, and Taylor: Relating to maintenance and repair of roads and highways	90					91, 361, 415
111 -	By Senator Smith: Relating to pollution control facilities tax treatment	91					91
112 -	By Senators Karnes, Taylor, Hunt, Martin, Azinger, and Maynard: Relating to financial institutions engaged in boycotts of firearms companies	91					92, 361, 622
113 -	By Senator Karnes: Restricting participation in Teachers Retirement System by members who serve as officer in professional teaching association	92					92
114 -	By Senators Karnes, Taylor, Rucker, and Roberts: Prohibiting abortion coverage in certain qualified health care plans	92					92, 731, 764
115 -	By Senators Karnes and Taylor: Providing procedure for WV to select delegates to Article V Convention	93	205		292		93, 159, 237, 248, 292
116 -	By Senator Karnes: Collecting and analyzing statistical information pertaining to terminating pregnancies under Medicaid Program	93					93
117 -	By Senators Karnes and Chapman: Relating to mandatory state inspections of motor vehicles	93					94, 361

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
118 -	By Senator Karnes: Relating to outdoor advertising regulated by DOH	94					94
119 -	By Senator Rucker: Requiring notice be sent to owners of record before real property can be sold due to nonpayment of taxes	94					94
120 -	By Senators Azinger, Tarr, Hunt, and Jeffries: Requiring registered sex offenders pay annual fee	94					95, 159, 238, 622
*121 -	By Senators Azinger, Roberts, Tarr, and Maynard: Creating Student Journalist Press Freedom Protection Act	95	259	2755	354, 2756	2755	95, 159, 295, 311, 330, 355, 2756, 3094, 3140
122 -	By Senators Martin, Roberts, Phillips, Stover, and Maynard: Preventing public water and sewer utilities from prohibiting customer from constructing, installing, or maintaining connection to public utility	95					95, 159, 238, 295
*123 -	By Senators Hamilton, Deeds, Stuart, Oliverio, and Hunt: Creating enhanced penalties for fleeing officer	95	1126		1358		96, 622, 1166, 1174, 1244, 1276, 1358
*124 -	By Senators Woelfel and Plymale: Authorizing child sexual abuse and sexual violence prevention program and in-service training in child sexual abuse prevention	96	205		293		96, 237, 238, 248, 293
125 -	By Senators Rucker, Azinger, Chapman, Deeds, Maynard, Roberts, Smith, Karnes, Phillips, Tarr, Hamilton, Maroney, Woodrum, Hunt, and Taylor: Safeguarding concealed carry permit holder's information	96					96, 159, 188, 238, 415
126 -	By Senators Trump, Deeds, Oliverio, Azinger, Stuart, Clements, Barrett, Phillips, Roberts, Swope, Grady, Tarr, Boley, Smith, Maynard, Rucker, Taylor, Weld, Hamilton, Maroney, and Woodrum: Reorganizing DHHR	96			98		97-98, 159, 188

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
127 -	By Senators Weld, Maroney, Nelson, Takubo, Oliverio, Azinger, Clements, Barrett, Roberts, Woodrum, Queen, Swope, Hamilton, Boley, Smith, Plymale, Woelfel, Caputo, and Chapman: Relating to reimbursement of hospital inpatient rates by PEIA	98		99	100		98-100, 159
128 -	By Senators Smith, Tarr, Azinger, Roberts, Deeds, Boley, Rucker, Taylor, Karnes, and Woodrum: Clarifying authority of Governor and Legislature to proclaim and declare state of emergency and preparedness	102		469-490, 1034-1045	104, 490, 1046	468, 1157	103-104, 159, 188, 468-491, 1034-1046, 1256, 1622
129 -	By Senators Tarr, Smith, Taylor, and Woodrum: Limiting gubernatorial authority to spend certain federal funds without appropriation of Legislature	105			106		105-106, 188
130 -	By Senators Tarr, Rucker, Azinger, Karnes, Maynard, Deeds, Phillips, Roberts, Woodrum, Swope, Smith, Taylor, Grady, and Maroney: Anti-Racism Act of 2023	106			108		107-108, 159, 188
131 -	By Senators Nelson, Woodrum, Jeffries, Phillips, Trump, Deeds, Stuart, Queen, Smith, Rucker, Hamilton, and Maroney: Allowing municipal fire marshals to receive service weapon upon retirement	108			109	1544	108-109, 188, 2006, 3160
132 -	By Senators Boley, Hamilton, Clements, Grady, Jeffries, Karnes, Nelson, Roberts, Stover, Trump, Weld, Woelfel, Phillips, Plymale, Martin, Rucker, Takubo, Smith, Woodrum, Deeds, Oliverio, Azinger, Stuart, Barrett, Queen, and Maroney: Clarifying criminal offense of harassment	110		491	111, 492	491	110-111, 188, 491-492, 592, 597
133 -	By Senators Rucker, Woodrum, Clements, Smith, Maroney, Trump, Azinger, Stuart, Barrett, Phillips, Roberts, Maynard, Martin, Karnes, and Hamilton: Adding definition of "ammunition" for purposes of obtaining state license to carry concealed deadly weapon	111			112		111-112, 160, 188

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
134 -	By Senators Jeffries, Caputo, Woelfel, Hamilton, Rucker, Trump, Oliverio, Azinger, Stuart, Roberts, Woodrum, Queen, Smith, and Maroney: Protecting consumers against businesses using automatic renewals without consent	113			115		114-115, 160, 188
135 -	By Senators Weld, Trump, Deeds, Jeffries, Stuart, Hamilton, and Maroney: Relating to Uniform Controlled Substances Act	115			116		115-116, 188
136 -	By Senators Trump, Deeds, Oliverio, Stuart, Phillips, Woodrum, and Grady: Requiring persons convicted of certain offenses to undergo psychological or psychiatric testing and have treatment plan to be eligible for probation	116			117	1497	117-118, 160, 1685, 3012
137 -	By Senators Trump, Woelfel, Phillips, Deeds, Oliverio, Stuart, Clements, Queen, Grady, Hamilton, and Woodrum: Clarifying offenses of kidnapping and unlawful restraint	118			119		118-119, 160, 188
138 -	By Senators Azinger, Trump, and Clements: Clarifying secondary sources are not law and public policy of WV in certain instances	119			120		119-120
139 -	By Senators Roberts, Azinger, Boley, Grady, Karnes, Maynard, Phillips, Smith, Tarr, Trump, Woodrum, Takubo, Martin, Deeds, Jeffries, Stuart, Clements, Barrett, Rucker, Taylor, Nelson, Hamilton, and Maroney: Requiring each county BOE to ensure all its meetings are open to public through in-person attendance and broadcast live on its website	120			122		121-122, 160, 188
140 -	By Senators Woelfel, Grady, Caputo, Woodrum, Hamilton, Trump, Deeds, Jeffries, Azinger, Stuart, Barrett, Phillips, and Roberts: Updating offenses of extortion and attempted extortion	123			124		123-124

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
141 -	By Senators Trump, Hamilton, Oliverio, Jeffries, Stuart, Clements, Barrett, Phillips, Queen, and Maroney: Adding Division of Corrections and Rehabilitation employees working at certain institutions to WV Emergency Responders Survivor Benefits Act	124			125		124-126, 188
142 -	By Senators Trump, Oliverio, Stuart, Clements, Barrett, Phillips, Woodrum, Nelson, and Maroney: Modifying procedures to settle estates of decedents	126		1688	127, 1689	1687	126-127, 160, 188, 1689, 2464, 3140
143 -	By Senators Smith, Phillips, Caputo, Woodrum, Jeffries, Hamilton, Trump, Maynard, Rucker, Taylor, and Maroney: Relating to Adopt-A-Stream Program	127		417-419	128, 419	417	127-128, 188, 419, 511, 597
144 -	By Senator Karnes: Regulating schools for students with disabilities	128					129
145 -	By Senators Grady, Azinger, Karnes, Rucker, Trump, Oliverio, Stuart, Clements, Phillips, Roberts, and Smith: Allowing county BOE participating in operation of multicounty vocational center to withdraw	130			131		130-131
146 -	By Senators Trump, Woelfel, Oliverio, Jeffries, Azinger, Stuart, Phillips, and Maynard: Modifying regulations of peer-to-peer car sharing program	131		2468-2475	132, 2476	2468	131-132, 2476, 3096, 3151
147 -	By Senators Woelfel, Trump, Plymale, Azinger, Stuart, Barrett, Phillips, Nelson, Grady, and Maroney: Creating pilot program for recovery residences in Cabell County	132			134		133-135, 160, 188, 2733
148 -	By Senators Swope, Martin, Hamilton, Jeffries, Roberts, Tarr, Woelfel, Woodrum, Trump, Oliverio, Stuart, Clements, Phillips, and Queen: Relating to municipalities required to be represented on county authority boards	135			136		135-136

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
149 -	By Senators Roberts, Trump, Phillips, Deeds, Azinger, Stuart, Clements, Maynard, Maroney, and Karnes: Exempting certain organizations from property taxation	136			137	2476	136-137, 188, 238, 3096, 3151
*150 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Budget Bill	147	1095		1157		147, 1095, 1127, 1156-1157
*151 -	By Senators Oliverio, Nelson, Martin, Trump, and Maroney: Levying tax on pass-through entity's income	149	736	2476-2477	866, 2478	2476	150, 312, 653, 764, 804, 835, 866-867, 2478, 3096, 3151
152 -	By Senator Oliverio: Moving state primaries to August	150					150
153 -	By Senators Rucker, Azinger, Deeds, Maynard, Roberts, Smith, Woodrum, Karnes, and Taylor: WV Chemical Abortion Prohibition Act	150					150, 188, 238, 415
154 -	By Senators Hamilton, Deeds, and Stuart: Penalizing removal of serial number from firearm or to possess firearm with missing serial number	150					150, 189
155 -	By Senators Rucker, Azinger, Deeds, Maynard, Roberts, Smith, Grady, Karnes, and Taylor: Requiring medical professionals to report injuries and side effects from vaccines to Bureau for Public Health	150					151, 189, 238, 415
156 -	By Senator Caputo: Relating to modernization of procedures for voting in public elections	151					151
157 -	By Senators Phillips, Clements, Stuart, and Maroney: Clarifying and expanding powers and duties of director of Coalfield Community Development Office	152	224				152, 189, 217, 224, 512
158 -	By Senators Trump, Caputo, Grady, Woelfel, and Maroney: Prohibiting person under age of 18 from entering into marriage	152					152, 189, 512

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
159 -	By Senators Trump and Rucker: Relating to treatment of persistent symptoms of hypothyroidism	152					152, 189
*160 -	By Senators Trump, Barrett, Plymale, Maroney, Woodrum, Woelfel, Deeds, and Taylor: WV Rail Trails Program	152	366		455		153, 189, 391, 414, 434, 455
161 -	By Senators Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, and Woodrum: Authorizing DNR to manage and dispose of property	153		252-254	154, 255	252	153-155, 254-255, 335, 341
162 -	By Senators Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, and Woodrum: Authorizing director of DNR to lease state-owned pore spaces in certain areas for carbon sequestration	155		255-256	156, 257	255	155-157, 255-257, 335, 341
163 -	By Senator Caputo: Relating to absentee voting	165					165
164 -	By Senator Caputo: Prohibiting legislators and part-time public officials from having interest in public contracts under certain circumstances	165					166
165 -	By Senator Caputo: Creating personal income tax credit for nurses in WV	166					166
*166 -	By Senators Caputo, Nelson, and Barrett: WV Public Employees Retirement Act	166	366		456		167, 312, 367, 391, 414, 434, 456

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
167 -	By Senator Caputo: Legalizing cannabis production, sales, and adult consumption	167					167
168 -	By Senators Phillips, Stuart, Hunt, and Chapman: Providing exemption from state severance tax for coal sold to coal-fired power plants located in WV	167	692				168, 238, 391, 692
169 -	By Senator Caputo: Requiring certain movie theaters to provide open captioning during certain showings	168					168
170 -	By Senator Caputo: Increasing transparency in apportionment process for congressional and legislative districts	168					168
171 -	By Senators Phillips and Hunt: Establishing road or highway infrastructure improvement projects or coal production and processing facilities tax credit	168					169, 238
*172 -	By Senators Trump and Hamilton: Increasing number of members on WV Parole Board	169	243				169, 238, 244
173 -	By Senator Caputo: Establishing program to pay monthly allotment to certain veterans	169					169
174 -	By Senator Caputo: Increasing required medical coverage for autism spectrum disorders	169					170
175 -	By Senator Caputo: Requiring medical insurance providers to include infertility services in their policies	170					170
176 -	By Senator Trump: Allowing Tax Commissioner to process certain early refunds	170					170
177 -	By Senators Trump and Woelfel: Increasing minimum salaries for Bureau for Child Support Enforcement attorneys	170	225				170, 217, 225

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*178 -	By Senators Rucker and Woelfel: Adding grievance and appellate procedures for individuals participating in DMV safety and treatment program	170	243				171, 244, 250
179 -	By Senators Trump and Stuart: Relating to controlled substances schedule	171					173, 466
180 -	By Senators Trump, Barrett, Hamilton, and Rucker: Relating to number of state troopers in county	173	225				173, 201, 238, 249
181 -	By Senator Caputo: Creating Closed Captioning Act	173					174
182 -	By Senators Martin, Rucker, Maynard, and Maroney: Prohibiting discriminatory practices by financial institution or government entity against firearms manufacturers	174					174, 295, 622, 764
183 -	By Senators Martin, Hunt, and Maynard: Creating Natural Resources Anti-Commandeering Act	174					174, 238, 622
184 -	By Senators Martin, Phillips, Karnes, Hunt, Rucker, Maynard, and Maroney: Declaring sale and manufacture of firearms essential business during declared emergency	175					175, 201, 239, 295, 622, 764
185 -	By Senator Martin: Prohibiting parking fee for accessible parking space bearing international symbol of access	175					175
186 -	By Senator Caputo: Repealing WV Workplace Freedom Act	175					175
**187 -	By Senators Clements, Woelfel, Roberts, Stuart, Plymale, Hunt, Rucker, Deeds, and Grady: Making it felony offense for school employee or volunteer to engage in sexual contact with students	176	206, 627		722	2680	176, 201, 206, 239, 653, 681, 684, 710, 722, 2680-2681, 3046, 3098, 3151
*188 -	By Senators Trump, Woelfel, Queen, Plymale, Hamilton, and Nelson: Grid Stabilization and Security Act of 2023	176	367	1545	504, 1545	1545	176, 201, 217, 250, 336, 414, 434, 463, 504, 1546, 2006, 3151

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
189 -	By Senator Phillips: Allowing special purpose vehicles access to any public road that is not limited access road	176					176
190 -	By Senators Phillips, Deeds, Karnes, Hunt, and Maroney: Allowing children and grandchildren of WV landowner to hunt and fish on private land without permit or license	176					177, 201, 239, 512
*191 -	By Senators Trump and Hunt: Relating to liability for payment of court costs as condition of pretrial diversion agreement	177	776	2243-2246	909, 2247	2243, 2733	177, 806, 836, 870, 909, 2247, 3094, 3152
192 -	By Senators Trump and Oliverio: Relating to Uniform Real Property Transfer on Death Act	177	260		355		177, 295, 311, 330, 355
193 -	By Senators Chapman, Roberts, Maynard, Maroney, and Rucker: Exempting Social Security payments from state income tax	177					177, 201, 622, 764, 839
194 -	By Senator Trump: Relating to general provisions concerning crimes	177					177
**195 -	By Senator Rucker: Glucagon for Schools Act	178	628, 849	1001	1048		178, 628, 919, 965, 1001, 1048
196 -	By Senators Stuart, Hunt, and Maroney: Creating Substance Abuse Intervention Act	178					178, 239, 512
197 -	By Senators Trump, Woelfel, and Jeffries: Creating Paid Parental Leave Pilot Program	178					179, 217, 239
*198 -	By Senators Hamilton and Maroney: Requiring counties to register automated external defibrillators with Office of Emergency Medical Services	179	438				179, 439, 512
**199 -	By Senators Hamilton, Karnes, Phillips, Barrett, Martin, Queen, Maroney, and Oliverio: Requiring purchases of certain commodities and services from state use program partners	179	598, 1246		1358		179, 239, 415, 543, 599, 653, 684, 764, 975, 1247, 1276, 1358

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*200 -	By Senators Hamilton, Roberts, and Jeffries: Allowing leashed dogs to track wounded elk, turkey, and wild boar when hunting	179	207	293-294, 310, 2756-2757	309, 2758	2756	179, 207, 237, 239, 249, 294, 310, 2758, 3094, 3152
201 -	By Senators Oliverio, Queen, Caputo, Hunt, Rucker, and Maroney: Increasing Homestead Property Tax Exemption for homeowners	179					180, 201, 239, 295, 512
*202 -	By Senators Hamilton and Woelfel: Increasing terms of Natural Resources Commission members from four to seven years	180	315		406		180, 201, 360, 380, 406
203 -	By Senator Trump: Modifying minimum requirements for motor vehicle alcohol and drug test and lock systems	180					180
204 -	By Senator Trump: Increasing salary for teachers with less than eight years of experience	180	599				180, 599
*205 -	By Senator Clements: Relating to registration plates	180	439	1829-1879	559, 1880	1829	181, 508, 541, 559, 1880, 2677, 3140
206 -	By Senators Deeds, Hamilton, and Queen: Increasing retirement benefit multiplier of Deputy Sherriff Retirement System Act	181					181, 201
207 -	By Senators Jeffries and Plymale: Relating to state allocation of funding to regional councils	181	244		329	520	181, 239, 294, 310, 329, 593, 691
*208 -	By Senators Caputo, Woelfel, Oliverio, Rucker, Hamilton, Hunt, Chapman, Stuart, and Deeds: Relating to criminal justice training for all law-enforcement and correction officers regarding individuals with autism spectrum disorders	181	260		356	1498	181, 202, 295, 311, 312, 330, 356, 1685, 3012
*209 -	By Senators Trump, Oliverio, and Chapman: Permitting resident individuals to deduct medical expenses not reimbursed by insurance policy	181	315				182, 316, 336, 391, 512

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
210 -	By Senators Phillips, Chapman, and Maynard: Providing that all coal severance tax shall be provided to county that produced coal	182					182, 391, 622
*211 -	By Senators Clements and Rucker: Relating to permanent windshield placard to be valid for duration of applicant's life	182	317				182, 295, 317-318
212 -	By Senators Woodrum and Caputo: Establishing rebate for registration fees for hybrid vehicles	182					182, 202
*213 -	By Senator Clements: Relating to responsibility for reimbursement of training cost of law-enforcement employees who leave original jurisdiction	182	692				182, 693
214 -	By Senators Woodrum and Roberts: Prohibiting certain advertising by adult venues on public billboards	182					183, 202
215 -	By Senators Woodrum, Swope, Trump, Woelfel, Taylor, Jeffries, Hunt, Hamilton, and Maroney: Creating No TikTok on Government Devices Act	183					183, 202, 239, 653, 921
*216 -	By Senators Woodrum and Rucker: Requiring all schools to instruct students on Holocaust, other genocides and financial literacy	183	574		678		183, 312, 620, 646, 678
217 -	By Senator Chapman: Requiring animal owners protect animals in cold weather	183					183
218 -	By Senator Oliverio: Establishing presidential primary election in presidential election years	183					184
219 -	By Senators Woodrum, Deeds, and Maynard: Requiring medically necessary care and treatment to address congenital anomalies associated with cleft lip and cleft palate	184					184, 202, 622
*220 -	By Senators Woodrum, Deeds, Rucker, Stuart, Hamilton, and Trump: Industrial Hemp Development Act	184	1095	1283-1305, 1418, 2758-2777	1418, 2777	2758	184, 202, 312, 1062, 1132, 1174, 1229, 1276, 1305, 1359, 1417-1419, 2777, 3094, 3140

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
221 -	By Senators Clements and Barrett: Creating title clearinghouse for non-resident businesses	184					185, 202
*222 -	By Senators Rucker and Hunt: Creating adult education taskforce	185	368		456		185, 239, 414, 434, 456
223 -	By Senator Tarr: Permitting Legislature to file suit in limited circumstances against Executive branch to faithfully execute laws passed	191					191
224 -	By Senator Tarr: Establishing revocation of authority for spending by agency in support of challenge to WV law	192	441				192, 508, 541
225 -	By Senators Stuart, Deeds, Hunt, Smith, and Maynard: Banning sale of Kratom in WV	192					192, 217, 594, 622
226 -	By Senators Swope and Nelson: Expiring funds from Coronavirus State Fiscal Recovery Fund to Reclamation of Abandoned and Dilapidated Properties Program Fund	192					192
227 -	By Senators Stuart and Maynard: Promise for Promise Act	192					193, 622
228 -	By Senators Woelfel, Deeds, and Plymale: Mandating extended supervision for persons convicted of stalking and related felonious acts	193					193, 217, 239
229 -	By Senators Maynard, Karnes, and Rucker: Limiting liability of landowners when land is used for noncommercial recreational purposes	193					194, 239, 714
230 -	By Senators Roberts, Azinger, Deeds, Phillips, Rucker, Smith, Stuart, Trump, Martin, Maynard, Chapman, Taylor, and Karnes: Allowing voluntary immunization of students in private schools	194					194, 217, 622, 806

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
231 -	By Senators Swope, Hamilton, Jeffries, Martin, Nelson, Roberts, Rucker, Tarr, Trump, Woelfel, Phillips, Clements, Plymale, and Hunt: Transferring administration of WV Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program to Department of Economic Development	194	244		330	419	194, 217, 239, 250, 294, 310, 330, 419-420, 511, 597
*232 -	By Senators Trump and Rucker: Creating study group to make recommendations regarding diversion of persons with disabilities from criminal justice system	194	494	2881-2885	580, 2885	2881	195, 218, 543, 566, 580-581, 2886, 3105, 3160
*233 -	By Senators Clements, Trump, Phillips, Rucker, and Chapman: Extending expiration of temporary registration plates from 60 to 90 days	195	317				195, 218, 312, 317-318, 391
234 -	By Senators Jeffries and Woelfel: Clarifying uniform statewide deadline for electronically submitted voter registration applications	195	599		702		195, 218, 646, 679, 702
235 -	By Senators Jeffries, Grady, Woelfel, and Hamilton: Relating to voting rights of formerly incarcerated individuals	195					195, 218, 415
*236 -	By Senators Maynard, Rucker, Karnes, and Queen: Motorsports Responsibility Act	195	261				196, 218, 239, 261, 361
237 -	By Senators Nelson, Queen, Swope, Grady, Boley, Azinger, Hamilton, Plymale, Roberts, Deeds, Barrett, Hunt, Trump, and Jeffries: Relating to Public Employees Retirement System and State Teachers Retirement System	196	262, 628	710-711	722	1689	196, 218, 239, 250, 262, 295, 681, 711, 722-723, 2464, 3125
238 -	By Senators Nelson and Swope: Specifying when public employee's spouse may be covered by PEIA	196					196, 218
*239 -	By Senators Azinger, Takubo, and Deeds: Requiring Commissioner of Bureau for Behavioral Health to engage certain providers and leaders to study homeless demographic	196	344		427	808	196, 361, 389, 412, 427, 972, 1164

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
240 -	By Senator Woodrum: Requiring state board of examination or registration proceedings to be open to public inspection	197	369	463, 2886- 2892	505, 2892	2886	197, 414, 434, 463, 505, 2892, 3105, 3160
241 -	By Senators Azinger, Woelfel, and Plymale: Patient Brokering Act	197	345	655- 656	427, 656	655	197, 218, 361, 390, 412, 427, 656-657, 762, 886
*242 -	By Senators Azinger and Maynard: Relating to residential substance use disorder programs	197	495				198, 496, 622
*243 -	By Senators Azinger and Deeds: Requiring substance use disorder inpatient providers to provide transportation to patients	198	344	880- 881	428, 881	880	198, 361, 390, 412, 428, 881
244 -	By Senators Woodrum and Trump: Making rosters of individuals who obtain professional, occupational, and trade licenses, registrations, and certificates available to public	198	262		356	2478	198, 218, 311, 330, 356, 3096, 3141
245 -	By Senators Woodrum and Deeds: Making rules and regulations promulgated by PSC subject to legislative rule-making review procedures	198	262		357		198, 218, 311, 331, 357
246 -	By Senator Woodrum: Revising membership of Broadband Enhancement Council	198	262	331- 334, 358	357	1546	199, 311, 334, 357, 358, 2006, 3160
*247 -	By Senator Woodrum: Making administrative appeals and judicial review of board action subject to provisions of Administrative Procedures Act	199	523		615	2682	199, 567, 582, 615, 3094, 3141
*248 -	By Senator Woodrum: Clarifying when excess funds accumulated by boards are to be transferred to General Revenue Fund	199	345		429		199, 218, 311, 390, 412, 429
*249 -	By Senator Woodrum: WV Real Estate License Act	199	370		457		200, 414, 434, 457
250 -	By Senators Clements and Woelfel: Requiring certain drivers display student driver sign on rear of vehicle	207	440, 600		703		208, 239, 508, 646, 679, 703

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
251 -	By Senators Azinger, Roberts, Deeds, Maynard, Trump, Grady, and Stover: Displaying official motto of United States in public schools and institutions of higher education	208	346		429		208, 239, 361, 390, 413, 429
252 -	By Senators Azinger, Deeds, and Maynard: Prohibiting obscene materials in or within 2,500 feet of WV schools	208					208, 239, 312, 336, 622
253 -	By Senators Azinger and Karnes: Criminalizing engaging in adult cabaret performance where it may be viewed by minor	208					208, 239
*254 -	By Senator Stuart: Relating generally to mandatory state inspection of certain motor vehicles	208	318	380, 407	407		209, 318, 360, 380, 408
255 -	By Senators Maynard and Karnes: Prohibiting discrimination against patients for declining or delaying vaccines	209					209, 239
*256 -	By Senators Jeffries, Queen, Deeds, Plymale, Hamilton, Roberts, and Hunt: Relating to WV Economic Development Authority	209	523				209, 239, 250, 466, 543
257 -	By Senators Oliverio and Woelfel: Providing for nonpartisan election of county sheriffs, prosecutors, assessors, county clerks, and circuit clerks	209					210, 295
*258 -	By Senators Trump and Deeds: Eliminating ceiling on fair market value of consumer goods and permitting dealer to require security deposit	210	346		430	2682	210, 361, 390, 413, 430, 3094, 3141
259 -	By Senator Jeffries: Relating to regulation of pawnbrokers	210					210
260 -	By Senator Jeffries: Prohibiting Natural Resources Commission from establishing bag limit for antlered deer	210					211

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
261 -	By Senators Jeffries and Woelfel: Eliminating suspension of driver's license for failure to pay court fines and costs	211					211, 295
262 -	By Senators Weld, Rucker, Oliverio, Phillips, and Deeds: Allowing students to transfer schools and retain athletic eligibility	211	263	358	358		211, 240, 295, 311, 312, 334, 359
263 -	By Senators Phillips and Smith: Requiring PSC to be involved in all construction contracts between utility companies and vendors	211					211, 240
*264 -	By Senators Weld, Hamilton, Woelfel, Jeffries, Deeds, Karnes, Chapman, Hunt, Oliverio, and Plymale: Prohibiting persons who have been convicted of certain crimes against minors from holding positions on boards of education	211	263		359		211, 240, 250, 295, 311, 334, 359
265 -	By Senators Weld, Caputo, Phillips, Clements, Hunt, and Rucker: Allowing special license plate for antique motor vehicle to be permanent for life of vehicle	212					212, 240, 250, 312
*266 -	By Senators Takubo, Woelfel, Queen, and Plymale: Relating to tobacco usage restrictions	212	546				213, 240, 547, 568
*267 -	By Senators Takubo, Grady, and Plymale: Updating law regarding prior authorizations	213	547, 1022	1127-1128, 1880-1881	1188, 1882	1880	213, 240, 548, 568, 1091, 1128, 1188, 1882, 2677, 3141
**268 -	By Senators Takubo, Hamilton, Queen, Plymale, Deeds, and Nelson: Relating to PEIA	213	693, 978	1153, 1546-1606	1154, 1607	1546	214, 240, 622, 694, 714, 731, 979, 1057, 1075, 1117, 1153-1155, 1607, 1824, 3137
*269 -	By Senators Takubo, Woelfel, Roberts, Deeds, Oliverio, Nelson, and Queen: Increasing dental coverage limit for Medicaid enrollees	214	264				214, 240, 265, 295, 361
*270 -	By Senator Takubo: Adding exemption to permit requirement for cremation	214	347		431	1498	214, 390, 413, 431, 1685, 3012

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*271 -	By Senator Trump: Modifying approval process requirements for First Responders Honor Board	214	347		431	2682	214, 390, 413, 431, 3094, 3141
272 -	By Senators Swope and Woelfel: Authorizing use of Reclamation of Abandoned and Dilapidated Properties Program Fund	226					226, 250, 653
**273 -	By Senators Trump, Woelfel, Plymale, Rucker, Barrett, and Deeds: Relating to allocation of child protective workers in counties based upon population of county	226	375, 850	2704-2710	990, 2711	2704, 3014	227, 250, 415, 684, 878, 919, 966, 991, 2711, 3105, 3161
**274 -	By Senators Grady, Woelfel, Queen, Roberts, Plymale, Nelson, Taylor, Deeds, Oliverio, and Barrett: Third Grade Success Act	227	265, 659	747	747		228, 250, 266, 295, 312, 336, 684, 713, 727, 747-748
275 -	By Senators Trump, Deeds, and Phillips: Adding State Fire Marshals to statute included with law enforcement and first responders that receive information on school safety requirements	228	441	841	560, 842	841	228, 250, 361, 509, 541, 560, 842, 973, 1164
276 -	By Senators Trump, Deeds, and Phillips: Awarding service weapon of retiring State Fire Marshal	228	319		408	1498	229, 250, 360, 362, 381, 409, 1685, 3012
277 -	By Senators Swope and Maynard: WV Native American Tribes Unique Recognition, Authentication, and Listing Act	229					229, 622
278 -	By Senator Azinger: Protecting minors from exposure to indecent displays of sexually explicit nature	229					229
279 -	By Senators Azinger and Rucker: Increasing protection for minor victims of human trafficking	229					229, 312
280 -	By Senators Tarr and Taylor: Relating to electoral reforms of WV judiciary	230					231, 512
281 -	By Senator Tarr: Precluding Department of Agriculture from cancellation of certain leases	231					231

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*282 -	By Senators Tarr, Chapman, Grady, Deeds, and Phillips: Creating WV Guardian Program	231	342		432		231, 362, 390, 413, 432
283 -	By Senators Weld and Deeds: Relating to Military Incentive Program	231	319	433	432		231, 319, 336, 360, 381, 409, 433
284 -	By Senator Clements: Relating to repeal of administrative hearing procedures for DUI offenses	232					232
285 -	By Senators Smith, Boley, Hunt, Phillips, and Stuart: Creating WV Coal Marketing Program	232					232, 251, 362, 684
286 -	By Senator Smith: Relating to proceeds and application of hotel occupancy tax	232					232
287 -	By Senators Smith and Woelfel: Prohibiting turkey hunting with rifle	232					232, 544
288 -	By Senators Karnes, Azinger, Barrett, Boley, Deeds, Grady, Hunt, Martin, Maynard, Phillips, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Woodrum, Trump, Clements, and Hamilton: Relating to Sexual Assault Examination Network	233					233, 251, 294, 295, 312
289 -	By Senators Jeffries and Plymale: Establishing Minority Health Advisory Team	233					233, 295
*290 -	By Senators Takubo, Roberts, Clements, Barrett, and Plymale: Relating to dental health care service plans	233	629		723		234, 251, 391, 653, 681, 711, 723
291 -	By Senators Maynard, Smith, Rucker, Hamilton, and Karnes: Eliminating restriction to carry firearm on State Capitol Complex grounds	234					234, 251, 312, 362
*292 -	By Senators Azinger, Deeds, and Karnes: Health Care Sharing Ministries Freedom to Share Act	234	316		410		234, 316, 336, 360, 362, 381, 410
*293 -	By Senators Woodrum, Deeds, and Hamilton: Increasing fees charged by sheriff	234	777		910		234, 312, 806, 871, 910

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*294 -	By Senators Woodrum and Deeds: Clarifying amount of deputy sheriff annual salary increase	234	442		560	2478	235, 312, 442, 509, 541, 560, 836, 3086, 3126
*295 -	By Senator Woodrum: Extending time that prescription for spectacles remains valid	245	590	617-618	638		245, 549, 618, 639
296 -	By Senators Woodrum, Trump, Karnes, and Maynard: Uniform Public Meetings During Emergencies Act	245	496	583-589	615		245, 543, 566, 583-589, 615
*297 -	By Senators Tarr, Woodrum, Phillips, Plymale, and Queen: Mountain Homes Act	246	660, 851		991		246, 295, 662, 684, 919, 966, 991
*298 -	By Senators Trump, Woodrum, Plymale, and Deeds: Relating to non-federally declared emergencies and non-states of emergency	246	320		410	2682	246, 295, 336, 360, 381, 411, 3094, 3142
*299 -	By Senators Hunt, Azinger, Barrett, Chapman, Deeds, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Queen, Roberts, Rucker, Smith, Stover, Stuart, Takubo, Weld, Woelfel, Woodrum, Swope, Clements, and Plymale: Relating to crime of trespass generally	247	590		639		247, 295, 550, 618, 639
*300 -	By Senators Trump, Caputo, Plymale, and Hamilton: Relating to law-enforcement training and certification	247	590		640	1498	247, 296, 549, 618, 640 1685, 3012
301 -	By Senators Stuart and Hamilton: Relating to Community Crime Prevention Act	266					266, 653
*302 -	By Senators Stuart and Hamilton: Relating to Law Enforcement Safety Act	266	600		704	2682	267, 647, 653, 679, 704, 3094, 3142
*303 -	By Senators Stuart and Hamilton: Relating to Violent Crime Prevention Act	267	777		911		267, 806, 836, 871, 911
304 -	By Senators Stuart, Plymale, Hamilton, Maynard, and Smith: Increasing criminal penalty for fentanyl	267					267, 312, 622, 975
305 -	By Senator Stuart: Relating to dog racing requirements	267					268

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
306 -	By Senators Woelfel, Plymale, Grady, and Deeds: Establishing Summer Feeding for All Program	268	371		458		268, 313, 414, 415, 435, 458
307 -	By Senator Woodrum: Authorizing Department of Administration to promulgate legislative rule relating to purchasing	268					268
308 -	By Senator Woodrum: Authorizing Department of Administration to promulgate legislative rule relating to parking	269					269
309 -	By Senator Woodrum: Authorizing DEP to promulgate legislative rule relating to standards of performance for new stationary sources	269					269
310 -	By Senator Woodrum: Authorizing DEP to promulgate legislative rule relating to requirements for operating permits	269					269
311 -	By Senator Woodrum: Authorizing DEP to promulgate legislative rule relating to emission standards for hazardous air pollutants	269					269
312 -	By Senator Woodrum: Authorizing DEP to promulgate legislative rule relating to control of ozone season nitrogen oxides emissions	269					270
313 -	By Senator Woodrum: Authorizing DEP to promulgate legislative rule relating to rules for quarrying and reclamation	270					270
314 -	By Senator Woodrum: Authorizing DEP to promulgate legislative rule relating to recycling assistance grant program	270					270
315 -	By Senator Woodrum: Authorizing DEP to promulgate legislative rule relating to Reclamation of Abandoned and Dilapidated Properties Grant Program	270					270

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
316 -	By Senator Woodrum: Authorizing DEP to promulgate legislative rule relating to reclamation of solar and wind electricity generating facilities	270					270
317 -	By Senator Woodrum: Authorizing DHHR to promulgate legislative rule relating to procedures pertaining to Dangerousness Assessment Advisory Board	270					271
318 -	By Senator Woodrum: Authorizing DHHR to promulgate legislative rule relating to standards for local boards of health	271					271
319 -	By Senator Woodrum: Authorizing DHHR to promulgate legislative rule relating to medical examiner requirements for postmortem inquiries	271					271
320 -	By Senator Woodrum: Authorizing DHHR to promulgate legislative rule relating to Medical Cannabis Program grower and processors	271					271
321 -	By Senator Woodrum: Authorizing DHHR to promulgate legislative rule relating to Medical Cannabis Program dispensaries	271					271
322 -	By Senator Woodrum: Authorizing Health Care Authority to promulgate legislative rule relating to financial disclosure	271					272
323 -	By Senator Woodrum: Authorizing DHHR to promulgate legislative rule relating to Uniform Bill Database	272					272
324 -	By Senator Woodrum: Authorizing DHHR to promulgate legislative rule relating to development of methodologies to examine needs for substance use disorder treatment facilities within the state	272					272

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
325 -	By Senator Woodrum: Authorizing DHHR to promulgate legislative rule relating to Core Behavioral Health Crisis Services System	272					272
326 -	By Senator Woodrum: Authorizing DHHR to promulgate legislative rule relating to child care centers licensing	272					272
327 -	By Senator Woodrum: Authorizing DHHR to promulgate legislative rule relating to minimum licensing requirements for residential childcare and treatment facilities for children and transitioning adults and vulnerable and transitioning youth group homes and programs in WV	272					273
328 -	By Senator Woodrum: Authorizing DHHR to promulgate legislative rule relating to family child care facility licensing requirements	273					273
329 -	By Senator Woodrum: Authorizing DHHR to promulgate legislative rule relating to family child care home registration requirements	273					273
330 -	By Senator Woodrum: Authorizing DHHR to promulgate legislative rule relating to informal and relative family child care home registration requirements	273					273
331 -	By Senator Woodrum: Authorizing DHHR to promulgate legislative rule relating to out-of-school-time child care center licensing requirements	273					274
332 -	By Senator Woodrum: Authorizing DHHR to promulgate legislative rule relating to goals for foster children	274					274
333 -	By Senator Woodrum: Authorizing DHHR to promulgate legislative rule relating to deemed head start child care center licenses	274					274

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
334 -	By Senator Woodrum: Authorizing DHHR and Insurance Commissioner to promulgate legislative rule relating to All-Payers Claims Database, Submission Manual	274					274
*335 -	By Senator Woodrum: Authorizing Department of Homeland Security to promulgate legislative rules	274	371		458	1689	274, 414, 435, 458-459, 2464, 3142
336 -	By Senator Woodrum: Authorizing Division of Emergency Management to promulgate legislative rule relating to National Flood Insurance Program	274					275, 371
337 -	By Senator Woodrum: Authorizing Fire Commission to promulgate legislative rule relating to hazardous substance emergency response training programs	275					275, 371
338 -	By Senator Woodrum: Authorizing Fire Commission to promulgate legislative rule relating to certification of home inspectors	275					275, 371
339 -	By Senator Woodrum: Authorizing Fire Commission to promulgate legislative rule relating to volunteer firefighters' training, equipment, and operating standards	275					275, 371
340 -	By Senator Woodrum: Authorizing Fire Marshal to promulgate legislative rule relating to certification of electrical inspectors	275					275, 371
341 -	By Senator Woodrum: Authorizing Fire Marshal to promulgate legislative rule relating to supervision of fire protection work	275					276, 371
342 -	By Senator Woodrum: Authorizing Fire Marshal to promulgate legislative rule relating to electrician licensing	276					276, 371
343 -	By Senator Woodrum: Authorizing Fire Marshal to promulgate legislative rule relating to certification of home inspectors	276					276, 371

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
344 -	By Senator Woodrum: Authorizing State Police to promulgate legislative rule relating to WV State Police professional standards investigations, employee rights, early identification system, psychological assessment, and progressive discipline	276					276, 371
*345 -	By Senator Woodrum: Authorizing Department of Revenue to promulgate legislative rules	276	442	2479	561, 2479	2478	276, 509, 541, 561, 2480, 3096, 3142
346 -	By Senator Woodrum: Authorizing Insurance Commission to promulgate legislative rule relating to suitability in annuity transactions	276					277, 442
347 -	By Senator Woodrum: Authorizing Insurance Commission to promulgate legislative rule relating to pharmacy auditing entities and pharmacy benefit managers	277					277, 442
348 -	By Senator Woodrum: Authorizing Insurance Commission to promulgate legislative rule relating to bail bondsmen in criminal case	277					277, 442
349 -	By Senator Woodrum: Authorizing Lottery Commission to promulgate legislative rule relating to WV lottery sports wagering	277					277, 442
350 -	By Senator Woodrum: Authorizing Tax Department to promulgate legislative rule relating to Valuation of producing and reserve oil, natural gas liquids, and natural gas for ad valorem property tax purposes	277					277, 442
351 -	By Senator Woodrum: Authorizing Tax Department to promulgate legislative rule relating to Farm-to-Food Bank tax credit	277					278, 442
352 -	By Senator Woodrum: Authorizing Tax Department to promulgate legislative rule relating to WV Film Industry Investment Act	278					278, 442

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
353 -	By Senator Woodrum: Authorizing Tax Department to promulgate legislative rule relating to property transfer tax	278					278, 442
354 -	By Senator Woodrum: Authorizing Tax Department to promulgate legislative rule relating to municipal sales and use tax administration	278					278, 442
355 -	By Senator Woodrum: Authorizing Tax Department to promulgate legislative rule relating to personnel rule for Tax Division	278					278, 442
*356 -	By Senator Woodrum: Authorizing DOT to promulgate legislative rules	278	373	508, 540	540	2010	279, 414, 435, 463, 508, 540-541, 3083, 3142
357 -	By Senator Woodrum: Authorizing DMV to promulgate legislative rule relating to examination and issuance of driver's license	279					279, 373
358 -	By Senator Woodrum: Authorizing DMV to promulgate legislative rule relating to denial, suspension, revocation, disqualification, restriction, non-renewal, cancellation, administrative appeals, and reinstatement of driving privileges	279					279, 373
359 -	By Senator Woodrum: Authorizing DOH to promulgate legislative rule relating to disposal, lease and management of real property and appurtenant structures and relocation assistance	279					279, 373
360 -	By Senator Woodrum: Authorizing DOH to promulgate legislative rule relating to construction and reconstruction of state roads	279					279, 373
*361 -	By Senator Woodrum: Authorizing miscellaneous boards and agencies to promulgate legislative rules	280	524	2686-2702	616, 2703	2686, 3015	280, 567, 589, 616, 2703, 3105, 3161
362 -	By Senator Woodrum: Authorizing Board of Acupuncture to promulgate legislative rule relating to advertising by licensed acupuncturists	280					280, 524

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
363 -	By Senator Woodrum: Authorizing Board of Acupuncture to promulgate legislative rule relating to standards of practice of acupuncture by licensed acupuncturists	280					280, 524
364 -	By Senator Woodrum: Authorizing Board of Acupuncture to promulgate legislative rule relating to continuing education requirements	280					280, 524
365 -	By Senator Woodrum: Authorizing Department of Agriculture to promulgate legislative rule relating to WV apiary rule	280					280, 524
366 -	By Senator Woodrum: Authorizing Department of Agriculture to promulgate legislative rule relating to schedule of charges for inspection services: Fruit	280					281, 524
367 -	By Senator Woodrum: Authorizing Department of Agriculture to promulgate legislative rule relating to noxious weeds rule	281					281, 524
368 -	By Senator Woodrum: Authorizing Department of Agriculture to promulgate legislative rule relating to Grade "A" pasteurized milk	281					281, 524
369 -	By Senator Woodrum: Authorizing Agriculture Commissioner to promulgate legislative rule relating to inspection of nontraditional, domesticated animals	281					281, 524
370 -	By Senator Woodrum: Authorizing Department of Agriculture to promulgate legislative rule relating to hemp products	281					281, 524
371 -	By Senator Woodrum: Authorizing Department of Agriculture to promulgate legislative rule relating to livestock care standards	281					282, 524

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
372 -	By Senator Woodrum: Authorizing Department of Agriculture to promulgate legislative rule relating to farm-to-food bank tax credit	282					282, 524
373 -	By Senator Woodrum: Authorizing Department of Agriculture to promulgate legislative rule relating to farmers markets	282					282, 524
374 -	By Senator Woodrum: Authorizing Athletic Commission to promulgate legislative rule relating to administrative rules of WV State Athletic Commission	282					282, 524
375 -	By Senator Woodrum: Authorizing Athletic Commission to promulgate legislative rule relating to regulation of mixed martial arts	282					282, 524
376 -	By Senator Woodrum: Authorizing State Auditor to promulgate legislative rule relating to standards for voluntary payroll deductions	282					283, 524
377 -	By Senator Woodrum: Authorizing Conservation Agency to promulgate legislative rule relating to operation of WV State Conservation Committee and conservation districts	283					283, 524
378 -	By Senator Woodrum: Authorizing Conservation Agency to promulgate legislative rule relating to conservation district accounting and auditing standards	283					283, 524
379 -	By Senator Woodrum: Authorizing Board of Dentistry to promulgate legislative rule relating to dental recovery networks	283					283, 524
380 -	By Senator Woodrum: Authorizing Board of Funeral Service Examiners to promulgate legislative rule relating to funeral director, embalmer, apprentice, courtesy card holders, and funeral establishment requirements	283					283, 524

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
381 -	By Senator Woodrum: Authorizing Board of Funeral Service Examiners to promulgate legislative rule relating to crematory requirements	283					284, 524
382 -	By Senator Woodrum: Authorizing Board of Funeral Service Examiners to promulgate legislative rule relating to fee schedule	284					284, 524
383 -	By Senator Woodrum: Authorizing Board of Landscape Architects to promulgate legislative rule relating to registration of landscape architects	284					284, 524
384 -	By Senator Woodrum: Authorizing Board of Medicine to promulgate legislative rule relating to licensing of physicians and podiatric physicians and disciplinary procedures for applicants, licensees, credential holders	284					284, 524
385 -	By Senator Woodrum: Authorizing Board of Medicine to promulgate legislative rule relating to licensure, practice requirements, disciplinary and complaint procedures, continuing education, physician assistants	284					284, 524
386 -	By Senator Woodrum: Authorizing Board of Medicine to promulgate legislative rule relating to collaborative pharmacy practice	284					285, 524
387 -	By Senator Woodrum: Authorizing Board of Medicine to promulgate legislative rule relating to prohibiting sexual misconduct by health care practitioners	285					285, 524
388 -	By Senator Woodrum: Authorizing Board of Optometry to promulgate legislative rule relating to optometric telehealth practice	285					285, 524
389 -	By Senator Woodrum: Authorizing Board of Osteopathic Medicine to promulgate legislative rule relating to osteopathic physician assistants	285					285, 524

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
390 -	By Senator Woodrum: Authorizing Board of Pharmacy to promulgate legislative rule relating to licensure and practice of pharmacy	285					285, 524
391 -	By Senator Woodrum: Authorizing Board of Pharmacy to promulgate legislative rule relating to Uniform Controlled Substance Act	285					286, 524
392 -	By Senator Woodrum: Authorizing Board of Pharmacy to promulgate legislative rule relating to Board of Pharmacy rules for registration of pharmacy technicians	286					286, 524
393 -	By Senator Woodrum: Authorizing Board of Pharmacy to promulgate legislative rule relating to regulations governing pharmacy permits	286					286, 524
394 -	By Senator Woodrum: Authorizing Board of Pharmacy to promulgate legislative rule relating to inspections	286					286, 524
395 -	By Senator Woodrum: Authorizing Board of Pharmacy to promulgate legislative rule relating to Donated Drug Repository Program	286					286, 524
396 -	By Senator Woodrum: Authorizing Psychologists to promulgate legislative rule relating to code of conduct	286					287, 524
397 -	By Senator Woodrum: Authorizing Board of Registered Nurses to promulgate legislative rule relating to requirements for registration and licensure and conduct constituting professional misconduct	287					287, 524
398 -	By Senator Woodrum: Authorizing Board of Registered Nurses to promulgate legislative rule relating to advanced practice registered nurse licensure requirements	287					287, 524

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
399 -	By Senator Woodrum: Authorizing Board of Registered Nurses to promulgate legislative rule relating to limited prescriptive authority for nurses in advanced practice	287					287, 524
400 -	By Senator Woodrum: Authorizing Board of Registered Nurses to promulgate legislative rule relating to continuing education and competence	287					287, 524
401 -	By Senator Woodrum: Authorizing Board of Registered Nurses to promulgate legislative rule relating to fees for services rendered by board	287					288, 524
402 -	By Senator Woodrum: Authorizing Board of Registered Nurses to promulgate legislative rule relating to practitioner requirements for accessing WV Controlled Substance Monitoring Program database	288					288, 524
403 -	By Senator Woodrum: Authorizing Board of Registered Nurses to promulgate legislative rule relating to telehealth practice	288					288, 524
404 -	By Senator Woodrum: Authorizing Secretary of State to promulgate legislative rule relating to early voting in-person satellite precincts	288					288, 524
405 -	By Senator Woodrum: Authorizing Secretary of State to promulgate legislative rule relating to Combined Voter Registration and Driver Licensing Fund	288					288, 524
406 -	By Senator Woodrum: Authorizing Secretary of State to promulgate legislative rule relating to administrative procedures for Nonpublic Funding for Election Administration Fund	288					289, 524
407 -	By Senator Woodrum: Authorizing State Treasurer to promulgate legislative rule relating to enforcement of Uniform Unclaimed Property Act	289					289, 524

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
408 -	By Senator Woodrum: Authorizing State Treasurer to promulgate legislative rule relating to Jumpstart Savings Program	289					289, 524
*409 -	By Senator Woodrum: Authorizing Department of Commerce to promulgate legislative rules	289	662		748	2682	289, 713, 728, 748-749, 3094, 3143
410 -	By Senator Woodrum: Authorizing Division of Labor to promulgate legislative rule relating to WV Board of Manufactured Housing construction and safety	289					289, 662
411 -	By Senator Woodrum: Authorizing Division of Labor to promulgate legislative rule relating to supervision of plumbing work	289					290, 662
412 -	By Senator Woodrum: Authorizing Division of Labor to promulgate legislative rule relating to regulation of heating, ventilating, and cooling work	290					290, 662
413 -	By Senator Woodrum: Authorizing Division of Labor to promulgate legislative rule relating to registration of service persons and service agencies	290					290, 662
414 -	By Senator Woodrum: Authorizing Division of Labor to promulgate legislative rule relating to registration of weighing and measuring devices used by businesses in commercial transactions	290					290, 662
415 -	By Senator Woodrum: Authorizing Division of Natural Resources to promulgate legislative rule relating to hunting, fishing, and other outfitters and guides	290					290, 662
416 -	By Senator Woodrum: Authorizing Division of Natural Resources to promulgate legislative rule relating to commercial whitewater outfitters	290					291, 662

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
417 -	By Senator Woodrum: Authorizing Division of Natural Resources to promulgate legislative rule relating to special motorboating regulations	291					291, 662
418 -	By Senator Woodrum: Authorizing Division of Natural Resources to promulgate legislative rule relating to miscellaneous permits and licenses	291					291, 662
**419 -	By Senators Weld and Deeds: Establishing standards for licensure of military trained applicants	298	320, 551		640		298, 321, 336, 590, 618, 640
420 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Establishing one-time bonus payment for certain retirees	298					298
421 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Updating federal taxable income and other terms in WV Corporation Net Income Tax Act	298					299
*422 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Requiring public schools to publish curriculum online at beginning of each new school year	299	1098	1265, 2893-2895	1266, 2896	2892	299, 1132, 1229, 1265-1266, 2896, 3105, 3138
*423 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Increasing salary for certain state employees	299	1015	1608-1611	1155, 1612	1608	299, 1016, 1057, 1075, 1117, 1155-1156, 1612, 1824, 3137
*424 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Authorizing refundable tax credit applied against personal income tax or corporation net income tax	299	648	673-676	650, 676		300, 649-650, 673-677
425 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Granting cost-of-living stipend to correctional officers employed by Division of Corrections and Rehabilitation	300					300

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*426 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Banning use of certain products and platforms deemed unsafe or high risk on government systems	300	348	464-465, 2973-2978	505, 2978	2972	300, 390, 413, 435, 465, 506, 2978, 3045
427 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Updating meaning of federal adjusted gross income and certain other terms used in WV Personal Income Tax Act	300					301
428 -	By Senators Grady, Roberts, and Plymale: Revising requirements of local school improvement councils	301	374	459	459		301, 336, 414, 415, 435, 460
*429 -	By Senators Smith and Taylor: Establishing statewide health and safety fee for tourism and recreational activities by county commissions	301	852	966, 992	992		301, 919, 966, 992
*430 -	By Senator Tarr: Relating to State Treasurer's authority to contract with financial institutions for banking goods and services	301	778		911	1612	302, 836, 871, 911-912, 2006, 3152
431 -	By Senator Tarr: Modifying permissible percentage of light transmission for sun screening devices used in automotive safety glazing	302					302
432 -	By Senator Woodrum: Granting Fleet Management Division oversight authority of state vehicle fleet	302					302
433 -	By Senators Rucker, Hamilton, Oliverio, Stover, Martin, Queen, Barrett, and Chapman: Establishing requirements for state board and local education agency to screen for dyslexia	302					302, 336, 362, 391
434 -	By Senators Taylor, Azinger, Chapman, Karnes, Martin, Maynard, Phillips, Smith, and Clements: School Safety Act	302					303, 336

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
435 -	By Senator Woodrum: Recognizing Commission on Uniform State Laws as presumptive provider of continuing legal education	303					303, 466
**436 -	By Senators Tarr, Swope, Jeffries, and Barrett: Prompt Payment Act of 2023	303	552, 853	966-967	993		304, 336, 552, 568, 878, 919, 967, 993
437 -	By Senators Chapman, Woelfel, and Weld: Relating to payment of state funds to qualified childcare entities	304					304, 336, 684
438 -	By Senators Clements, Swope, Chapman, and Nelson: Return to WV Tax Credit Act	304	1022		1189		304, 362, 1062, 1091, 1128, 1189
*439 -	By Senators Smith, Caputo, Hamilton, Phillips, Taylor, Swope, and Nelson: Establishing design-build program for DEP	304	349	1690	433, 1690	1689	305, 336, 362, 390, 414, 433, 1691, 2464, 3143
**440 -	By Senators Clements, Swope, and Jeffries: Authorizing DOH pay current obligations from State Road Fund	305	778, 1099		1266		305, 336, 568, 779, 1132, 1229, 1266
441 -	By Senators Tarr and Chapman: Removing additional one and one-half percent interest rate for tax underpayments	305	630				305, 391, 681, 711, 728, 744
442 -	By Senators Tarr, Martin, and Oliverio: Providing option for pass-through entities to pay income tax at entity level	305					305, 337, 653
443 -	By Senator Tarr: Directing payment of estate administration fee to State Auditor	305	374		460	2683	306, 414, 435, 460-461, 3099, 3143
444 -	By Senator Tarr: Transferring moneys in WV Future Fund to General Revenue Fund	306	374		461	2683	306, 414, 436, 461-462, 3099, 3143
445 -	By Senators Grady, Plymale, and Woelfel: Repealing outdated section of WV code relating to WV Graduate College and Marshall University	306					306, 444, 509

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
446 -	By Senator Tarr: Removing methanol and methanol fuel from definition of special fuel	306	374	2896	462, 2897	2896	306, 415, 436, 462-463, 2897, 3105, 3162
*447 -	By Senators Smith, Deeds, Chapman, Taylor, Caputo, and Maynard: Providing tax credit to certain disabled veterans for lifetime hunting, trapping, and fishing license	321	630				321, 362, 391, 436, 622, 631, 839
*448 -	By Senators Smith, Clements, and Woodrum: Providing funding for DEP Office of Oil and Gas	321	496				322, 415, 497
449 -	By Senators Nelson, Deeds, Oliverio, and Hunt: Updating terms for Natural Resources Police Officers Retirement System and retirement systems for charter schools	322	528	1788	641, 1789	1788	322, 362, 528, 544, 567, 590, 618, 641, 1789, 2464, 3143
*450 -	By Senators Nelson and Hunt: Defining medical examination for disability purposes in retirement plans administered by Consolidated Public Retirement Board	322	553	1789	641, 1790	1789	322, 544, 553, 590, 618, 642, 1790, 2464, 3144
*451 -	By Senators Nelson and Hunt: Relating to Teachers Retirement System and Teachers' Defined Contribution Retirement System	322	528	2010	642, 2011	2010	323, 529, 544, 567, 590, 619, 642, 2011, 3083, 3144
452 -	By Senators Nelson and Hunt: Relating to Emergency Medical Services Retirement System	323	663		867	2011	323, 544, 664, 713, 728, 744, 833, 835, 867, 3083, 3144
*453 -	By Senators Nelson and Hunt: Ensuring retirement contributions and delinquency charges of charter school employees be paid upon school closure or by successor	323	529, 664		868	1691	323, 530, 544, 713, 728, 744, 833, 835, 868, 2464, 3144
454 -	By Senators Jeffries, Woelfel, Caputo, Queen, and Taylor: WV Children's Vision Act	323					324, 362, 391
*455 -	By Senator Phillips: Modifying certain used car restrictions	324	779		912	1691	324, 836, 871, 912, 2464, 3144

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
456 -	By Senators Clements, Plymale, and Smith: Authorizing DOH to prescribe restrictions, conditions, and regulations for railways crossing state roads	324					324, 362
457 -	By Senator Barrett: Removing certain activities Alcohol Beverage Control Commission licensee is prohibited to permit on private club premises	324	444	2011-2014	562, 2014	2011	324, 444, 509, 542, 562, 2014, 3083, 3145
458 -	By Senator Nelson: Setting rate of interest on delinquent retirement contribution submissions	324	663		869	1691	325, 664, 713, 729, 744, 833, 835, 869, 2464, 3145
459 -	By Senators Rucker and Smith: Clarifying residency requirements for voter registration	325					325, 362
460 -	By Senator Clements: Relating to WV Grant Transparency and Accountability Act	325					325
*461 -	By Senators Clements and Rucker: Relating to WV public employees grievance procedure	325	444	2778-2779	563, 2779	2777	326, 466, 509, 542, 563, 2779, 3105, 3162
*462 -	By Senators Phillips, Woelfel, Woodrum, and Barrett: Modifying certain guidelines for motor vehicle dealers, distributors, wholesalers, and manufacturers	326	979		1118		326, 362, 391, 1059, 1082, 1118
*463 -	By Senators Clements and Plymale: Increasing validity of CDL instruction permit	326	440	1882	581, 1883	1882	326, 362, 509, 543, 566, 581, 1883, 2677, 3145
*464 -	By Senators Barrett, Deeds, Trump, Rucker, and Clements: Authorizing locality pay to correctional officers working at facilities having critical staffing shortages	326	1099				327, 362, 415, 1100
465 -	By Senators Clements, Azinger, Caputo, Chapman, Maroney, Oliverio, Weld, Woodrum, Deeds, Plymale, and Jeffries: Increasing limit on moneys placed in county's rainy day fund	350	554		643	2480	350, 391, 568, 590, 619, 643, 3096, 3145

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
466 -	By Senators Phillips, Smith, Barrett, and Maynard: Prohibiting financial institutions from discriminating against firearms businesses	350					350, 391, 622
*467 -	By Senators Woodrum and Deeds: Providing county commissioners ongoing mechanism to consider compensation increases for elected officials every two years	350	694		796		350, 392, 730, 760, 796
*468 -	By Senators Hamilton, Maynard, Plymale, Taylor, Stuart, and Karnes: Continuing Cabwaylingo State Forest Trail System	350	1247	2898	1359, 2899	2897	351, 392, 543, 684, 1062, 1247, 1277, 1359, 2899, 3105, 3162
*469 -	By Senators Grady, Jeffries, Deeds, Queen, Caputo, Takubo, Tarr, Woelfel, Nelson, Woodrum, Oliverio, Taylor, and Phillips: Providing funding for CPR instruction to high school students	351	446, 1015		1119	2683	351, 392, 415, 446, 512, 544, 1016, 1059, 1082, 1119, 3099, 3145
*470 -	By Senators Azinger, Maynard, and Karnes: Making adoption records accessible for medical purposes	351	1167, 1308	1360-1378	1378		351, 512, 623, 684, 1168, 1309, 1359-1379
471 -	By Senator Weld: Amending modification date for federal adjusted gross income	351					351
*472 -	By Senators Weld, Grady, Deeds, Rucker, Woelfel, Phillips, Tarr, Woodrum, and Hunt: Creating criminal offense of indecent exposure in front of minors	351	446				352, 392, 415, 466, 510, 542, 563, 581, 616, 643, 678, 704, 724, 744
473 -	By Senators Weld, Rucker, Woodrum, Martin, and Maynard: Exempting certain irrevocable trusts from personal income tax	352					352, 392, 436, 623
474 -	By Senators Nelson, Plymale, and Oliverio: Requiring municipal pensions oversight board to propose legislative rules	352	664		869		352, 392, 684, 713, 729, 744, 833, 835, 869
*475 -	By Senators Nelson and Plymale: Modifying examinations for disability pensions	352	530		617	1790	352, 392, 567, 589, 617, 1790-1791, 2464, 3161

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*476 -	By Senator Tarr: Exempting managed care contracts from purchasing requirements	352	1100	1883-1884	1267, 1885	1883	352, 1132, 1229, 1267, 1885, 2677, 3161
477 -	By Senators Nelson and Plymale: Relating to financing municipal policemen's and firemen's pension and relief funds	375					375, 416
*478 -	By Senators Grady and Plymale: Relating to Jumpstart Savings Program	375	657	2480-2481	750, 2481	2480	376, 416, 713, 729, 750, 2482, 3096, 3161
*479 -	By Senators Grady, Plymale, Deeds, Woelfel, and Caputo: Expanding certain insurance coverages for pregnant women	376	497				376, 416, 498, 512
*480 -	By Senators Oliverio, Azinger, Barrett, and Queen: Modifying group accident and sickness insurance requirements	376	931		1049		376, 932, 1001, 1049
481 -	By Senators Roberts, Caputo, Jeffries, Nelson, Smith, Stover, Woodrum, Phillips, and Deeds: Extending sunset provision of Upper Kanawha Valley Resiliency and Revitalization Program	376	665		751	1498	376, 416, 684, 713, 729, 751, 1685, 3012
*482 -	By Senators Trump, Woodrum, Barrett, Deeds, and Rucker: Relating to circuit composition and staffing of circuit courts, family courts, and magistrates	376	665				377, 416, 436, 666, 714
483 -	By Senators Barrett and Woelfel: Relating to taxation of gambling and lottery winnings	377					377, 466, 594, 3082
*484 -	By Senators Rucker, Deeds, Barrett, Woodrum, Martin, and Hamilton: Clarifying terms and offense of human smuggling	377	601		705		378, 416, 647, 653, 680, 705
*485 -	By Senators Trump, Smith, Caputo, Oliverio, Jeffries, Plymale, Rucker, Woodrum, Barrett, Queen, Woelfel, Chapman, and Hamilton: PFAS Protection Act	378	603				378, 416, 467, 604
486 -	By Senators Woodrum and Trump: Uniform Collaborative Law Act	395					396

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
487 -	By Senators Weld and Chapman: Extending additional modification reducing federal adjusted gross income	396	630		724	2014	396, 681, 711, 724, 3083, 3161
488 -	By Senator Rucker: Aligning state and federal accreditation rules	396	813	2899	936, 2900	2899	397, 875, 917, 936, 2900, 3105, 3162
489 -	By Senators Grady, Woelfel, and Plymale: Requiring BOE provide free feminine hygiene products in certain grades	397	554	644	643		397, 467, 568, 590, 619, 644
*490 -	By Senators Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Phillips, Stuart, Trump, Weld, Woodrum, Plymale, Swope, Roberts, Grady, Nelson, and Taylor: Patrol Officer Cassie Marie Johnson Memorial Act	397	601	1666-1667	705, 1668	1666	397, 436, 594, 623, 647, 680, 705, 1668, 2006, 3125
491 -	By Senators Woodrum, Swope, and Roberts: Authorizing Treasurer's Office to promulgate legislative rule relating to Hope Scholarship Program	397					397, 437, 524
492 -	By Senators Chapman, Azinger, Deeds, Grady, Hamilton, Hunt, Maynard, Phillips, Rucker, Smith, Stuart, Tarr, Woodrum, Swope, Martin, Roberts, and Karnes: Requiring legislators who hold current concealed carry permit to register with Capitol Police	397					398, 437, 512
493 -	By Senators Weld, Deeds, Phillips, Chapman, and Caputo: Exempting WV veterans from certain fees and charges at state parks	398	604		706		398, 437, 623, 647, 680, 706
494 -	By Senators Caputo, Hamilton, Stover, and Plymale: Creating WV Black Lung Program	398					398, 437
*495 -	By Senators Trump, Takubo, Clements, Woelfel, Deeds, and Rucker: Providing correctional institutions and juvenile facilities video and audio records be confidential	398	574	2995-2999	678, 2999	2995	399, 437, 467, 594, 620, 621, 646, 679, 3000, 3105, 3162

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
496 -	By Senators Trump and Weld: Allowing tax pass through entities to pay state and local taxes at entity level	399					399
497 -	By Senators Trump, Caputo, Chapman, Takubo, Weld, Plymale, Woelfel, and Nelson: Repealing common law rule against perpetuities by extending it to 1,000 years for trust	399					399, 437, 467, 594
498 -	By Senators Trump, Weld, Azinger, Caputo, Grady, Kames, Phillips, Rucker, Smith, Stover, Takubo, Woelfel, Woodrum, Deeds, Maynard, Chapman, Plymale, Queen, Swope, Clements, Roberts, Martin, and Nelson: Relating to employee jury service tax credit	399	555				400, 437, 467, 555, 594
499 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Expiring unappropriated funds in General Revenue from Excess Lottery Revenue Fund	400					400
500 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Expiring unappropriated funds in General Revenue from Lottery Net Profits	400					400
501 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Department of Administration, Public Defender Services	401					401
502 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to Department of Education	401					401
503 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to DHS, WV State Police	401					401

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
504 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to DHHR, Consolidated Medical Services Fund	402					402
*505 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to Department of Administration, Office of Secretary	402	631		725		402, 681, 711, 725
506 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to Department of Education, Hope Scholarship	402					402
507 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to DHS, Division of Administrative Services	402					403
508 -	By Senators Azinger, Trump, and Weld: Clarifying reporting and disclosure requirements for grassroots lobbying expenditures	403	632		726	2683	403, 682, 711, 726, 3099, 3163
509 -	By Senators Rucker, Chapman, Grady, Phillips, and Woelfel: Requiring that free feminine hygiene products be provided to female prisoners	403					403, 437, 467
510 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to BOE, Department of Education	403			404	1613	403-405, 2006, 3128
511 -	By Senators Woodrum, Deeds, and Hamilton: Ensuring certain amount of vehicle registration renewal fee be dedicated to Deputy Sheriff's Retirement System	422					422, 467, 764
512 -	By Senator Woodrum: Providing that continuing education credits shall be valid for three years	422					422

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
513 -	By Senators Woodrum and Plymale: Relating to brewer and resident brewer licenses	422					423, 623
*514 -	By Senator Woodrum: Clarifying procedure for administrative dissolution of corporations by Secretary of State	423	549		644		423, 590, 619, 644-645
*515 -	By Senators Woodrum, Trump, and Hamilton: Clarifying deadline to file annual report for companies authorized to do business in WV	423	602		707		423, 623, 647, 653, 680, 707
*516 -	By Senators Azinger, Trump, and Weld: Relating to requirements for disclosure of donor contributions	423	632		726	2683	423, 682, 712, 727, 3099, 3163
517 -	By Senators Maynard and Rucker: Medical Ethics Defense Act	423					424, 512
518 -	By Senator Rucker: Establishing dual enrollment pilot program	424					424
*519 -	By Senators Grady, Rucker, Tarr, Trump, Woodrum, Deeds, Roberts, Plymale, and Maroney: School Personnel Whistle-Blower Law	424	604				425, 467, 605, 653, 684
520 -	By Senators Nelson, Deeds, Queen, Barrett, Hamilton, and Oliverio: Removing decrease in amount of certain benefits PEIA employees are entitled to at 65	447					448, 512, 764, 878
521 -	By Senators Takubo, Woelfel, Caputo, Queen, Barrett, Nelson, and Maroney: Improving patient safety in medical cannabis program	448					448, 512, 594, 684
**522 -	By Senators Tarr and Woodrum: Allocating percentage of county excise taxes for funding improvements to election administration	448	695, 1022	2780-2785	1189, 2785	2780	448, 695, 764, 1091, 1128, 1189, 2786, 3106, 3164
*523 -	By Senators Tarr, Caputo, and Maroney: Clarifying purpose and use of Economic Development Project Fund	449	854		994	2683	449, 512, 685, 919, 968, 994, 3099, 3163

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
524 -	By Senators Tarr and Deeds: Relating to family planning services	449					449, 513
525 -	By Senators Plymale, Caputo, and Woelfel: Providing benefits to employees with occupational pneumoconiosis	450					450, 1016
*526 -	By Senators Takubo, Tarr, Woelfel, Deeds, Rucker, Grady, and Nelson: Including Alzheimer's disease in existing public health programs	450	780	1668-1669	837, 1670	1668	450, 513, 594, 836-837, 1670, 2006, 3139
*527 -	By Senators Trump, Azinger, Grady, Rucker, Stover, Stuart, Takubo, Tarr, Taylor, Weld, Woodrum, Caputo, Deeds, Smith, Clements, Hamilton, and Maynard: Allowing family members of military personnel access to discharge records	450	633	751	751	2684	450, 513, 623, 653, 682, 712, 727, 752, 3099, 3163
528 -	By Senators Barrett, Hunt, Maynard, Rucker, and Karnes: Requiring certificate of need be subject to legislative rulemaking	450					451, 685
529 -	By Senators Woodrum, Barrett, Trump, and Hamilton: Allowing businesses to register as limited liability limited partnerships	451	605		707	1691	451, 513, 623, 647, 653, 680, 707, 2464, 3163
*530 -	By Senators Woodrum and Nelson: Expanding candidates eligible for judicial retirement	451	813				451, 815, 878
531 -	By Senators Woodrum and Barrett: Uniform Limited Liability Company Act	451					451, 513
*532 -	By Senators Hunt, Azinger, Chapman, Deeds, Hamilton, Maynard, Plymale, Roberts, Rucker, Stover, Stuart, Taylor, Smith, Karnes, Grady, Trump, Martin, and Barrett: Sex Offender Registration Act	451	606		708		452, 513, 544, 568, 606, 647, 680, 708
533 -	By Senator Nelson: Relating to limitations on motor vehicle used by nonprofit cooperative recycling associations	452	607	2786	708, 2787	2786	452, 647, 680, 709, 2787, 3098, 3163

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*534 -	By Senators Trump, Takubo, and Maroney: Relating to nonintoxicating beer, nonintoxicating craft beer, cider, wine, and liquor license requirements	452	1023	1190-1196, 1197, 2787-2880	1197, 2880	2787	453, 513, 685, 1091, 1129, 1190-1199, 2880, 3106, 3165
535 -	By Senators Chapman, Rucker, Taylor, Azinger, Deeds, Karnes, Martin, Maynard, Phillips, Smith, Swope, Tarr, and Stuart: Creating religious and philosophical exemptions for school attendance vaccines	500					500, 594, 1016
536 -	By Senators Phillips, Stuart, Maynard, Deeds, and Hamilton: Relating to distribution of certain taxes to benefit fire departments and emergency medical services providers	500					501, 544
537 -	By Senator Woelfel: Eliminating marital exception to criminal prosecution of sexual assault offenses	501					501
538 -	By Senator Woodrum: Updating procedure on appeals of level three decisions issued by Public Employees Grievance Board	501					501
*539 -	By Senator Woodrum: Authorizing state and subdivisions to negotiate price for construction when all bids received exceed maximum budget	501	852		995		501, 920, 968, 995
*540 -	By Senators Trump, Stover, Deeds, Rucker, Hamilton, and Smith: Creating misdemeanor offense of willfully urinating or defecating in public	502	1168		1380		502, 543, 1244, 1277, 1380
*541 -	By Senators Stuart, Azinger, Smith, Taylor, and Oliverio: Providing for election reforms	502	1101		1267		502, 544, 568, 623, 1115, 1132, 1229, 1268
542 -	By Senators Martin, Queen, Karnes, and Deeds: Relating to sheriff's commission for collection of taxes	502					502, 544
**543 -	By Senators Grady and Plymale: Authorizing rule-making changes to terms, procedures and reporting duties in higher education	531	696, 815	2900-2902	937, 2903	2900	531, 568, 698, 875, 918, 937, 2903, 3107, 3164

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
544 -	By Senator Queen: Increasing power purchase agreement cap	531	980	2903-2912	1120, 2913	2903	531, 1059, 1082, 1120, 2913, 3098, 3165
545 -	By Senators Martin, Queen, Deeds, Karnes, and Maroney: Authorizing sheriffs to retire at age 62 with eight or more years of service	531					531, 568, 685
*546 -	By Senators Stuart, Woodrum, Deeds, Taylor, Maynard, and Hamilton: Adding and removing certain compounds from controlled substance list	531	1103	1306	1419	2684	534, 568, 594, 684, 731, 1132, 1229, 1277, 1307, 1380, 1419, 3099, 3165
*547 -	By Senators Deeds, Azinger, Hunt, Karnes, Oliverio, Queen, Roberts, Stuart, Taylor, Woodrum, Smith, Maynard, Hamilton, Weld, and Trump: Increasing penalties for drug possession and updating list of offenses	534	1096	1230-1242, 1268-1269	1268		534, 568, 653, 731, 1132, 1174, 1242, 1269
*548 -	By Senator Weld: Clarifying what parties can redeem delinquent property and limiting those entitled to bid	534	817	2913-2915	938, 2915	2913	535, 876, 918, 938, 2915, 3098, 3165
549 -	By Senators Woodrum and Phillips: Updating provisions of Uniform Commercial Code	535					537, 1062
550 -	By Senators Maynard, Taylor, Smith, Phillips, Stuart, Karnes, Rucker, Stover, Clements, Woodrum, Roberts, Martin, Azinger, Chapman, Hunt, and Grady: Requiring state entities, local entities and law enforcement agencies to enforce immigration laws	537					538, 806, 1062, 1115, 1174
551 -	By Senator Tarr: Creating Medicaid state plan amendment	538					538
*552 -	By Senators Rucker, Taylor, Karnes, Phillips, Grady, Smith, Maynard, Martin, Azinger, Woodrum, Roberts, Deeds, Oliverio, Swope, Stuart, Tarr, Barrett, Hunt, Chapman, Queen, and Stover: Relating to abortion	538	1169	2979	1381, 2980	2979	538, 568, 623, 653, 714, 731, 764, 806, 839, 1062, 1115, 1170, 1244, 1277, 1380-1381, 2980, 3107, 3164

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
553 -	By Senator Swope: Allowing for evaluation of prequalified bidders to be based on best value	555	855	1499	996, 1499	1498	556, 920, 968, 996, 1499, 1685, 3012
*554 -	By Senator Weld: Exempting purchases made by Auditor and WV Enterprise Resource Planning Board from certain provisions of WV code	556	980		1076		556, 982, 1057, 1076
555 -	By Senators Weld, Rucker, Hamilton, Deeds, Woodrum, and Stuart: Prohibiting banks and payment networks from tracking firearm-related data and outlining penalties	556					556, 594, 764, 1174
556 -	By Senators Weld and Deeds: Allowing sheriffs to collect additional funds for performing certain tasks	556					556, 594
557 -	By Senator Maroney: Providing that pharmacy may decline to dispense prescription drug where reimbursement is less than pharmacy's cost	556					557
*558 -	By Senators Weld, Woelfel, and Woodrum: Prohibiting law-enforcement agencies from posting booking photographs of certain criminal defendants on social media	557	982	2247-2250	1120, 2250	2247	557, 595, 764, 1059, 1082, 1120, 2250, 3083, 3165
559 -	By Senators Trump, Deeds, Maynard, and Woodrum: Relating to spousal privilege	557	780	2711-2712	913, 2713	2482	557, 595, 654, 764, 837, 871, 913, 2482-2484, 2711-2713
560 -	By Senators Trump and Queen: Limiting recovery on claims for abuse to secure financial solvency of public and private school system	557					557
**561 -	By Senators Jeffries and Woelfel: Relating to administration of WV Drinking Water Treatment Revolving Fund Act	557	667, 1025	1199, 2915-2916	1200, 2917	2915	558, 623, 668, 1026, 1083, 1121, 1199-1200, 2917, 3101, 3145
*562 -	By Senators Jeffries, Barrett, Oliverio, Weld, Plymale, Clements, and Maroney: Relating to operation of private trust companies in WV	558	781				558, 685, 781

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
563 -	By Senators Trump, Hamilton, Rucker, Deeds, Phillips, and Woodrum: Providing whistleblower protections to healthcare workers who report unsafe patient care	575					575, 595, 623, 764
564 -	By Senators Tarr and Phillips: Allowing PSC to authorize recovery of certain costs by utilities through issuance of consumer rate relief bonds	575					576, 623
565 -	By Senators Hunt, Azinger, Barrett, Chapman, Clements, Deeds, Hamilton, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Queen, Roberts, Rucker, Smith, Stover, Stuart, Taylor, Woodrum, Swope, Grady, and Plymale: Firearm Industry Non-Discriminations Act	576					576, 623
566 -	By Senators Maroney, Rucker, Caputo, Woelfel, and Woodrum: Extending termination date of WV Advisory Council on Rare Diseases	576					576, 623, 764
567 -	By Senator Stuart: Defining and amending terms related to participating public employer	577					577
*568 -	By Senators Trump, Deeds, Hunt, Rucker, Stover, Stuart, Taylor, and Woelfel: Relating to Dangerousness Assessment Advisory Board	577	782		913	2684	577, 837, 871, 913-914, 3099, 3165
569 -	By Senators Weld, Plymale, Woelfel, Hunt, and Woodrum: Rehabilitation of Blighted Properties Tax Credit Act	577	668				577, 623, 668, 685, 764
*570 -	By Senators Stover, Hamilton, Deeds, Woodrum, and Nelson: Relating to Natural Resources Police Officer Retirement	577	813				578, 623, 764, 815, 878
*571 -	By Senators Barrett, Woelfel, and Maroney: Regulating fantasy gaming competitions and sports wagering through independent evaluations	578	782				578, 623, 783

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*572 -	By Senators Maynard, Deeds, Stover, Trump, Maroney, and Stuart: Reforming cause of action for public nuisance	578	1103		1269		578, 764, 806, 1062, 1115, 1132, 1174, 1242, 1269
*573 -	By Senator Maroney: Relating to child support guidelines and Support Enforcement Commission	578	1104	2981-2983	1270, 2983	2981	579, 1132, 1242, 1270, 2983, 3105, 3164
574 -	By Senators Smith, Karnes, Rucker, Taylor, and Phillips: Establishing residency requirements for candidates seeking nomination to US Congress	579					579, 623
575 -	By Senator Weld: Expiring funds to unappropriated surplus balance in State Fund, General Revenue	609					609, 685
**576 -	By Senators Weld, Oliverio, Stuart, Taylor, Plymale, Smith, Jeffries, and Queen: Creating Securities Restitution Assistance Fund for victims of securities violations	609	818, 1105		1200		610, 685, 819, 839, 878, 1016, 1062, 1105, 1115, 1129, 1200
*577 -	By Senators Maroney, Woelfel, Rucker, Deeds, Grady, Hamilton, Queen, Clements, Oliverio, Woodrum, Jeffries, Chapman, Barrett, Roberts, Hunt, and Taylor: Reducing copay cap on insulin and devices and permitting purchase of testing equipment without prescription	610	855	2713-2730	1050, 2730	2713, 3046	610, 654, 685, 764, 806, 878, 920, 968, 1001, 1050, 2730-2731, 3101, 3146
*578 -	By Senators Grady, Woelfel, Plymale, Caputo, Jeffries, and Oliverio: Hunger-Free Campus Act	610	775				610, 654, 776, 806
*579 -	By Senators Tarr and Swope: Providing payment to vendors who provided services to state	610	736		870	2684	610, 654, 804, 835, 870, 3099, 3152
580 -	By Senator Weld: Authorizing election for special levy renewal	610	783		996		611, 784, 838, 871, 918, 968, 997
*581 -	By Senators Hamilton, Plymale, and Deeds: Amending provisions of 2023 Farm Bill	611	668, 1171	1420-1421	1421		611, 654, 669, 1244, 1277, 1381-1388, 1420-1422

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*582 -	By Senators Trump, Weld, Nelson, and Jeffries: Amending provisions of WV Public Employees Retirement Act	634	814				634, 815
583 -	By Senator Woodrum: Reducing rates for legal advertising	634					634
584 -	By Senators Taylor, Grady, Hunt, Karnes, Martin, Maynard, Phillips, Roberts, Rucker, Smith, Stuart, Tarr, and Woodrum: Removing rape and incest exception to obtain abortion in WV	634					635, 730, 1046-1047
**585 -	By Senators Hamilton and Jeffries: Prohibiting county commissions from adopting any authorization that exceeds state law regarding agricultural operations	635	737, 983		1121		635, 738, 1016, 1059, 1083, 1121
586 -	By Senator Swope: Requiring spending units to submit software procurement requests to Enterprise Resource Planning Board	635					635
587 -	By Senators Chapman and Karnes: WV Volunteer State Defense Guard Act	635					636, 685
588 -	By Senators Takubo, Smith, Stover, Weld, Woelfel, Deeds, Clements, and Maroney: Increasing tax credit for employers providing child care for employees	636					636, 685, 765
*589 -	By Senators Rucker and Roberts: Relating to nonpublic kindergarten, elementary, and secondary school education	636	819, 1248				637, 820, 839, 1248
**590 -	By Senators Nelson, Plymale, Barrett, Roberts, Deeds, Woelfel, and Queen: Emergency Medical Services Retirement System Act	669	821, 1026		1201		670, 714, 765, 821, 839, 1091, 1129, 1201
591 -	By Senators Swope, Rucker, Trump, and Roberts: Allowing counties and municipalities to jointly undertake development projects	670	822		938	1613	670, 714, 876, 918, 938, 2006, 2030

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
592 -	By Senators Takubo, Smith, Weld, Trump, Plymale, Deeds, Maroney, and Woelfel: Providing tax credit to corporations for existing employer-provided child care facilities	670					670, 714, 731, 765
*593 -	By Senators Barrett, Rucker, and Maroney: Mandating cost of living salary adjustment policy for state employees	670	783, 1248		1388		671, 731, 765, 784, 1249, 1278, 1388
*594 -	By Senators Takubo, Maroney, and Nelson: Specifying fairness in cost sharing calculations for certain high deductible health plans	671	932		1050	1613	671, 765, 933, 975, 1002, 1050-1051, 2006, 3164
595 -	By Senators Tarr, Martin, Woodrum, and Smith: Relating to real property, tax, and registration requirements associated with carbon offset agreements	671					672, 714, 731
*596 -	By Senators Barrett, Tarr, and Plymale: Modifying payment for housing and maintenance of inmates	672	822	939-946	946		672, 876, 878, 918, 938-947
597 -	By Senators Woodrum and Roberts: Allowing Workforce WV to hire classified service exempt employees	672	888		1051	2015	672, 714, 970, 1002, 1051, 3083, 3166
598 -	By Senator Stuart: Increasing availability of prescription nonopioid medications	673					673
599 -	By Senators Rucker, Roberts, Smith, Taylor, Deeds, and Maynard: Requiring moment of silence at beginning of each school day	673					673, 714, 765
600 -	By Senators Phillips, Rucker, and Taylor: Specifying requirements for shareholder voting by WV Investment Management Board and Board of Treasury Investments	699					699, 731, 878

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*601 -	By Senators Rucker, Deeds, Roberts, and Taylor: Providing that WV Secondary School Activities Commission promulgate legislative rules	699	823				699, 731, 876, 878, 919, 969
*602 -	By Senators Grady, Tarr, Trump, Swope, and Nelson: Enabling WVSU and Bluefield State University to offer associate degrees	700	823		948		700, 731, 824, 876, 878, 919, 948
603 -	By Senators Taylor and Rucker: Authorizing WVSSAC to promulgate legislative rules	700					700, 731
604 -	By Senators Woodrum and Deeds: Authorizing DHS to establish Office of Inspector General	700					700, 731
605 -	By Senators Maroney and Takubo: Requiring state medical examiner to enter into contracts with procurement organization	700	784	1791-1792	914, 1793	1791	700, 765, 838, 872, 914, 1793, 2465, 3166
606 -	By Senators Rucker, Deeds, Roberts, Maynard, and Woodrum: Exempting ad valorem property tax on property used for divine worship, educational, and charitable purposes	700					701, 731, 765
607 -	By Senators Oliverio, Clements, Caputo, Jeffries, and Maroney: Authorizing counties to increase special district excise tax	717	824				718, 825
608 -	By Senators Trump and Deeds: Correcting list of items which are considered deadly weapons	718	856	2917-2921	1052, 2922	2917	718, 765, 920, 969, 1002, 1052, 2922, 3107, 3167
609 -	By Senators Smith, Azinger, Boley, Phillips, Swope, and Taylor: Obtaining approval for decommissioning or deconstructing of existing power plant	718	785	872, 873, 1613-1614	873, 1614	1613	718, 765, 806, 838, 872-874, 1614-1615, 1825, 1891
610 -	By Senators Takubo, Maroney, and Martin: Affordable Medicaid Buy-in Program	718					718, 765, 1115

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
611 -	By Senator Smith: Applying penalties for nonpayment of royalties under terms of oil and natural gas leases	719					719
612 -	By Senators Barrett and Rucker: Eliminating certain centers from certificate of need review	719					719
*613 -	By Senator Maroney: Relating generally to certificates of need	719	984	1201, 2484- 2485	1202, 2485	2484	719, 1059, 1083, 1201-1202, 2486, 3096, 3152
614 -	By Senators Tarr, Woelfel, and Deeds: Extending jurisdiction of School Safety Unit	738					738, 806
615 -	By Senators Taylor, Martin, and Rucker: Prohibiting mandates for vaccines	738					738, 806
*616 -	By Senators Weld and Deeds: WV Veterans' Home Loan Mortgage Program of 2023	738	933		1076		739, 806, 934, 1015, 1057, 1077
*617 -	By Senator Barrett: Relating to Intellectual and Development Disabilities Waiver Program Workforce Study	739	984	3038- 3043	1077, 3043	2736, 3080	739, 985, 1057, 1077, 2736-2748, 3001- 3002, 3015, 3028, 3038-3043, 3101, 3146
618 -	By Senator Maroney: Providing that fairness in cost sharing calculation does not apply to voluntary Cost Share Assistance Program	739					739
619 -	By Senators Grady and Taylor: Allowing teachers in public schools to teach intelligent design	739	986		1122		740, 806, 1059, 1083, 1122
620 -	By Senators Trump and Taylor: Increasing maximum number of registered voters per precinct and distance between polling places	740	888		1052		740, 806, 970, 1002, 1052
*621 -	By Senators Takubo and Deeds: Requiring sheriff to serve child abuse and neglect petitions	740	856		997		740, 878, 920, 969, 997
622 -	By Senators Nelson, Hamilton, Phillips, and Queen: Including state correctional officers in DNR Police Officer Retirement System	740					740, 806, 839

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
623 -	By Senators Barrett, Hamilton, Phillips, Deeds, and Maroney: Authorizing firefighters employed by WV National Guard to be members of Emergency Medical Services Retirement System	740					741, 806, 1062
624 -	By Senators Rucker, Deeds, and Stuart: Clarifying offense of vehicular homicide	741					741, 806, 1175
625 -	By Senator Rucker: Requiring certain transcripts to be accepted as record of student's performance for placement in micro school programs	741	1027	1123	1123	2684, 3046	741, 1028, 1083, 1123, 2684-2685, 3101, 3146
626 -	By Senators Rucker and Martin: Increasing penalties for operating house of prostitution	741					741, 807
627 -	By Senators Rucker and Oliverio: Establishing solar program for subscribers to gain credits against their utility bills	742					742, 839
*628 -	By Senators Rucker and Oliverio: Revising provisions related to public charter schools	742	1028	1203	1204		743, 1029, 1091, 1129, 1203-1204
629 -	By Senators Hamilton, Clements, Deeds, Hunt, Karnes, Martin, Stover, and Phillips: Establishing auto-renewal program for wildlife licenses	743	825		948		743, 807, 876, 919, 948
*630 -	By Senators Rucker, Trump, Woelfel, Deeds, Grady, Barrett, and Hamilton: Creating offense of knowingly and willfully obstructing social service worker	743	857		998		743, 807, 839, 878, 920, 969, 998
*631 -	By Senator Queen: Updating administration, funding, and requirements for federal elections held in WV	788	889		1053	2685	788, 970, 1002, 1053, 3095, 3166
632 -	By Senators Chapman and Taylor: Prohibiting mandatory COVID-19 or other experimental vaccines for school attendance	788					789, 839

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*633 -	By Senators Woodrum, Trump, Deeds, Caputo, Woelfel, and Rucker: Requiring prompt appearances for persons detained on capiases	789	1171	2922-2927	1389, 2927	2922	789, 839, 878, 975, 1175, 1244, 1278, 1389, 2927, 3107, 3167
*634 -	By Senators Woodrum, Trump, Clements, and Jeffries: Increasing value at which municipal property must be sold through public auction	789	1093	1278	1389		789, 839, 1115, 1132, 1242, 1279, 1389
*635 -	By Senators Weld, Deeds, Plymale, and Phillips: Updating language and increasing penalties for indecent exposure	789	858	969-970	999		790, 839, 878, 920, 970, 999
636 -	By Senators Barrett, Jeffries, Nelson, Phillips, Queen, Rucker, Takubo, Weld, and Plymale: Authorizing transfers to and from Licensed Racetrack Modernization Fund	790					790, 839
637 -	By Senators Phillips and Smith: Fair Access to Financial Services Act	790					790
*638 -	By Senators Grady, Swope, Rucker, Jeffries, Clements, Plymale, and Maroney: Providing bonuses to school personnel for unused personal days	790	986				790, 840, 987, 1017, 1062
639 -	By Senators Oliverio, Caputo, and Woelfel: Authorizing restitution to victims of securities fraud	790					791, 975
640 -	By Senators Oliverio and Rucker: Requiring DOH develop formula for allocating road funds among districts	791					791
641 -	By Senators Chapman and Trump: Clarifying when magistrate vacancies shall be filled	791	888		1054		792, 840, 971, 1002, 1054
642 -	By Senator Trump: Changing deadline for county clerks to report voter participation history	792					792, 840, 975
643 -	Updating administration of federal elections held in WV	792					792, 920

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*644 -	By Senator Chapman: Updating contested elections procedures	792	889		1054		793, 971, 1002, 1054
645 -	By Senators Rucker and Taylor: Prohibiting laws requiring person to receive or use medical products	793					793
*646 -	By Senator Nelson: Creating emeritus physician license	793	984		1078		793, 985, 1057-1058, 1078
*647 -	By Senator Trump: Relating to substantiation of abuse and neglect allegations	793	1169	1279-1282, 1390, 2928-2931	1390, 2932	2927	793, 1245, 1282, 1390, 2932, 3107, 3167
648 -	By Senator Tarr: Amending deliberate intent exception to immunities provided under workers' compensation	794					794, 1058
*649 -	By Senators Blair (Mr. President), Trump, Rucker, and Barrett: Authorizing Berkeley County Council to change its name to Berkeley County Commission	794	980		1078	2486	794, 982, 1058, 1079, 3096, 3166
*650 -	By Senators Takubo, Tarr, Weld, and Deeds: Allowing physician assistants to own practice	794	1101		1270		795, 840, 1132, 1242, 1270
651 -	By Senators Takubo, Deeds, and Maroney: Oral Health and Cancer Rights Act	795					795, 840, 1062
652 -	By Senator Tarr: Modifying Municipal Home Rule appeals	827					827
653 -	By Senator Trump: Allowing group of affiliated voters to become recognized political party	827					827
654 -	By Senator Maroney: Requiring cooperation with child support enforcement as condition for public assistance	827					827, 878, 1115
655 -	By Senator Maynard: Parents' Bill of Rights	827					828

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*656 -	By Senators Woodrum, Stuart, and Jeffries: Verifying legal employment status of workers to governmental agencies	828	981		1079		828, 975, 982, 1017, 1058, 1079
*657 -	By Senators Maroney and Nelson: WV Long-Term Care Insurance Act	828	932		1080		828, 975, 1015, 1058, 1080
658 -	By Senators Jeffries and Swope: Clarifying WV follow market-based approach to business and occupation taxation	828					828, 878
659 -	By Senators Trump, Woelfel, and Deeds: Clarifying juvenile competency determination process extends to status offenders	828					829, 878
*660 -	By Senators Weld, Woelfel, Deeds, Hamilton, Rucker, and Trump: Establishing aggravated felony offense of reckless driving resulting in death	829	1097		1271		829, 878, 1062, 1132, 1175, 1243, 1271
*661 -	By Senators Roberts and Tarr: Clarifying preferential recall rights for employees sustaining compensable injury	829	890	1003, 1055, 2932-2934	1055, 2935	2932	829, 921, 971, 1003, 1055, 2935, 3107, 3167
662 -	By Senators Barrett and Deeds: Expanding exemption for private practice physicians to provide MRIs	829					829, 878
663 -	By Senator Taylor: Approving overtime pay for teachers	829					830
664 -	By Senator Taylor: Dissolving PEIA and converting to employer-owned mutual insurance company	830					831
*665 -	By Senator Rucker: Amending licensure requirements for massage therapist	831	987	1084	1124	2685	831, 988, 1059, 1084, 1124, 3095, 3166
*666 -	By Senators Woelfel and Caputo: Placing cap on maximum penalty that may be imposed for first-degree robbery	859	1102		1272		859, 921, 1132, 1243, 1272

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*667 -	By Senators Grady, Weld, Smith, and Taylor: Requiring periodic performance audits of WV Secondary School Activities Commission	859	1030	2935-2936	1204, 2937	2935	859, 921, 1017, 1092, 1129, 1204, 2937, 3107, 3181
668 -	By Senator Grady: Requiring patient notification when screening indicates dense breast tissue	860					860
669 -	By Senator Maroney: Creating criminal offense prohibiting public disclosure of restricted information	860					860
670 -	By Senator Maynard: Clarifying process for filling vacancies in Legislature	860					860
671 -	By Senators Maynard, Grady, and Caputo: Modifying e-bike regulations	860					861, 921
672 -	By Senator Phillips: Requiring parity with non-preferred oral branded antipsychotic agents	861					861
673 -	By Senators Boley, Clements, Maynard, Smith, Stuart, Tarr, Grady, Deeds, Rucker, Chapman, and Azinger: Providing voters with ability to identify and verify their ballot cast	861					861, 921, 975, 1017, 1062, 1330
674 -	By Senators Trump, Tarr, and Weld: Providing statutory recognition and appointment of board members for WV First Foundation	861			999	2686	861, 920, 921, 970, 1000, 3095, 3139
675 -	By Senators Rucker, Grady, Chapman, Barrett, Boley, Caputo, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum: Increasing reimbursement of sexual assault forensic medical examination kits	862					862

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*676 -	By Senators Maroney and Takubo: Requiring report on Medicaid fees and managed care provider reimbursements compared to PEIA, Medicare, and surrounding states	862	985	1084-1085	1124		862, 1017, 1059, 1085, 1124
*677 -	By Senators Swope and Rucker: Clarifying role and responsibilities of State Resiliency Officer	862	1030	1205, 2937-2964	1205, 2965	2937	863, 1032, 1062, 1092, 1130, 1204-1206, 2965, 3107, 3167
678 -	By Senators Trump and Barrett: Adding appropriations to DHHR, Division of Human Services	863	934		1080	2686	863, 975, 1015, 1058, 1080-1081, 3086, 3128
679 -	By Senators Tarr, Woelfel, Plymale, and Roberts: Requiring Office of Inspector General to promulgate rules concerning location of forensic group homes	891	1106	1670-1671	1206, 1671	1670	891, 975, 1017, 1106, 1115, 1130, 1206-1207, 1672, 2006, 2253
680 -	By Senator Deeds: Modifying awards and benefits for WV State Police officers who take disability retirement	891					891
*681 -	By Senators Deeds and Woelfel: Clarifying that juvenile competency determination process extends to status offenders	892	1097		1272		892, 976, 1132, 1243, 1272-1273
682 -	By Senators Taylor and Rucker: Requiring municipal elections to be held on same day as statewide elections	892					892, 976
683 -	By Senator Taylor: Changing name of School Building Authority to School Maintenance Authority	892					892
684 -	By Senators Grady and Rucker: Maintaining nursing board standards and accreditation	892					892, 1115
685 -	By Senator Smith: Amending deliberate intent exception to immunities provided under workers compensation	892					893
686 -	By Senators Plymale and Woelfel: Youth Mental Health Protection Act	893					893, 976

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
687 -	By Senators Azinger and Deeds: Requiring law-enforcement agencies and CPS report certain allegations to county school personnel	893					893, 976
*688 -	By Senators Chapman, Hunt, and Oliverio: Allowing BOE to hire retired teachers to assist with tutoring	893	1098		1207	2015	894, 1099, 1115, 1130, 1207, 3083, 3166
689 -	By Senator Maynard: Establishing resident and nonresident wildlife viewing stamps	894					894
690 -	By Senators Maynard and Queen: Allocating funds to WV Motorsports Committee	894					894, 976
*691 -	By Senator Maynard: Requiring Mountaineer Challenge Academy and Bureau for Social Services to provide reimbursement for cadets' enrollment costs	894	1106				894, 1107
692 -	By Senators Maynard and Taylor: Relating to gender reassignment medical services for minors	894					895
693 -	By Senators Maynard, Rucker, and Stuart: Permitting Mountaineer ChalleNGe Academy cadets to enroll in accredited courses to obtain WV Education Information System Number	895					895, 976, 1175
694 -	By Senators Takubo and Woelfel: Providing supplemental Medicaid reimbursement for academic medical center acute care providers	895					895, 976
695 -	By Senators Hunt, Chapman, Clements, Deeds, Karnes, Stuart, Phillips, Grady, Woelfel, and Taylor: Increasing penalties for sexual assault against minors	895					896, 976, 1452
696 -	By Senators Plymale and Caputo: Prohibiting unlawful discriminatory practices covered by Human Rights Act and Fair Housing Act	896					896

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
697 -	By Senators Azinger, Maynard, Smith, Taylor, Karnes, and Stuart: Prohibiting gender transition surgeries, treatments, and therapies to minors	896					896, 1062, 1175
698 -	By Senator Takubo: Updating term of "physician assistant" to "physician associate"	896					897
699 -	By Senator Maynard: Allocating funds to WV Flatwater Trails Commission	897					898
700 -	By Senator Trump: Transferring Division of Personnel duties to individual agencies	898					898
701 -	By Senators Blair (Mr. President), Woelfel, and Maynard: Updating administration and requirements of Managed Timberland Program	898					898, 1330
702 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Division of Natural Resources, Wildlife Resources	899					899
703 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Department of Transportation, DMV	899					899
704 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to BOE, Vocational Division	899					899
705 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Division of Health, Maternal and Child Health	899					900

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
706 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Department of Agriculture, WV Spay Neuter Assistance Fund	900					900
707 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Miscellaneous Boards and Commissions, Economic Development Authority	900					900
708 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to BOE, School Lunch Program	900					901
709 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Miscellaneous Boards and Commissions, Consumer Advocate Fund	901					901
710 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Establishing Welcome Home Grant Program	901					901
711 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to DOT, Division of Highways	901					902
712 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Department of Administration, Office of Technology	902					902
713 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Increasing number of districts and limit on approved costs under BUILD WV Act	902					902

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
714 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to DHS, Regional Jail and Correctional Facility Authority	902					902
715 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to DHHR, WV Birth-to-Three Fund	902					903
716 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Department of Veterans' Assistance, Veterans' Facilities Support Fund	903					903
717 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to DHHR, WV Safe Drinking Water Treatment	903					903
718 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Division of Human Services, Child Care Development	903					904
719 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to BOE, School Building Authority	904					904
720 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Miscellaneous Boards and Commissions, PSC	904					904
721 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to DHHR, Hospital Service Revenue Account	904					905

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
722 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Department of Commerce, Division of Rehabilitation Services	905					905
723 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Department of Agriculture	905					905
724 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to DHHR, Division of Human Services	905					905
725 -	By Senator Tarr: Requiring runoff elections for judicial candidates	906					906
726 -	By Senator Azinger: Preventing compensatory damage awards for outstanding medical expenses	906					906
727 -	By Senators Deeds, Woodrum, Barrett, and Hamilton: Providing reports to DMV on mental and physical disabilities for driver's license	906					906, 976
728 -	By Senator Woodrum: Clarifying department responsible for administration of certain programs	906					907
729 -	By Senators Jeffries, Queen, and Smith: Establishing Energy Intensive Industrial or Manufacturing Consumer Tax Credit	907					907, 976
*730 -	By Senator Maroney: Expanding authority of Legislative Oversight Commission on Health and Human Resources Accountability	907	988	1058, 1672-1677	1081, 1678	1672, 2015	907, 988, 1058, 1081-1082, 1678, 3083, 3168
731 -	By Senator Azinger: Requiring adjustment of verdicts for past expenses to reflect amount incurred and paid	907					908

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
732 -	By Senators Maroney, Takubo, Azinger, Chapman, Deeds, Grady, Hamilton, Hunt, Plymale, Roberts, Tarr, and Weld (originating in Senate Health and Human Resources): Prohibiting insurer from imposing copayment for certain services		1107		1273		1133, 1243, 1273
733 -	By Senators Woodrum, Barrett, Hamilton, Hunt, Jeffries, Phillips, Queen, Smith, Stuart, Swope, and Weld (originating in Senate Government Organization): Relating to wildlife licenses and stamps		1108	2984-2988	1208, 2989	2983	1108, 1130, 1208, 2989, 3101, 3146
734 -	By Senators Woodrum, Barrett, Hamilton, Hunt, Jeffries, Phillips, Queen, Smith, Stuart, Swope, and Weld (originating in Senate Government Organization): Requiring adoption of cloud computing services by state agencies		1109		1274	2686	1133, 1243, 1274, 3095, 3168
735 -	By Senators Woodrum, Barrett, Hamilton, Hunt, Jeffries, Phillips, Queen, Smith, Stuart, Swope, and Weld (originating in Senate Government Organization): Clarifying department responsible for administration of certain programs		1109	2966	1208, 2967	2965	1110, 1130, 1208, 2967, 3108, 3168
736 -	By Senators Grady, Clements, Azinger, Deeds, Roberts, Stover, Taylor, and Trump (originating in Senate Education): Establishing three-year nontraditional school week pilot project		1110				1133, 1243, 1282, 1330
737 -	By Senators Tarr, Phillips, Barrett, Boley, Clements, Jeffries, Maroney, Nelson, Oliverio, Plymale, Queen, Roberts, Smith, and Woodrum (originating in Senate Finance): Emergency Medical Services Act		1111	1209, 2967-2969	1209, 2969	2967	1111, 1130, 1209, 2969, 3101, 3146
738 -	By Senators Hamilton, Stover, Deeds, Phillips, Smith, Stuart, Swope, Taylor, and Woodrum (originating in Senate Agriculture and Natural Resources): Equipment Right to Repair Act		1172		1391		1245, 1282, 1391

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
739 -	(originating in Senate Rules) Relating to moratorium on carbon capture agreements		1172	1422-1423, 1424, 3032-3033	1424, 3033	2748	1173, 1244, 1274, 1391, 1422-1425, 2748-2752, 3032-3034
740 -	(originating in Senate Rules) Relating to compensation and expense reimbursement for members of Legislature		1249	2752-2754, 3026	1426, 2754, 3026	2752	1250, 1282, 1391, 1426, 2755, 3025-3026, 3101, 3146
741 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to Department of Commerce, Division of Forestry	1332					1332
742 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Department of Veterans' Assistance	1332					1332
743 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to BOE, Department of Education	1332					1333
744 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplemental appropriation to Department of Economic Development, Office of Secretary	1333					1333
745 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplemental appropriation to Executive, Governor's Office, Coronavirus State Fiscal Recovery Fund	1333					1333
746 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing appropriations to DOT, Division of Multimodal Transportation Facilities	1333					1334

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
747 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Adjutant General, State Militia	1334					1334
748 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to Governor's Office, Civil Contingent Fund	1334					1334
749 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to DOT, Division of Multimodal Transportation Facilities, State Rail Authority	1334					1335
750 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to Department of Administration, Division of General Services	1335					1335
751 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to BOE, State Department of Education, Classroom Aide Program	1335					1335
752 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making a supplemental appropriation to Department of Revenue, State Budget Office	1335					1336
753 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to Adjutant General, State Militia	1336					1336
754 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to Department of Commerce, Office of Secretary	1336					1336

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
755 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to DHHR, Division of Health	1336					1337
756 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to DOT, Division of Multimodal Transportation Facilities, Public Transit	1337					1337
757 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to DHS, Division of Administrative Services	1337					1337
758 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriation to DHS, Division of Corrections and Rehabilitations, Correctional Units	1337					1338
759 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing appropriations to DOT, Division of Multimodal Transportation Facilities, Aeronautics Commission	1338					1338

Number	TITLE OF SENATE JOINT RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
1 -	By Senators Tarr, Phillips, Woodrum, Hunt, Chapman, Kames, Smith, and Maroney: Protection of Right to Bear Arms Amendment	137					138, 160, 189, 251, 313, 362, 623, 685
*2 -	By Senators Smith, Phillips, Caputo, Rucker, Hamilton, Hunt, Chapman, and Maroney: Disabled Veterans' Exemption from Ad Valorem Property Taxation Amendment	138	190				138, 160, 189, 191, 202, 251, 313, 685
3 -	By Senators Weld, Nelson, Queen, Taylor, Martin, Smith, and Maroney: Constitutional Officer Term Limit Amendment	138					138, 160, 218, 416, 437, 623, 685, 1175
4 -	By Senators Kames, Hamilton, Martin, and Smith: Right to Farm and Ranch Amendment	138					138, 240, 437, 623
5 -	By Senator Oliverio: County Boundary Review Amendment	139					139, 240
6 -	By Senators Trump, Rucker, Stuart, Smith, Maroney, Caputo, Hamilton, Phillips, Clements, Hunt, Chapman, and Grady: Homestead Exemption for Disabled Veterans Amendment	157					157, 189, 251, 313, 467
7 -	By Senators Jeffries, Caputo, and Karnes: Fair County Commissioner Representation Amendment	235					235, 251, 1063
8 -	By Senators Jeffries and Caputo: Fair School Board Representation Amendment	247					247, 296
9 -	By Senators Grady, Barrett, Chapman, Deeds, Hunt, Kames, Martin, Maynard, Phillips, Roberts, Rucker, Tarr, Swope, Smith, Taylor, and Stuart: Right to medical freedom amendment	405					405, 437, 976, 1175
10 -	By Senators Chapman, Maynard, Rucker, and Taylor: Returning Roads to Counties Amendment of 2023	538					539, 595, 765, 976

Number	TITLE OF SENATE CONCURRENT RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
1 -	By Senator Takubo: Adopting Joint Rules of Senate and House of Delegates	34			51	102	51
2 -	By Senators Blair (Mr. President), Tarr, and Woelfel: Authorizing payment of expenses for 86th Legislature	51			52	102	52
*3 -	By Senators Karnes and Hamilton: Dr. Roland P Sharp Memorial Road	185	785		833	1615	185, 201, 833
*4 -	By Senators Maynard and Phillips: US Navy S1 Ira "Noon" Copley and Marie Copley Memorial Bridge	214	785		833	2486	215, 235, 251, 833
5 -	By Senators Queen, Caputo, and Martin: US Navy S1 Paul McCue Bridge	353					353, 378, 437
*6 -	By Senators Smith, Taylor, Weld, and Woelfel: US Army SGT Vincent DiBacco Memorial Bridge	453	786		833	1615	453, 502, 513, 624, 833
7 -	By Senators Clements and Plymale: Amending Joint Rules of Senate and House of Delegates	579		612-613, 732-733	613, 733	732	579, 613, 733
8 -	By Senators Woodrum and Deeds: US Army PV 2 Harold Richard Plumley Memorial Bridge	611	786		834	2486	611, 637, 654, 834
9 -	By Senators Maynard and Plymale: Declaring Guyandotte River crayfish official crustacean for State of WV	611					611, 637, 654
*10 -	By Senators Hunt and Jeffries: US Army Air Corps PVT Albert J Sutphin Memorial Highway	637	1250		1260	2487	637, 677, 685, 1260
*11 -	By Senator Woodrum: US Army SGT Brian Christopher Karim Memorial Road	701	1622	1696-1697	1697	3080	701, 720, 1697
12 -	By Senators Stover, Chapman, Maynard, Rucker, and Roberts: Oakey Tolliver Memorial Bridge	831					832, 864, 879
*13 -	By Senators Martin and Queen: Wyant Brothers WWII Veterans Memorial Road	832	1250		1261	2487	832, 864, 1261

Number	TITLE OF SENATE CONCURRENT RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
14 -	By Senators Deeds and Plymale: Supporting Medal of Valor nominees recommended by First Responders Honor Board	832			865	3080	832, 865, 879
15 -	By Senators Maynard, Plymale, and Woelfel: Permitting Department of Tourism to procure bids for lodge on Beech Fork Lake	832					832, 865, 879
*16 -	By Senators Phillips, Rucker, Stuart, Taylor, and Smith: US Army 1SG James Arnold Browning Memorial Bridge	863	1251		1261	2487	863, 908, 921, 1261
*17 -	By Senators Phillips and Smith: US Navy PO2 Phillip Joseph "PJ" Hainer Memorial Bridge	864	1251		1261	1615	864, 908, 921, 1261
18 -	By Senators Maroney, Takubo, Azinger, Chapman, Deeds, Grady, Hamilton, Hunt, Jeffries, Plymale, Roberts, Rucker, Tarr, and Weld (originating in Senate Health and Human Resources): Requesting Joint Committee on Government and Finance study increasing availability of prescription nonopioid medications		891, 3035		3036		935-936, 3036
19 -	By Senators Woodrum and Trump: Requesting Joint Committee on Government Organization study operations of Division of Personnel	1033	3035		3036		1033, 1073, 3036
20 -	By Senators Azinger, Caputo, Chapman, Deeds, Hamilton, Hunt, Martin, Maynard, Rucker, Stover, Stuart, Swope, Takubo, Taylor, Weld, Woelfel, and Trump (originating in Senate Judiciary): Requesting Joint Committee on Judiciary study operations of WV BRIM		1047, 3035		3036		1073, 3036
21 -	By Senators Barrett, Woodrum, Queen, and Nelson: Requesting Joint Committee on Technology study feasibility of Digital Identification	1260					1260, 1338, 1452

Number	TITLE OF SENATE CONCURRENT RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
22 -	By Senators Azinger, Caputo, Chapman, Deeds, Hamilton, Hunt, Martin, Maynard, Rucker, Stover, Stuart, Swope, Takubo, Taylor, Weld, and Trump (originating in Senate Judiciary): Requesting study on need for awarding attorney's fees and recovering damages in civil tort actions		1309, 3035		3036		1338, 3036
23 -	By Senators Maroney, Takubo, Azinger, Deeds, Grady, Hamilton, Hunt, Plymale, Roberts, Rucker, Tarr, and Weld (originating in Senate Health and Human Resources): Requesting study on impact of public benefit income eligibility guidelines on direct care workforce participation		1796				1898
24 -	By Senators Clements, Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, and Woodrum: Renaming Mount Olive Correctional Complex and Jail as Mike V. Coleman Maximum Security Complex	2032		3000-3001	2032, 3001	3000	2032, 3001
25 -	By Senators Rucker, Azinger, Boley, Chapman, Deeds, Hunt, Karnes, Martin, Maynard, Roberts, Smith, Stuart, Swope, Taylor, and Weld: Requesting study on effects of Uniform Common Interest Ownership Act on investment opportunities and projects in WV	2509					2509, 2679
26 -	By Senators Caputo, Chapman, Deeds, Hamilton, Hunt, Maynard, Stover, Stuart, Swope, Taylor, Trump, Weld, and Woelfel (originating in Senate Judiciary): Requesting study on creation and implementation of earned compliance credit program for parolees and probationers		3014, 3036		3036		3014, 3036

Number	TITLE OF SENATE CONCURRENT RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
27 -	By Senators Blair (Mr. President), Takubo, Azinger, Boley, Grady, Maroney, Nelson, Tarr, Trump, Weld, Woelfel, and Woodrum (originating in Senate Rules): Requesting study on use of E-Verify for employers with public contracts		3037		3037		3037
28 -	By Senators Blair (Mr. President), Takubo, Azinger, Boley, Grady, Maroney, Nelson, Tarr, Trump, Weld, Woelfel, and Woodrum (originating in Senate Rules): Requesting study on legislation needed to address privacy in social care and health-related social needs space		3037		3037		3037

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
1 -	By Senator Takubo: Adopting Rules of Senate	9			33	
2 -	By Senator Tarr: Authorizing mailing of bills and journals	33			33	
3 -	By Senators Tarr and Stuart: Authorizing appointment of Senate employees	34			34	
4 -	By Senator Takubo: WV Academy of Nutrition and Dietetics	157			185	157
5 -	By Senators Smith and Hamilton: Honoring public service of Dr. Richard Lechliter for Mineral County Day	157			186	157, 240
6 -	By Senators Oliverio, Caputo, Maroney, Clements, Smith, Taylor, Stuart, Trump, Deeds, Swope, Nelson, Martin, Grady, Phillips, Barrett, Queen, Hamilton, Roberts, and Plymale: Congratulating Bob Huggins on his induction into Naismith Memorial Basketball Hall of Fame	200			215	200, 216, 218, 240
7 -	By Senators Rucker, Woelfel, Hamilton, and Plymale: Designating January 17, 2023, as Girl Scouts Day	200			216	200, 218, 240
8 -	By Senators Smith and Taylor: Designating January 17, 2023, as Tucker County Day	200			216	200, 218
9 -	By Senators Maroney, Hamilton, Oliverio, and Plymale: Designating January 18, 2023, as Jan Lilly-Stewart Disability Advocacy Day	215			235	215, 235, 240
10 -	By Senators Weld, Queen, Woelfel, Caputo, Hamilton, Plymale, and Chapman: Recognizing WV Sheriffs at Legislature on January 20, 2023	247			291	247, 296, 313
11 -	By Senators Blair (Mr. President), Maynard, Jeffries, Rucker, Woodrum, Trump, Nelson, Plymale, Clements, Hamilton, Woelfel, and Grady: Designating January 23, 2023, as WV Tourism Day at Legislature	291			307	291, 313

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
12 -	By Senator Blair (Mr. President): Commemorating 77th Southern Legislative Conference of Council of State Governments Southern Office	306			327	306
13 -	By Senators Rucker, Woodrum, Woelfel, Plymale, and Hamilton: Observing 90th Anniversary of Holodomor Ukrainian Genocide of 1932-1933	327			353	327, 362
14 -	By Senators Blair (Mr. President), Plymale, Swope, Rucker, Hamilton, and Phillips: Designating January 25, 2023, as Aviation Day at Legislature	327			353	327, 362
15 -	By Senators Jeffries, Hamilton, Swope, Caputo, and Plymale: Designating January 26, 2023, as Hunger-Free WV Day at Legislature	353			379	353, 392
16 -	By Senators Smith, Plymale, Deeds, Martin, Rucker, Phillips, Hamilton, and Nelson: Designating January 30, 2023, as Future Farmers of America Day at Legislature	405			425	405, 437, 467
17 -	By Senators Hamilton, Plymale, Deeds, Rucker, Smith, and Phillips: Congratulating Kevin Gregory as WV Outstanding Tree Farmer of 2022	406			426	406, 437
18 -	By Senators Oliverio, Caputo, Maroney, Clements, Smith, Taylor, Hamilton, Swope, Takubo, Nelson, Phillips, Grady, and Rucker: Designating January 31, 2023, as WVU Day at Legislature	425			454	425, 454, 467, 513
19 -	By Senators Takubo, Stover, Hamilton, Swope, Nelson, and Phillips: Designating January 31, 2023, as WV Academy of Family Physicians' Day at Legislature	425			454	425, 467
20 -	By Senators Rucker, Barrett, Swope, and Phillips: Recognizing Leadership Jefferson for its service, dedication, and commitment to Jefferson County	425			455	425, 467

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
21 -	By Senator Weld: Designating February 1, 2023, as National Unclaimed Property Day at Legislature	454			503	454
22 -	By Senators Plymale, Woelfel, Hamilton, Swope, Takubo, Rucker, and Grady: Designating February 1, 2023, as Marshall University Day at Legislature	454			502	454, 504, 513
23 -	By Senators Grady, Rucker, Taylor, Smith, Plymale, Karnes, and Barrett: Designating February 3, 2023, as WV Homeschool Day at Legislature	539			559	539, 559, 568
24 -	By Senators Weld, Rucker, Woelfel, Plymale, Hamilton, Deeds, Smith, and Stuart: Designating February 6, 2023, as Domestic Violence Awareness Day in WV	558			580	558, 595, 624
25 -	By Senators Weld, Hamilton, Rucker, Stuart, Deeds, Swope, Caputo, Plymale, and Oliverio: Designating February 7, 2023, as Sexual Assault Awareness Day at Legislature	579			613	579, 624
26 -	By Senators Woodrum, Plymale, and Deeds: Commemorating and honoring life, military service, and ultimate sacrifice of US Army SGT Brian Christopher Karim	612				612, 637, 654
27 -	By Senators Nelson, Barrett, Hunt, Jeffries, Phillips, Stuart, Hamilton, Plymale, Rucker, Swope, Deeds, and Caputo: Designating February 8, 2023, as Crime Victims Day at Legislature	612			638	612, 654
28 -	By Senators Rucker, Hamilton, Plymale, and Deeds: Recognizing essential role court appointed special advocates provide to WV children	612			638	612, 654

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
29 -	By Senators Boley, Blair (Mr. President), Azinger, Barrett, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Smith, Stuart, Takubo, Tarr, Taylor, Trump, Weld, Woodrum, Swope, Caputo, and Phillips: Strongly encouraging Monongahela Power Company to purchase Pleasants Power Station	701			721	701, 731
30 -	By Senators Grady, Caputo, Maroney, Rucker, and Hamilton: Recognizing February 14, 2023, as National Donor Day at Legislature	719			744	719, 765
31 -	By Senators Tarr, Caputo, Rucker, and Hamilton: Designating February 14, 2023, as Child Care Day at Legislature	720			744	720, 765
32 -	By Senators Jeffries, Hamilton, Rucker, and Plymale: Designating February 16, 2023, as WVSU Day at Legislature	795			834	795, 834, 840
33 -	By Senators Smith, Queen, Boley, Caputo, Martin, Nelson, Oliverio, Phillips, Stover, Stuart, Swope, and Taylor (originating in Senate Energy, Industry, and Mining): Urging WV congressional delegation promote construction of coal-fired power facilities, development of clean coal technology and carbon sequestration projects in WV		795			796
34 -	By Senators Maynard and Plymale: Recognizing February 17, 2023, as Adventure Travel Day at Legislature	832			866	832, 879
35 -	By Senators Weld, Smith, Phillips, Deeds, Queen, Caputo, and Taylor: Recognizing Society of Honor Guard, Tomb of Unknown Soldier	864			909	864, 908-909, 921, 976
36 -	By Senators Hamilton, Smith, Woelfel, and Caputo: Designating February 20, 2023, as Pancreatic Cancer Awareness Day at Legislature	864			909	864, 921

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
37 -	By Senators Blair (Mr. President), Weld, Barrett, Rucker, Karnes, Maroney, Stuart, and Nelson: Recognizing sister-state relationship between WV and Taiwan	935	1252		1262	935, 976, 990, 1017, 1063, 1175, 1262, 1452
38 -	By Senators Clements and Rucker: Designating February 24, 2023, as Corrections Day at Legislature	1033			1073	1033, 1115
39 -	By Senators Maynard, Queen, and Rucker: Recognizing February 24, 2023, as WV Motorsports Day at Legislature	1034			1074	1034, 1073-1074, 1115
40 -	By Senators Oliverio and Rucker: Designating February 27, 2023, as Human Resources Day at Legislature	1117			1187	1117, 1259
41 -	By Senators Blair (Mr. President), Trump, Rucker, and Barrett: Recognizing Leadership Berkeley for its services, dedication, and commitment to Berkeley County, WV	1117			1187	1117, 1259
42 -	By Senators Takubo and Rucker: Recognizing contributions of AARP WV	1117			1188	1117, 1259
43 -	By Senators Rucker, Chapman, Taylor, and Roberts: Designating February 27, 2023, as Rare Disease Awareness Day at Legislature	1187			1262	1187, 1330
44 -	By Senators Queen, Martin, Stover, and Rucker: Recognizing 151st anniversary of Glenville State University	1187			1263	1187, 1263, 1330
45 -	By Senators Stover, Hamilton, and Woelfel: Recognizing 50th anniversary of National Wild Turkey Federation	1504			1629	1504, 1687
46 -	By Senator Grady: Designating March 7, 2023, as Deaf Awareness Day at Legislature	1629			1697	1629
47 -	By Senators Takubo, Deeds, and Caputo: Recognizing March as American Red Cross month	1696			1898	1696, 2009

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
48 -	By Senators Caputo and Rucker: Designating March 9, 2023, as Recovery Community Day	1897			2032	1897, 2467
49 -	By Senators Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, and Woodrum: Memorializing life of John Edward Eckhart, Jr, husband, father, grandfather, Fiscal Officer for WV Senate and dedicated public servant	2510			2679	2510, 2679
50 -	By Senators Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, and Woodrum: Urging WV congressional delegation support railroad safety improvement	3064			3064	

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2002 -	By Delegates Jeffries, Storch, Hott, Kelly, Dillon, Pinson, Heckert, Street, Lucas, Miller, and Bridges: Relating to providing support for families	686	1309, 1679	1719	1899	2487	687, 1310, 1680, 1719, 1899, 3117, 3153
*2004 -	By Delegates Phillips, Kimble, Nestor, Cannon, Holstein, Willis, Espinosa, Miller, A. Hall, Sheedy, and Martin: Prevent the use of payment card processing systems for surveillance of Second Amendment activity and discriminatory conduct	569	1622	1720-1733, 2037	2037	2731	570, 1623, 1733-1734, 1899, 2038, 3117, 3169
*2005 -	By Delegates Worrell, Ellington, Smith, Clark, Dean, Barnhart, Statler, Fehrenbacher, Riley, Dittman, and Hillenbrand: Establishing the dual enrollment pilot program to be administered by the Higher Education Policy Commission and the Council for Community and Technical College Education in conjunction with the State Board of Education	766	1111, 1680		2657		767, 1112, 1681, 1786, 1932, 2147, 2639, 2657, 3109, 3138
*2006 -	By Delegates Summers, Toney, Pinson, Gearheart, Mallow, W. Hall, Rohrbach, Hite, Honaker, Lucas, and Westfall: Relating to reorganizing the Department of Health and Human Resources	882			1000		883, 270, 1000, 1257, 1621
*2007 -	By Delegates Foster, Chiarelli, Horst, Clark, Devault, Coop-Gonzalez, Brooks, Kirby, Maynor, Adkins, and Ward: Prohibiting certain medical practices	570	1487, 1988	2671-2674, 2676, 3044	2675, 3045	3044	570, 1487, 1988, 2147, 2639, 2657, 2676, 3045, 3117, 3169
*2008 -	By Delegates Longanacre, Crouse, Ferrell, Ridenour, Fast, Thorne, Keaton, Ross, McGeehan, Mazzocchi, and Martin: Requiring local entities to enforce immigration laws	571	1988, 2031	2598-2605, 3023-3024	2605, 3024	3023	571, 1989, 2031, 2597, 2606, 3024, 3117, 3169
*2016 -	By Delegates Summers, Tully, Rohrbach, and Espinosa: Relating to confidential childcare records	1176	1796	1932-1943, 2039	2038	2731	1176, 1797, 1943, 2039, 3119, 3170

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2018 -	By Delegates Summers, Tully, and Rohrbach: Permitting the managed care case coordinator to attend the multidisciplinary team meeting	258	395		506		258, 436, 466, 506-507, 651, 735
*2024 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution	1692		2255-2460	2460	2731	1692, 1944, 2039, 2255-2461, 3087, 3129
*2026 -	By Delegates Clark, Horst, Honaker, Barnhart, Worrell, and Espinosa: Authorizing municipalities with police or firefighter employees in PERS to elect to become participating employer in Municipal Police Officer and Firefighter Retirement System for a limited time	1318	1623	2606-2615, 2616, 3028-3029	2616, 3030	3028	1319, 1624, 1734, 1899, 2040, 2597, 2616, 3030, 3110, 3170
2029 -	By Delegates Summers, Tully, Rohrbach, and Foster: Repealing the creation of an all-payer claims database	258	395		507		258, 436, 466, 507-508, 651, 735
*2062 -	By Delegates Tully, Barnhart, Hanshaw (Mr. Speaker), Storch, Hardy, Ferrell, Riley, Linville, Phillips, Longanacre, and Honaker: Establish rules and regulations for e-bikes in West Virginia that more closely comport to federal law	842	1032		1210		842, 1092, 1130, 1210, 1496, 1987
*2064 -	By Delegates Howell and Brooks: To create commercial opportunity zones to attract new businesses to West Virginia	1176					1177
*2065 -	By Delegate Howell: West Virginia Heavy Duty Truck Excise Tax Elimination Act	1177					1178
2113 -	By Delegates Smith, Steele, McGeehan, Capito, Ellington, Skaff, Garcia, Fluharty, Fast, Gearheart, and Kimble: Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse	393					393

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2122 -	By Delegates Steele and Hillenbrand: Relating to custodial interrogation of a child	1319					1319
*2150 -	By Delegate McGeehan: Requiring parents or guardians to participate in programs for juveniles in an out-of-home placement	928					928
2186 -	By Delegate Mallow: Relating to surgical smoke evacuation	808					808
*2218 -	By Delegates Westfall, Garcia, Fast, Kelly, Kump, Fluharty, and Warner: Distracted Driving Act	715	1310, 1797	1944-1953, 2040	2040	2733	716, 1311, 1797, 1953, 2040, 3109, 3153
*2221 -	By Delegates Westfall, Kelly, Steele, Shamblin, Hillenbrand, Kump, and Garcia: Relating to bankruptcy	420	1443	1697-1701, 1702	1701	2487	421, 1482, 1529, 1629, 1702, 3111, 3170
*2252 -	By Delegates Steele, Kirby, Kump, and Homby: Relating to establishing criminal penalties for human trafficking	1158					1158
2283 -	By Delegate Statler: Relating to authorized expenditures of revenues from certain state funds for fire departments	1018	1623		1900		1018, 1624, 1734, 1900, 3110, 3170
*2305 -	By Delegate Howell: Relating to titling and registration of foreign market vehicles	1319					1320
2309 -	By Delegate Howell: To require the Division of Forestry to create an online renewal process no later than July 1, 2023	767	1443		1505		767, 1443, 1476, 1505, 2466, 3169
2310 -	By Delegate Howell: Provide the Division of Motor Vehicles authority to develop an "Antique Fleet" program so that multiple antique motor vehicles may utilize a single registration plate	338	607, 1252	1392-1405, 1406	1405	1615	338, 647, 681, 712, 729, 752, 797, 1275, 1392-1406, 3110, 3170
*2346 -	By Delegate Toney: Declaring a shortage of qualified bus operators and allowing retired bus operators to accept employment	687	1487, 1798		2041		687, 1488, 1798, 1953, 2042, 2971, 3112, 3170

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2380 -	By Delegates Ellington and Toney: Relating to School Building Authority	571	1488		1788		572, 1538, 1651, 1702, 1787-1788, 3116, 3171
*2412 -	By Delegates Hornbuckle, Rohrbach, Worrell, Linville, Lucas, Griffith, Anderson, and Adkins: Declaring November 14 every year, a special Memorial Day in remembrance of the Marshall University airplane crash	297	698		798		297, 730, 760, 798, 974, 1020
*2436 -	By Delegates Tully, Summers, Forsht, Hardy, Worrell, Jennings, Mallow, Honaker, Miller, Foggin, and Heckert: Relating to the implementation of an acuity-based patient classification system	492	1311, 1893	2530-2536, 2537	2537	2971	492, 1311, 1893, 2147, 2527, 2530-2538, 3121, 3153
*2443 -	By Delegate Toney: Relating to service employees with National Association for Pupil Transportation Certifications	572					572
*2483 -	By Delegate Rowe: Creating a tax credit for improving facades in historic districts	1178					1178
2506 -	By Delegates Linville, Howell, Cannon, Householder, Criss, Maynor, W. Hall, Espinosa, Riley, Fehrenbacher, and Chiarelli: Creating a title clearinghouse for non-resident businesses	258	498		499		258, 498-500, 651, 735
*2509 -	By Delegate Steele: Creating the Uniform Premarital Agreement Act	492	1624	1734-1739, 1901	1900	2487	492, 735, 1624, 1739, 1901, 3111, 3171
*2515 -	By Delegates Howell, Clark, Smith, Crouse, Jennings, Ferrell, Phillips, Honaker, Cannon, Linville, and Hott: Require agencies to develop and maintain an inventory of available services for single parents wanting to obtain degrees, secure training or reenter the workforce	842	1625, 1798	1901-1914, 1915	1915	2487	843, 1625, 1799, 1915, 3116, 3171

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2526 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Relating to reducing the personal income tax	241	1112, 1134	1134-1150, 1151	1151	1616	242, 1112, 1134-1152, 1826, 1892
*2530 -	By Delegates Linville and Steele: Relating to the extension of the expiration of temporary registration plates from sixty days to ninety days	314		381-389	411	596	314, 360, 389, 411, 683, 774
2531 -	By Delegate Linville: Requiring cooperation between the rail company and the Division of Highways when construction or maintenance activities are conducted by the company	393	608				393, 608
2533 -	By Delegate Linville: Relating to a permanent windshield placard to be valid for the duration of the applicant's life	314		389	412	595	314, 360, 389, 412, 683, 774
*2538 -	By Delegates Summers, Shamblin, Forsht, Miller, Hite, Heckert, Petitto, Pinson, Mazzocchi, Burkhammer, and Kimble: Requiring usage of child welfare information technology systems	1064					1064
*2540 -	By Delegates Westfall, Hott, Espinosa, and Rowe: Travel Insurance Model Act	767	1253, 1625	1739-1755, 1916, 2970	1916, 2970	2970	768, 1253, 1626, 1755, 1916, 2970, 3110, 3171
2548 -	By Delegates Kelly, Hott, Phillips, Honaker, Riley, Jeffries, Sheedy, Heckert, Shamblin, Petitto, and Forsht: Relating to temporary identification cards for released inmates	687	1444				687, 1444
2564 -	By Delegate Linville: Repeal of administrative hearing procedures for DUI offenses	338	447		563		338, 510, 542, 564, 652, 773
*2567 -	By Delegates Ross, Linville, Dean, W. Hall, Dillon, Foggin, Coop-Gonzalez, and Kump: Relating to felony trespassing	1178					1178

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2569 -	By Delegates Espinosa, Ridenour, Clark, Ferrell, Steele, Criss, Barnhart, Hardy, Dean, and Howell: Establishing the Motorsport Responsibility Act	493	825, 1488	1652-1657, 1703	1703	2015	493, 826, 1538, 1657, 1703, 3111, 3171
*2587 -	By Delegates Smith, Barnhart, Howell, Dean, Hardy, Linville, Clark, Steele, Householder, McGeehan, and Foster: To reflect that County Sheriffs will be required to include a breakdown of the distribution of where a citizen's taxes will be paid	843	1311		1469		843, 1312, 1407, 1469, 1826, 3169
*2596 -	By Delegates Toney, Statler, Vance, Ellington, Cooper, Shamblin, Foggin, and Heckert: To modify when a nonresident student's transfer may be denied	520	787	874-875, 915	915	1018	520, 838, 875, 915, 1258, 1621
2597 -	By Delegates Toney, Vance, Ellington, Cooper, Brooks, Shamblin, Foggin, Heckert, Kirby, and Hardy: Amending performance evaluations of professional personnel	421	1312		1505		421, 1416, 1476, 1505, 2466, 3169
2599 -	By Delegates Linville, Cannon, Keaton, Adkins, Chiarelli, Sheedy, Coop-Gonzalez, Barnhart, Clark, and Holstein: Creating the utility pole rights of way and easement mapping initiative	688	1503				688, 1503
2602 -	By Delegates Toney, Statler, Vance, Ellington, Cooper, Shamblin, and Kirby: Reestablishing certain specialized school service personnel classifications	338	608		709		338, 647, 681, 709-710, 877, 1021
*2605 -	By Delegates Zatezalo, Anderson, Fehrenbacher, Reynolds, Barnhart, Cooper, Nestor, Riley, Linville, Howell, and Gearheart: Relating to Good Samaritan law	768	1313	1477-1479, 1506	1506	1692	768, 1416, 1479, 1506, 3109, 3110, 3171
2607 -	By Delegates Statler and Ellington: Clarify that vehicles with a capacity larger than 10 passengers may be used to transport students provided that no more than 10 passengers may be transported at one time	1064	1313		1469		1064, 1313, 1407, 1469, 3172

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
2611 -	By Delegates Barnhart, Westfall, Hott, Espinosa, and Rowe (originating in House Banking and Insurance): To remove certain territorial limitations on a banking institution's ability to offer messenger services or mobile banking facilities	625	1314		1470		625, 1314, 1407, 1470, 1826, 3173
2613 -	By Delegates Summers, Tully, Jeffries, Miller, Forsht, Heckert, and Kelly: Relating to the administration of anesthetics	520					521
*2621 -	By Delegates Burkhammer, Foster, and Hott: Relating generally to bail bondsman	733	1626, 1989	2042-2051, 2052	2052	2731	733, 1626, 1990, 2052, 3121, 3153
*2638 -	By Delegates Foster and Kump: Authorizing certain agencies of the Department of Administration to promulgate legislative rules	843	1253		1471		843, 1307, 1408, 1471, 2466, 3173
*2640 -	By Delegate Foster: Authorizing certain agencies of the Department of Environmental Protection to promulgate legislative rules	844	1254	1408, 1472	1472	1692	844, 1307, 1408, 1473, 3116, 3172
*2648 -	By Delegate Foster: Authorizing certain agencies and boards of the DHHR to promulgate a legislative rule	1179	1254	1408-1414, 1507-1512, 1513	1513	1692	1180, 1307, 1415, 1473, 1507-1515, 3117, 3173
*2754 -	By Delegates Summers, Tully, Forsht, Heckert, Petitto, Jeffries, and Espinosa: Relating to immunizations performed in a pharmacy	363	1489		1704		364, 1538, 1657, 1704, 3103, 3147
*2757 -	By Delegates Summers, Forsht, Miller, Reynolds, Sheedy, Heckert, Petitto, Jeffries, and Cannon: Relating to expanding institutional eligibility for the WV Invests Grant Program	364	826, 1314		1515		364, 826, 1416, 1479, 1515-1516, 3109, 3173
*2759 -	By Delegates Summers, Tully, Forsht, Miller, Heckert, Petitto, and Reynolds: Relating to updating the health care provider tax	1180	1315, 1680		1917		1181, 1315, 1681, 1755, 1917, 3104, 3147

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2760 -	By Delegates Ross, Dillon, Burkhammer, A. Hall, and Riley: To allow CPR fire fighters to drive ambulances when both attendants are needed to administer patient care	1181	1466	1529-1530	1630	3015	1181, 1467, 1530, 1630, 3109, 3173
*2761 -	By Delegates Ross and Dillon: To allow classroom aides with 10 or more years of service and good evaluations to bid on teaching positions	1158					1158
*2762 -	By Delegates Nestor, Horst, Clark, Hanna, Longanacre, Martin, Hott, Riley, Honaker, Vance, and Statler: Allowing variance in state fire code for certain buildings used solely for emergency equipment storage	688	1311		1474		688, 1312, 1415, 1474, 2466, 3173
2768 -	By Delegates Steele, Foster, Smith, Holstein, and Mazzocchi: To require all state entities and Chapter 30 boards to use “.gov” domains and e-mail addresses	572	1799				572, 1800
2776 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Updating meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act	364	441		564		364, 510, 542, 564, 652, 773
2777 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Updating federal taxable income and other terms in the West Virginia Corporation Net Income Tax Act	364	441		565		364, 510, 542, 565, 652, 773
*2789 -	By Delegates Crouse, Espinosa, McGeehan, Mallow, Longanacre, Kump, Forsht, Heckert, Worrell, Kirby, and Tully: Removing birthing centers from certificate of need	625					625
2800 -	By Delegate Ellington: All relating to authorizing legislative rules regarding higher education	421	555	619-620	645	808	422, 590, 620, 645-646, 974, 1165

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2814 -	By Delegates Young, Anderson, Zatezalo, Heckert, and Clark: To create a Hydrogen power task force	1453	1800	1953-1956	2052	2732	1453, 1800, 1956, 2053, 3121, 3153
*2817 -	By Delegates Cannon, Linville, Riley, Keaton, Shamblin, and Chiarelli: Relating to Public Service Commission jurisdiction over alternative fuel for motor vehicles	768	1489		1705		769, 1538, 1657, 1705, 3104, 3154
*2820 -	By Delegates Crouse, Steele, Burkhammer, Kimble, Worrell, Cannon, Dillon, Butler, Maynor, Lucas, and Pinson: To provide HOPE Scholarship recipients with the ability to play sports	844	1028, 1800	1981-1985	1985	3015	845, 1092, 1131, 1801, 1917, 1980-1986, 3117, 3180
*2821 -	By Delegates Cannon, Steele, Fluharty, Riley, Nestor, Storch, and Espinosa: Relating to taxation of gambling and lottery winnings	808	1798		2853		809, 1798, 1956, 2853, 3117, 3174
2827 -	By Delegates Ellington, Clark, Smith, Chiarelli, Longanacre, Homby, Statler, Toney, Rowe, and Espinosa: Make public charter schools eligible for Safe Schools Funds	1064	1490		1631		1065, 1490, 1530, 1631, 3103, 3174
*2832 -	By Delegates Ellington, Clark, Smith, Chiarelli, Longanacre, Homby, and Toney: Clarifying appropriate and inappropriate duties for school counselors while also providing the definition of a school counselor	716					716
2835 -	By Delegates Rohrbach, Linville, Worrell, Hornbuckle, Crouse, Griffith, Lucas, Skaff, and Capito: Repeal outdated provisions of code relating to the West Virginia graduate college and Marshall University	493			582		493, 543, 566, 582, 763, 887
2839 -	By Delegates Anderson, Zatezalo, Heckert, Cooper, Reynolds, Sheedy, Hott, Street, Barnhart, and Riley: Making a technical correction regarding an incorrect fund name and clarifying applicability to mine lands governed by SMCRA and the Abandoned Mine Lands Act	809	1314		1516		809, 1416, 1479, 1516, 2466, 3147

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2845 -	By Delegates Summers and Tully: Relating to removing expired provisions from the code	689	784		916		689, 838, 875, 916, 1061, 1442
*2848 -	By Delegates Riley, Linville, Cannon, Barnhart, Westfall, Clark, Fehrenbacher, W. Hall, Maynor, Adkins, and Hite: Water and Sewer Operator licensing reciprocity	928	1490		1705		928, 1538, 1657, 1705, 3104, 3147
*2850 -	By Delegate Ellington: Relating to students with exceptional needs	493					494
*2860 -	By Delegates Heckert, Foggin, Westfall, Anderson, Brooks, Crouse, Vance, Honaker, Shamblin, Chiarelli, and Jennings: To dispose of old AFFF foam accumulated by fire departments	1320	1468		1631		1320, 1468, 1530, 1631, 3103, 3147
*2862 -	By Delegates Jeffries, Householder, Hardy, Worrell, Phillips, W. Hall, Kimble, Gearheart, and Keaton: Relating generally to requirements for shareholder voting by the West Virginia Investment Management Board and the Board of Treasury Investments	1540	1990		2659		1540, 1990, 2148, 2639, 2657-2659, 3109, 3154
*2865 -	By Delegate Westfall: To clarify that the PSC may enter an order requiring corrective measures up to and including an acquisition of a distressed or failing utility	1158	1801	1956-1961, 2054	2054	2733	1159, 1802, 1961, 2054, 3121, 3174
*2870 -	By Delegate Westfall: Correcting a reference relating to siting certificates for certain electric generating facilities	521	1489		1706		521, 1538, 1658, 1706, 3104, 3148
2875 -	By Delegates Kirby, Steele, C. Pritt, Summers, Foster, Fast, Kimble, and Kump: Clarifying that Circuit Court Judges have the ability/authority to waive the requirement that a party pass a home study performed by the DHHR	1426	1802	1961-1965, 2055	2055	2732	1426, 1802, 1965, 2055, 3121, 3154

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
2878 -	By Delegates Howell, Linville, Cannon, and Clark: To grant the Fleet Management Division oversight authority of the state vehicle fleet	1453					1454
2882 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplemental appropriation to the Department of Economic Development	716			803, 805		716, 760, 798-803, 804-805, 974, 1165
*2883 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplemental appropriation from the Coronavirus State Fiscal Recovery Fund	3002			3003		3002-3004, 3088, 3128
*2890 -	By Delegates Gearheart, Ellington, Westfall, Storch, Bridges, Foster, Butler, Householder, Cooper, Dean, and Heckert: Modifying student discipline	494	1802	2056-2061	2061	2734	494, 1803, 1965, 2062, 3121, 3154
*2896 -	By Delegates Anderson, Zatezalo, Hanshaw (Mr. Speaker), Smith, Riley, Foster, Steele, Tully, Young, Summers, and Hott: Relating to making West Virginia an Agreement State with the U. S. Nuclear Regulatory Commission	883	1681				884, 1682, 1755
2899 -	By Delegate Westfall: Repealing two sections of code relating to gas utility rates	809	1312		1474		809, 1312, 1415, 1474, 1827, 3174
*2900 -	By Delegates Hanshaw (Mr. Speaker), Hott, Phillips, Heckert, Riley, Rohrbach, and Pinson: Relating to the Deputy Sheriff Retirement System	1320	1444, 1627	1756-1757, 2649	2649	3046	1320, 1445, 1480, 1757, 1918, 2062, 2639, 2649-2650, 3109, 3174
2904 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to the Department of Commerce, Office of the Secretary	1885			2511		1886, 2148, 2510, 2511, 3088, 3128

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2905 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to State Board of Education - State Department of Education - Classroom Aide Program	2015					2016
2906 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, from the balance of moneys remaining as an unappropriated balance in Lottery Net Profits	1426	1491		1706		1426, 1538, 1658, 1707, 3088, 3128
2907 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to the Department of Administration, Division of General Services	2016			2641		2016, 2640-2641, 3088, 3128
*2908 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to the Department of Commerce, Division of Forestry	1886			2512		1886, 2148, 2510, 2512, 3088, 3130
*2910 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Administration, Public Defender Services	1427	1491		1708		1427, 1539, 1658, 1708, 3088, 3130
*2911 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to the Department of Homeland Security, Division of Administrative Services	1692			2513		1693, 1979, 2148, 2510, 2513, 3088, 3130
2913 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to the DHHR, Consolidated Medical Services Fund	2016			2642		2016, 2642-2643, 3088, 3130

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*2914 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to the Governor's Office - Civil Contingent Fund	1886			2514		1887, 2148, 2510, 2514, 3088, 3130
2915 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, from the balance of moneys remaining as an unappropriated balance in the State Excess Lottery Revenue Fund	1427	1491		1709		1427, 1539, 1658, 1709, 3088, 3130
*2917 -	By Delegates Summers, Tully, and Rohrbach: Relating to allowing retired state employees who meet the minimum qualifications necessary, to render post-retirement employment with the Department of Health and Human Resources	1065	1491	1709, 1710, 2251	1710, 2252	2250	1065, 1492, 1530, 1631, 1711, 2252, 3113, 3172
2927 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriation to the Department of Homeland Security, Division of Corrections and Rehabilitation - Correctional Units	2488					2488
*2928 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to DHHR, Division of Health	2017			2644		2017, 2643-2644, 3088, 3131
2937 -	By Delegates Barnhart, Ferrell, Hott, Kelly, Riley, Miller, Statler, C. Pritt, Kump, Holstein, and Hillenbrand: To reduce the business license fee for WV Volunteer Fire Departments to \$250	1019					1019
2939 -	By Delegate Rohrbach: Relating to filing of lien by municipalities for collection of refuse fees	1454	1893	2149-2151	2596		1454, 1894, 2151, 2527, 2596

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
2941 -	By Delegates Ellington, Clark, Willis, Hornby, Statler, and Toney: To extend the end date of the State Advisory Council on Postsecondary Attainment Goals	573					573
2955 -	By Delegates Riley and Keaton: Relating to the establishment and operation of regional water, wastewater and stormwater authorities	1454	1682		2063		1455, 1682, 1786, 1965, 2063, 3119, 3154
2967 -	By Delegates Cooper, Smith, Hillenbrand, Steele, Longanacre, Ridenour, Sheedy, Butler, Honaker, and Crouse: Expediting License Applications for active military members and veterans, and their spouses	689	1991	2617-2625, 2626, 2989-2990	2626, 2991	2989	689, 1991, 2151, 2597, 2626, 2991, 3121, 3155
2970 -	By Delegates Nestor, Steele, Martin, Longanacre, Hott, C. Pritt, Honaker, Garcia, Fast, Kirby, and Householder: Creating the equitable right to expungement	717					717
*2989 -	By Delegates Ellington, Walker, Hornby, Lucas, Dittman, Chiarelli, Mazzocchi, Hornbuckle, A. Hall, Toney, and Foggini: Relating to increasing the number of out-of-state medical students receiving in-state tuition rates who agree to practice for a specific time within West Virginia	1427	1803				1427, 1803
*2992 -	By Delegate Toney: Clarifying and updating school bus rules and the types of vehicles covered	1455					1455
*2993 -	By Delegates Summers and Tully: Relating to rural emergency hospital licensure	809	989	1085-1087	1125	1499	810, 1059, 1087, 1125, 3114, 3174
*3005 -	By Delegates Hardy, Foster, Criss, Hornby, Ridenour, Espinosa, Horst, W. Hall, and Westfall: Relating to accelerating the conversion of the state excise tax on the privilege of transferring real property into a county excise tax	1065					1065

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3006 -	By Delegates Ferrell, Rohrbach, Reynolds, Hardy, Jeffries, Phillips, Honaker, Linville, Riley, Barnhart, and Kelly: West Virginia Critical Infrastructure Protection Act	1181					1181
*3012 -	By Delegates Anderson, Zatezalo, Foggin, Heckert, Hott, Barnhart, Ferrell, Young, Hansen, Fehrenbacher, and Rowe: To encourage economic development regarding rare earth elements and critical minerals, as defined, by providing temporary severance tax relief	845	1445, 1680		1918		845, 1445, 1681, 1757, 1918, 3104, 3180
*3013 -	By Delegates Espinosa, Ridenour, Householder, Hardy, Clark, Criss, Hite, Horst, Hanshaw (Mr. Speaker), Hornby, and Summers: Relating to authorizing the Jefferson County Commission to levy a special district excise tax	1181	1446	1483-1486, 1517	1517	1887	1182, 1446, 1480, 1486, 1518, 1528, 3111, 3175
*3018 -	By Delegates Young, Garcia, Crouse, Chiarelli, Hornby, Fast, Worrell, Holstein, and Hansen: Establishing that 18 is the age of consent and removing the ability of an underage person to obtaining a consent to marry through their parents, legal guardians, or by petition to the circuit court	1455	1988	2650-2653, 2654	2654	3015	1455, 1989, 2462-2463, 2639, 2655, 3121, 3155
*3035 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Relating generally to high-quality education programs and school operations	1428	1804, 1991	2063-2086, 3075-3078	2086, 3079	3075	1429, 1804, 1992, 2087, 3079, 3112, 3138
*3036 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Increasing the number of districts and the limit on approved costs under the BUILD WV Act	689	1445, 1680		2088		689, 1445, 1681, 1786, 1966, 2088, 3121, 3172

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3039 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to Adjutant General - State Militia	2017			2645		2017, 2644-2646, 3089, 3131
*3040 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to the Department of Administration, Office of the Secretary	1887	1992	2152	2515	3046	1887, 1992, 2152, 2510, 2515, 3089, 3131
*3042 -	By Delegates Pinson, Crouse, Foster, C. Pritt, Fast, Ridenour, Burkhammer, Kirby, Mallow, Worrell, and Martin: Relating to forbidding excessive government limitations on exercise of religion	1328			1330		1328-1330, 1543, 2254
*3044 -	By Delegates Gearheart, Householder, Criss, Hardy, Espinosa, Storch, Smith, Nestor, Zatezalo, Maynor, and Ellington: Relating to the annual fee for limited video lottery terminal permits	769	1492		1632		769, 1492, 1531, 1633, 3104, 3148
*3046 -	By Delegate Dillon: Fast Track for Agriculture Education Endorsement	1500					1500
*3049 -	By Delegates Holstein, Keaton, Mazzocchi, Forsht, and Dillon: To create the American Campuses Act	1456					1456
*3055 -	By Delegates Willis, Foster, Foggin, Chiarelli, Heckert, Storch, Young, Sheedy, Hornbuckle, Reynolds, and Ellington: To create a vocational math class for students interested in careers in the trades	626	698	761	804	1019	626, 730, 761, 804, 1258, 1621
*3059 -	By Delegates Reynolds, Dean, Bridges, Linville, Worrell, Willis, Honaker, Zatezalo, Barnhart, Burkhammer, and Holstein: Give PSC authority to fine Class I railroads for safety and operational violations	1540	1992				1542, 1993

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3061 -	By Delegates Summers and Tully: Relating to updating the authority of the Foster Care Ombudsman	521	633	752-758	759	810	521, 682, 712, 730, 752-759, 974, 1165
3065 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities - Aeronautics Commission	1888			2516		1888, 2153, 2510, 2516, 3089, 3131
3066 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to the Department of Education, State Board of Education - State Aid to Schools	1429	1491		1711		1429, 1539, 1658, 1712, 3089, 3131
3067 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to Department of Transportation, Division of Multimodal Transportation Facilities - Public Transit	1888			2517		1888, 2153, 2510, 2517, 3089, 3131
3072 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to Department of Homeland Security, Division of Administrative Services	1430					1430
3073 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to Adjutant General - State Militia	2018			2647		2018, 2646-2647, 3089, 3132
*3074 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities	1889			2518		1889, 2153, 2510, 2518, 3089, 3132

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3077 -	By Delegates Tully, Summers, Brooks, Jennings, Longanacre, Foster, Barnhart, Kelly, Hott, Rohrbach, and Burkhammer: Relating to making the use of the multi-state real time tracking system permanent	689	1804		2627		690, 1805, 1966, 2088, 2597, 2627, 3121, 3155
*3084 -	By Delegates Ellington, Statler, Toney, Clark, Mazzocchi, Longanacre, and Foggin: Relating to revising provisions related to public charter schools	1456	1805	2628, 2991-2993	2629, 2993	2991	1457, 1805, 1966, 2089, 2597, 2629, 2994, 3118, 3172
*3091 -	By Delegate Foster: Requiring counties provide fiscal information for State Auditor's WV Checkbook website	573					573
*3092 -	By Delegates Foster, Longanacre, and Young: Relating to in-state food service permit reciprocity	1457	1805		2089		1458, 1806, 1966, 2089, 3116, 3172
*3095 -	By Delegates Howell, Westfall, Jeffries, Fast, Zatezalo, Kelly, Phillips, Hillenbrand, Clark, and Storch: Creating special revenue account known as School Building Authority Agricultural, Vocational and Technical Training Facilities Grant Fund	1430					1430
*3098 -	By Delegates Ellington, Statler, Toney, Clark, and Hornby: Relating to the West Virginia Summative Assessment and formative assessment	769					769
*3101 -	By Delegates Jeffries, Kimble, Warner, Crouse, Tully, and Dittman: Relating to notification of breast density	928					929
3108 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Hornbuckle [By Request of the Executive]: Supplementing and amending appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities - State Rail Authority	1889			2519		1889, 2153, 2510, 2519, 3089, 3132

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3109 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Hornbuckle [By Request of the Executive]: Supplementing and amending appropriations to the State Board of Education - State Department of Education	2488			2489		2488-2490, 3089, 3132
*3110 -	By Delegates Anderson, Zatezalo, Horst, Hansen, Fehrenbacher, Cooper, Martin, Young, Hardy, and Heckert: Relating to funding the Office of Oil and Gas in the Department of Environmental Protection	1065	1806	2153, 2630	2630	2734	1066, 1979, 2154, 2597, 2630, 3119, 3176
*3111 -	By Delegates Linville, Cannon, Hanshaw (Mr. Speaker), Phillips, Hardy, Summers, and Keaton: Creating Infrastructure Ready Jurisdictions	733	1446				734, 1482
*3113 -	By Delegates Martin, Clark, Ferrell, Phillips, Hardy, Toney, Ellington, Barnhart, Tully, Mazzocchi, and Howell: Requiring high school students to complete course of study in personal finance	770	989	1088, 1500	1125, 1501	1500	770, 1059, 1088, 1125, 1501, 3085, 3148
*3114 -	By Delegates Street, Gearheart, Kirby, Butler, Burkhammer, Chiarelli, Mazzocchi, Hillenbrand, Petitto, Willis, and Brooks: Deny severance pay to employees of DOT for failure or refusal of drug testing	1182	1466	1531-1532	1633	1889	1182, 1467, 1532, 1633, 3114, 3175
*3122 -	By Delegates Vance, Butler, Burkhammer, Longanacre, Dean, Kirby, Dillon, Nestor, Brooks, Toney, and Cooper: Permitting certain types of rifles using an encapsulated propellant charge that loads from the breech	810	935		1056		810, 935, 1003, 1056, 1257, 1621
*3130 -	By Delegates Capito, Gearheart, Smith, Ellington, Steele, Cooper, Toney, and Riley: Creating the Coalfields Energy Research and Economic Development Authority	845	1806				846, 1807, 1966, 2154, 2640

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3133 -	By Delegates Barnhart, Ferrell, and Reynolds: Create a credit against the severance tax to encourage private companies to make infrastructure improvements to highways, roads and bridges in this state	1458					1458
*3135 -	By Delegates Westfall and Riley: To modify the salaries of the Governor and Constitutional officers beginning January 1, 2025	1459	1993	2563-2565, 2566, 3073-3074	2565, 3075	3073	1459, 1993, 2154, 2527, 2566, 3075, 3122, 3155
3141 -	By Delegates Summers and Tully: Relating to the practice of dentistry	596	859	1003-1014	1056		596, 859, 920, 970, 1014, 1056, 3122, 3155
*3145 -	By Delegates Storch, Howell, Clark, and Linville: Recognizing the Commission on Uniform State Laws as a presumptive provider of continuing legal education	717					717
3146 -	By Delegates Storch, Howell, Clark, and Linville: Establishing in West Virginia Code, the contents of the Uniform Public Meetings During Emergencies Act	1431	1627	1758-1764	1919	2490	1431, 1627, 1764, 1919, 3110, 3175
*3147 -	By Delegates Storch, Howell, and Clark: To create the Upper Ohio Valley Trail Network	929	1447, 1894	2154-2155, 2528	2528	2734	929, 1447, 1894, 2155, 2527, 2528, 3122, 3156
*3148 -	By Delegates Storch, Marple, Anderson, E. Pritt, and C. Pritt: Relating to financing municipal policemen's and firemen's pension and relief funds	1066	1447		1634		1066, 1448, 1482, 1533, 1634, 3103, 3148
*3153 -	By Delegates Jennings, Mallow, Hillenbrand, Warner, DeVault, Garcia, Dean, Sheedy, Ferrell, Reynolds, and Rowe: Relating to distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers	1459	1807	2539-2562, 3062-3063	2562, 3063	3047	1459, 1979, 2155, 2527, 2563, 3047-3064, 3066

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3156 -	By Delegates Steele, Nestor, Fast, Kirby, Riley, C. Pritt, Hanna, Holstein, Dean, Shamblin, and Householder: Raising the compensation rates of panel attorneys	1431	1807, 1994	2090	2090	2734	1431, 1808, 1994, 2090, 3122, 3156
*3164 -	By Delegates Summers, Tully, and Walker: To extend the termination date of the West Virginia Advisory Council on Rare Diseases due to a delay in beginning its duties	690	787		916		690, 838, 875, 917, 1061, 1442
3166 -	By Delegates Summers, Tully, and Heckert: To permit a hospital to hold a patient experiencing a psychiatric emergency for up to 72 hours	1159	1315, 1895	2631	2631	2734	1159, 1316, 1895, 2155, 2597, 2631, 3122, 3156
*3168 -	By Delegates Criss, Hanshaw (Mr. Speaker), Riley, and Espinosa: Ensuring investment in WV Tourism is competitive with other states and accessible long term	885	1445, 1798		2091		885, 1445, 1798, 1966, 2091, 3118, 3175
3188 -	By Delegates Linville, Tully, Summers, Young, and Maynor: Relating to the establishment of an alert system for missing cognitively impaired persons	1159	1493	1659-1662, 1712	1712		1160, 1539, 1663, 1713
*3189 -	By Delegates Riley, Hansen, Westfall, Clark, Horst, Hanshaw (Mr. Speaker), Hornby, Steele, Storch, Hardy, and Hillenbrand: The PFAS Protection Act	1160	1808	1967-1974, 2092	2092	2732	1160, 1808, 1974, 2092, 3122, 3156
*3190 -	By Delegate Steele: Amending the definition of "minor"	846	1989, 2031	2659-2665, 2671, 3016-3019	2670, 3019	3016	846, 1989, 2031, 2639, 2640, 2665-2671, 3020, 3118, 3175
*3191 -	By Delegates Summers, Tully, and Pushkin: Relating to certain facilities operated by the state government to obtain a license	690	1809	1974	2632	3020	690, 1809, 1974, 2093, 2597, 2632, 3119, 3156
3192 -	By Delegates Ellington, Chiarelli, Willis, Hornby, Summers, Tully, and Toney: Abolishing the Center for Nursing and transferring its duties and authorities to the Higher Education Policy Commission	846	1316				846, 1316

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3198 -	By Delegates Ferrell, Honaker, Worrell, Kelly, Foggin, Clark, Tully, Ward, W. Hall, Brooks, and Chiarelli: Relating to obtaining title to abandoned or junked motor vehicles abandoned on the property or place of business of an automobile dealer	1160					1161
3199 -	By Delegates Summers and Ellington: Relating to removing the requirement that an ectopic pregnancy be reported	770	1317, 3064		3065		770, 1317, 1415, 1475, 3065-3066, 3122, 3180
*3200 -	By Delegates Summers and Tully: Authorize DHHR to transfer state facilities to regional mental health centers or intellectual disability facilities	810					811
3203 -	By Delegates Steele, Hornby, Young, and Lucas: Relating generally to West Virginia Real Estate License Act	1460	1994	2155-2182, 2566	2566	2971	1460, 1995, 2182, 2527, 2567, 3119, 3157
*3210 -	By Delegates Phillips, Horst, Crouse, and Thorne: Relating to the performance of installation of propane gas systems	770	1312		1475		770, 1312, 1415, 1475, 1827, 3175
*3211 -	By Delegates Storch, Anderson, Kump, Reynolds, Ferrell, Hite, C. Pritt, Marple, Hornbuckle, E. Pritt, and Fluharty: Relating to authorizing service credit for unused accrued annual or sick leave days for use in determining retirement benefits in the Municipal Police Officer and Firefighter Retirement System	1320	1447	1713-1714, 1715	1714	2018	1321, 1448, 1482, 1533, 1634, 1715, 3114, 3177
*3214 -	By Delegates Capito, Riley, Williams, Young, Storch, and Jennings: To create the Road Optimization & Assessment Data (ROAD) Pilot Project	1182	1683	1764-1766, 1919	1919	2732	1182, 1683, 1766, 1920, 3122, 3157
3215 -	By Delegate Riley: Relating to land use	929	1312		1476		930, 1312, 1415, 1476, 2466, 3148

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3218 -	By Delegates Reynolds, Tully, Ferrell, Sheedy, Zatezalo, Jeffries, Willis, Hott, Hite, Kimble, and Mazzocchi: Relating to requiring suicide prevention resources be printed on student identification cards	847	1112		1407		847, 1133, 1244, 1282, 1407, 1827, 3127
*3224 -	By Delegates Statler, Ellington, Toney, Hansen, Walker, Williams, Warner, and Chiarelli: Adding West Virginia Junior College to the list of eligible institutions that accept PROMISE scholarship recipients	1431	1809		2093		1432, 1810, 1974, 2093, 3118, 3177
*3232 -	By Delegates Riley and Nestor: Regulation of Sports Wagering	1616					1616
*3233 -	By Delegates Cooper, Toney, Heckert, and Hott: Relating generally to uniform and equipment allowances for the National Guard	1019	1683, 1810	1920-1921	1921	2490	1019, 1684, 1810-1811, 1921, 3114
3244 -	By Delegates Storch, Marple, C. Pritt, Anderson, and Hornbuckle: Relating to Municipal Pensions Oversight Board proposing legislative rules	1321	1448		1635		1321, 1482, 1533, 1635, 3104, 3149
*3247 -	By Delegates Linville, Rohrbach, Summers, Mazzocchi, Kump, and Tully: Relating to abuse and or neglect of individuals with an intellectual and or developmental disability	1161					1161
*3254 -	By Delegates Street, Pinson, Butler, Keaton, Holstein, Forsht, Gearheart, Crouse, Howell, Hott, and Householder: Establishing the Hershel "Woody" Williams State Military Funeral Honor Guard	1321					1321
*3261 -	By Delegate Young: Relating to Social Workers Qualifications	771	1312	1767-1771, 1922, 3067-3070	1922, 3070	3066	771, 1312, 1339, 1696, 1771, 1922, 2971-2972, 3026, 3028, 3067-3077, 3119, 3157

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3265 -	By Delegates Heckert, Adkins, Ross, Maynor, Foggin, Cooper, Miller, Crouse, and Kump: Remove statutory mandates that the sheriff of a county shall serve process or is responsible for cost of service or arrest by another law enforcement agency	1162	1493	1715	1716	2732	1162, 1539, 1663, 1716, 3122, 3157
3268 -	By Delegates Barnhart, Worrell, Linville, Reynolds, and Ferrell: Add protections for WV residents who reside out of state for certain time periods from non-renewal of licenses and registration	811					811
*3270 -	By Delegates Hott, Westfall, Householder, Criss, Espinosa, Hardy, Cooper, Heckert, Howell, Hillenbrand, and Jennings: To amend the deliberate intent statute to limit noneconomic damages to \$500,000	1432	1895, 2461		2530		1432, 1895, 2182-2183, 2461-2462, 2527, 2530, 3112, 3180
*3271 -	By Delegates Mazzocchi, Kimble, Holstein, Fast, Ellington, Longanacre, Horst, Walker, Statler, Keaton, and Warner: Relating to increasing monitoring of special education classrooms	1321	1487, 1680		2094		1322, 1488, 1681, 1786, 1974, 2094, 3112, 3177
3272 -	By Delegates Criss, Hardy, Householder, Barnhart, Westfall, Jeffries, Hott, Capito, C. Pritt, Espinosa, and Riley: Relating to the operation of private trust companies in West Virginia	771		949-964, 965	965	1019	771, 838, 875, 917, 948-965, 1451, 1892
*3274 -	By Delegates Worrell, Crouse, Westfall, Dean, Hornby, Petitto, Storch, Honaker, Hite, and Longanacre: Creating the Affordable Medicaid Buy-in Program	1183					1183
*3278 -	By Delegates Summers and Tully: Relating to the practice of optometry	1162					1162

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3280 -	By Delegates Marple, Dean, Hott, Anderson, Zatezalo, Jennings, Adkins, Mallow, Petitto, DeVault, and Kimble: Authorizing adjustment from federal adjusted gross income for certain law enforcement pension benefit payments	1322					1322
3286 -	By Delegate Criss: Relating to an additional modification decreasing federal taxable income	847	1493	1533	1636	2490	847, 1494, 1533, 1636, 3114, 3176
*3293 -	By Delegates Statler, Ellington, Toney, Crouse, and Clark: Relating generally to identifying and educating exceptional children exhibiting indicators or diagnosed with dyslexia or dyscalculia	847					848
3299 -	By Delegates Storch, C. Pritt, Anderson, Kump, Marple, E. Pritt, and Hornbuckle: Relating to Natural Resource Police Officer Retirement	1322	1623, 1811		1923		1322, 1624, 1811, 1923, 3103, 3149
*3302 -	By Delegates Westfall, Burkhammer, Pinson, Capito, Kelly, Steele, Fast, Kimble, Martin, Kump, and C. Pritt: To recognize unborn child as distinct victim in a DUI causing death	771	1448	1636-1647, 3071-3072	1647, 3072	3071	771, 1483, 1534, 1648, 2735, 2972, 2995, 3071-3072, 3090, 3127
*3303 -	By Delegates Reynolds, Bridges, Sheedy, Crouse, Hott, Zatezalo, Willis, Phillips, Ward, and Brooks: Clarifying and expanding the powers and duties of the director of the Coalfield Community Development Office	1461	1995	2183-2184, 2538	2538		1461, 1995, 2184, 2527, 2539, 3109, 3139
*3306 -	By Delegates Summers, Tully, and Heckert: Relating to the organizational structure of the Office of Drug Control Policy	734	1896	2184-2193, 2632-2633, 2634, 3020-3021	2633, 3022	3020	734, 1896, 2193, 2597, 2634, 3022, 3119, 3157
3307 -	By Delegates Hanshaw (Mr. Speaker), Street, Zatezalo, Ward, Fluharty, Phillips, McGeehan, and Howell: Establishing the West Virginia-Ireland Trade Commission	734	1032	1210-1213, 1214	1214	1501	734, 1092, 1131, 1210-1215, 3091, 3137

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3308 -	By Delegates Criss, Hardy, Householder, Storch, Ferrell, Howell, Reynolds, Anderson, Gearheart, Zatezalo, and Espinosa: Authorizing PSC consider and issue financing orders to certain utilities to permit the recovery of certain costs through securitization via consumer rate relief bonds	811	1113		1275		812, 1133, 1244, 1275-1276, 1686, 3013
*3311 -	By Delegates Hornby, Phillips, Westfall, Willis, Hardy, Chiarelli, Maynor, Dean, Hite, Espinosa, and McGeehan: Relating to wine alcohol by volume as compared to beer	772	1312		2568		772, 1312, 1339, 2146, 2193, 2527, 2568, 3118, 3176
*3313 -	By Delegates Phillips, Martin, Fast, Nestor, Hornby, Barnhart, Longanacre, Thorne, and C. Pritt: Restraining county commissions from imposing rules and regulations on farmers beyond what is already prescribed through state statute	1461	1811	2569-2583, 2584	2583		1461, 1812, 1975, 2194, 2527, 2584, 3001
*3315 -	By Delegates Cooper and Heckert: Relating generally to readiness enhancement and commission bonuses	1432	1812	2585-2593, 2594, 3025	2594, 3025		1432, 1979, 2194, 2527, 2593-2595, 3024-3025, 3122, 3158
*3317 -	By Delegates Summers and Tully: Relating to removing specific continuing education requirements	812	989	1088-1091, 1126	1126	1616	812, 1059, 1091, 1126-1127, 3091, 3149
*3318 -	By Delegates McGeehan and Ward: Relating to location of services provided by the Workforce Development Board as related to the one-stop delivery system	848					848
3328 -	By Delegates Howell, Dean, Heckert, and Zatezalo: Authorizing the Hatfield-McCoy Regional Recreation Authority to contract to build and maintain trails on privately owned property	848	1628		1924		848, 1628, 1771, 1924, 3103, 3149

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3330 -	By Delegates Hanshaw (Mr. Speaker) and C. Pritt: Creating family court circuits and assigning the number of family court judges in each family court circuit to be elected in the 2024 election	1542					1542
3331 -	By Delegates Hanshaw (Mr. Speaker) and Kump: Relating generally to support staff in the family courts and magistrate courts of this state	1433					1433
*3332 -	By Delegates Hanshaw (Mr. Speaker), C. Pritt, and Vance: Creating judicial circuits and assigning the number of circuit judges in each circuit to be elected in the 2024 election	1542	1684, 1996	2094-2130, 2131, 3027	2131, 3027	3027	1542, 1684, 1996, 2132, 3028, 3118, 3176
*3337 -	By Delegates Heckert, Fehrenbacher, Cooper, Foggin, Hott, Criss, Hanshaw (Mr. Speaker), Rohrbach, Petitto, A. Hall, and Anderson: Prohibiting additional drug and alcohol treatment facilities and services in a certain county	1066	1494	1716-1717	1717	2019	1066, 1539, 1663, 1716-1718, 3091, 3149
3340 -	By Delegates Hardy, Espinosa, Storch, Statler, Hott, Hite, Horst, and Toney: To revise the West Virginia Tax Increment Financing Act	1067	1173		1216		1067, 1174, 1215-1217, 1496, 2255
*3341 -	By Delegates Maynor, Howell, Phillips, Lucas, Clark, Linville, Bridges, Crouse, Householder, Gearheart, and Willis: To allow cigar bars	1183					1183
3342 -	By Delegates Gearheart, Householder, Storch, Howell, Clark, Maynor, Riley, Kump, Ellington, and Espinosa: Relating to cooperation between municipal and county economic development authorities	1433					1433
*3344 -	By Delegates Criss, Storch, Riley, Gearheart, Reynolds, Hott, Statler, Rowe, Espinosa, Anderson, and Horst: To pay certain moral obligations of the state	1461	1681		2133		1461, 1681, 1786, 1975, 2133, 3119, 3158

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3353 -	By Delegates McGeehan, Dillon, and C. Pritt: Relating to the limitations on the financial relationships with foreign entities that have values antithetical to those of the State of West Virginia	1067					1067
*3354 -	By Delegates Rowe, Hanshaw (Mr. Speaker), Foster, and Steele: To authorize municipalities to combine operations with other municipalities and counties to provide governmental services	1462	1996	2194-2203, 2635, 3080	2635, 3080		1462, 1997, 2203, 2597, 2635, 3079-3080, 3119, 3176
3360 -	By Delegates Kelly and Hott: Creating an office of the Inspector General within the Department of Homeland Security	1433	1896	2204-2207, 2597	2597	3022	1433, 1897, 2207, 2527, 2597, 3122, 3176
*3363 -	By Delegates Brooks, Foster, Kump, Hott, Ward, Honaker, Street, Dean, Bridges, Barnhart, and Kelly: Law Enforcement Officers Safety Act	1322					1323
*3364 -	By Delegate Storch: Requiring the closure of certain municipal policemen's and firemen's pension and relief funds as condition of issuance of pension funding revenue bonds	1323	1444		1518		1323, 1445, 1480, 1518-1519, 2466, 3150
*3369 -	By Delegates Kelly, Hott, Garcia, Worrell, Westfall, Fast, and Kimble: Creating a School Safety Unit within the Division of Protective Services	1434	1812, 1997		2134		1434, 1813, 1997, 2134, 3114, 3138
*3370 -	By Delegates Howell and Storch: Creating loan program for certain properties and developments on U. S. Army Corps of Engineers land, state parks and resorts	1434	1681	1771-1776, 1924	1924	2735	1435, 1682, 1776, 1925, 3122, 3178
3371 -	By Delegates Ellington, Statler, and Toney: Relating to federal funds for land-grant institutions	1462	1681		2134		1462, 1681, 1786, 1975, 2134, 3122, 3178

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3376 -	By Delegates Ellington, Statler, and Toney: Relating to changing the term teacher in residence to clinical teacher of record	1068					1068
3387 -	By Delegates Hardy, Storch, Westfall, and Espinosa: Extending the moratorium on the authorization of new convention and visitors bureaus for an additional two years	1068	1446		1648		1068, 1483, 1534, 1648, 3104, 3150
3391 -	By Delegates Householder and Gearheart: Establishing filing deadlines for appeals of property tax valuations and issues involving property tax classification and taxability to the West Virginia Office of Tax Appeals	1068	1315		1519		1068, 1416, 1480, 1519-1520, 2466, 3150
3396 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing, amending, and increasing existing items of appropriation from the State Road Fund to the Department of Transportation, Division of Highways	1435	1467, 1491	1664-1665	1718	2019	1435, 1467, 1539, 1665, 1719, 3089, 3132
*3398 -	By Delegate McGeehan: Relating to the establishment of the West Virginia Memorial to Fallen Heroes of the Global War on Terrorism	1183	1683, 1998	2135-2138	2138	2735	1183, 1684, 1998, 2138, 3119, 3158
*3405 -	By Delegates Foster, Kump, Kirby, and Ridenour: Change the maximum time period of a protective order to one year	1462					1462
3408 -	By Delegates Ellington, Hornby, Clark, and Crouse: To clean up statutory provisions regarding the Hope Scholarship program to better reflect the intent and operation of the program	1462					1464
*3409 -	By Delegate Criss: Relating to authorizing application of the manufacturing investment tax credit and the manufacturing property tax adjustment credit against personal income tax	1184					1184

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3417 -	By Delegate Howell: Including Potomac State College in the definition of community and technical college education program for participation in the "Learn and Earn Program"	1162	1813				1162, 1813
3428 -	By Delegate Howell: Relating to the West Virginia Business Ready Sites Program	930	1033	1217-1223	1223	1501	930, 1092, 1131, 1217-1224, 3085, 3150
3431 -	By Delegate Criss: Eliminating the requirement that the apprenticeship training tax credit base be limited to wages paid to apprentices in the construction trades	1069					1069
3432 -	By Delegate Hanshaw (Mr. Speaker): Relating to statutory construction	1323	1813	2207-2216, 2529	2529	2735	1323, 1979, 2216, 2527, 2529, 3119, 3178
3439 -	By Delegates Pinson, Westfall, and Burkhammer: To limit the civil liability of child placing agencies that obtain an insurance policy in an amount not less than \$1 million per incident	1435	1897	2217, 2655, 2656	2656	3022	1436, 1897, 2217, 2597, 2635, 2639, 2655-2656, 3120, 3158
3441 -	By Delegate Ellington: Revising the training requirements for members of the Higher Education Policy Commission, Council for Community and Technical College Education and the institutional governing boards	1069	1814		2139		1069, 1814, 1975, 2139, 3122, 3158
3443 -	By Delegates Maynor, Linville, A. Hall, and Ridenour: Relating to a development or improvement on land subject to review by the State Historic Preservation Office	1436	1999	2218, 2994	2636, 2994		1436, 1999, 2218, 2597, 2636, 2994-2995, 3122, 3159
3444 -	By Delegate Phillips: Relating to the creation of the West Virginia Semiquincentennial Commission and Fund	1184	1468		1649		1184, 1468, 1534, 1649, 1890, 3091, 3150
*3445 -	By Delegates Nestor and Kirby: Relating generally to probation and parole	1323					1324

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3448 -	By Delegates Kelly and Hott: Relating generally to probation officer field training	1162	1494	1534-1537, 1650	1650	1890	1163, 1495, 1537, 1650, 3111, 3177
*3450 -	By Delegates Espinosa, Willis, Householder, Hardy, Criss, Zatezalo, Storch, Clark, Fluharty, and Shamblin: Relating generally to racetrack video lottery and the Licensed Racetrack Modernization Fund	1184			1651		1184, 1537, 1651, 3118, 3177, 3179
3451 -	By Delegates Hillenbrand, Ridenour, Sheedy, Street, and Cooper: Updating the veteran preference ratings in state code for state employment	1464	1999	2218-2224, 2637	2636	2972	1464, 1999, 2224, 2597, 2637, 3113
3464 -	By Delegates Espinosa, Criss, Hardy, Summers, Ridenour, Householder, Storch, Willis, and Fluharty: Relating to the transfer of certain revenues derived from lottery activities	1436					1436
3473 -	By Delegates Linville and Maynor: Creating a workgroup relating to Dig Once Policy	1185	2000	2224-2226, 2637	2637	2972	1185, 2000, 2226, 2597, 2638, 3122, 3159
*3479 -	By Delegates Fehrenbacher, Espinosa, Mallow, Adkins, DeVault, Riley, Fast, Hillenbrand, Westfall, Anderson, and Zatezalo: Creating requirements for use of unmanned aerial vehicles	1185	1503	1776-1780, 1926	1926	2491	1185, 1665, 1780, 1926, 3111, 3179
*3480 -	By Delegates Hite, Horst, Miller, Hornby, Linville, and Cannon: Enact the West Virginia Consumer Financial Privacy Act of 2023	1464					1464
*3482 -	By Delegate Howell: To create the Coal Fired Grid Stabilization and Security Act of 2023	1465	2000	2226-2235, 2639	2638	3022	1465, 2001, 2235, 2597, 2639, 3115, 3139
3493 -	By Delegates Capito, Holstein, Martin, Horst, C. Pritt, and Kump: Relating to prohibiting certain foreign ownership of agricultural land	1185					1185

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3499 -	By Delegates Fast, Petitto, Warner, Lucas, C. Pritt, Cooper, and Steele: To permit joint tenancy with rights of survivorship when transfer on death deeds specify a joint tenancy with right of survivorship	1163	1504	1780-1783, 1927	1927	2732	1163, 1665, 1783, 1927, 3116, 3179
3500 -	By Delegates Westfall, Barnhart, and Hott: Allowing consumer lenders to permit employees to conduct certain business at locations other than the licensee's designated office	1465	1628	1783-1785, 1928	1928	2733	1465, 1628, 1785, 1928, 3113, 3179
3509 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission – Consumer Advocate Fund	1693			2520		1693, 1980, 2235, 2510, 2520, 3092, 3132
3510 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Administration, Office of Technology – Chief Technology Officer Administration Fund	1501			1929		1502, 1665, 1785, 1929, 3092, 3133
3511 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Education, State Board of Education – School Lunch Program	1502			1930		1502, 1665, 1785, 1930, 3092, 3133
3512 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services	1616			2140		1617, 1786, 1975, 2140, 3093, 3133

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3513 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority	1693			2521		1693, 1980, 2235, 2510, 2521, 3093, 3133
3514 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Birth-to-Three Fund	1617			2141		1617, 1787, 1975, 2141, 3093, 3133
3515 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Veterans' Assistance, Veterans' Facilities Support Fund	1694			2522		1694, 1980, 2235, 2510, 2522, 3093, 3133
3516 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Safe Drinking Water Treatment	1617			2142		1617, 1787, 1976, 2142, 3093, 3134
3517 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Division of Human Services – Child Care and Development	1618			2143		1618, 1787, 1976, 2143, 3092, 3134
3518 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Agriculture	1694			2523		1694, 1980, 2236, 2510, 2523, 3092, 3134
3519 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Transportation, Division of Motor Vehicles	1324	1449		1520		1324, 1450, 1480, 1520-1521, 2008, 3134

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3520 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Education, State Board of Education – Vocational Division	1324	1449		1521		1324, 1450, 1481, 1521-1522, 2008, 3134
3521 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Division of Health – Maternal and Child Health	1325	1449		1522		1325, 1450, 1481, 1522-1523, 2008, 3134
3522 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Commerce, Division of Natural Resources – License Fund – Wildlife Resources	1325	1449		1523		1325, 1450, 1481, 1523-1524, 2008, 3135
3523 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to Miscellaneous Boards and Commissions, Economic Development Authority	1325	1449		1524		1325, 1450, 1481, 1524-1525, 2008, 3135
3524 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Agriculture – West Virginia Spay Neuter Assistance Fund	1694			2524		1695, 1980, 2236, 2510, 2524, 3092, 3135
3526 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission	1695			2525		1695, 1980, 2236, 2510, 2525, 3092, 3135
3527 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to Department of Education, School Building Authority	1331	1449		1525		1332, 1450, 1481, 1525-1526, 2008, 3135

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3528 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – Hospital Services Revenue Account Special Fund Capital Improvement, Renovation and Operations	1326	1449		1526		1326, 1450, 1481, 1526-1527, 2008, 3135
3529 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Commerce, State Board of Rehabilitation – Division of Rehabilitation Services	1502			1931		1502, 1665, 1786, 1931, 3092, 3136
3542 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Expiring funds to the Department of Administration, Board of Risk and Insurance Management, Public Entity Insurance Trust Fund	2491			2492		2491-2492, 3092, 3136
3547 -	By Delegates Clark, Ferrell, Longanacre, Maynor, Jennings, Walker, Ellington, and Toney: Increasing the number of personal leave days that county board of education employees may use	1069	1317		1527		1070, 1417, 1482, 1527-1528, 1695, 3114, 3178
3548 -	By Delegates Clark, Ferrell, Longanacre, Hanna, Maynor, Jennings, Hite, Walker, Ellington, and Toney: Relating to teacher duty-free lunch and daily planning periods	1070	1317				1070, 1339
3549 -	By Delegates Clark, Statler, Ferrell, Longanacre, Hanna, Jennings, Hornby, Hite, Walker, Ellington, and Toney: Relating to classroom teachers and special education classroom teachers individualized education program requirements	1070					1070

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
*3551 -	By Delegates C. Pritt, Crouse, Clark, Garcia, Shamblin, and Fluharty: Provide for criminal history record restrictions for certain persons	1186					1186
3552 -	By Delegates Brooks, Phillips, Honaker, Hott, and Heckert (originating in House Jails and Prisons): Relating to per diem jail costs	1186	2002	2236-2242, 2526, 3030	2526, 3031	3030	1186, 2002, 2242, 2510, 2526, 3031, 3120, 3179
3553 -	By Delegates Summers, Espinosa, Gearheart, Horst, Hott, Riley, Barnhart, Mazzocchi, Anderson, and Rowe (originating in House Finance): Supplementing and amending appropriations to Department of Health and Human Resources	2493			2494		2493-2495, 3092, 3136
3555 -	By Delegates Statler, Toney, Foggin, Hornby, Lucas, Mazzocchi, E. Pritt, and Willis (originating in House Education): Relating to student purchase and refunds of course material	1163	1814	1976, 2144	2144	2736	1163, 1815, 1976, 2144, 3122, 3178
3556 -	By Delegates Steele, Garcia, Fast, and Marple (originating in House Judiciary): Uniform Recognition and Enforcement of Canadian Domestic Violence Protective Orders Act	1186	1450				1187, 1483, 1538, 1651, 1696
3557 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Veterans' Assistance	1618	1681		2145		1618, 1681, 1787, 1976, 2145, 3092, 3136
3559 -	By Delegates Westfall, Fluharty, Hillenbrand, Steele, Ward, Ridenour, Warner, Martin, Kump, Marple, and Kimble (originating in House Judiciary): Relating to defining a newborn safety device	1437	1815	1977-1979, 2146	2146	2736	1437, 1815, 1979, 2146, 3122, 3159

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
3560 -	By Delegate Howell (originating in House Economic Development and Tourism): Relating to expanding the definitions of land and recreational purposes	1465	2002		2595		1466, 2003, 2242, 2527, 2595, 3122, 3159
3562 -	By Delegates Jennings, Phillips, McGeehan, Crouse, Honaker, Dean, Heckert, Longanacre, Adkins, Brooks, and C. Pritt (originating in House Government Organization): Relating to the West Virginia Fusion Center	1466					1466
3563 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services	2495			2496		2495-2496, 3092, 3136
3564 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Division of Human Services - Energy Assistance	2017			2648		2018, 2647-2648, 3093, 3136

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
1 -	By Delegate Hanshaw (Mr. Speaker): Raising a Joint Assembly to hear remarks of the Governor	102			102		102
*2 -	By Delegates Cooper, Longanacre, Anderson, Heckert, Reynolds, Sheedy, and Smith: U. S. Army Cpl. Billy F. Mann Memorial Bridge	1070	1816		1817		1072, 1817
4 -	By Delegates Reynolds, Cooper, Sheedy, Zatezalo, Miller, Horst, Jeffries, Willis, W. Hall, Nestor, and Kelly: U. S. Army MSG Jon D. Wayt Memorial Bridge	1326	1816		1817		1328, 1817
9 -	By Delegate Rowe: U. S. Army PFC Walter C. Horner Memorial Bridge	1326	1816		1817		1328, 1817
10 -	By Delegate Rowe: Shelby "Cubby" Foster and Robert "Robbie" Collins Memorial Road	1326	1817	1818	1822	3081	1328, 1822
11 -	By Delegates Hanshaw (Mr. Speaker), Anderson, Brooks, Cannon, Chiarelli, Ellington, Foster, Garcia, Gearheart, A. Hall, Hornbuckle, Hott, Householder, Linville, Lucas, McGeehan, Phillips, Riley, Rohrbach, Smith, Statler, Steele, Storch, Street, Thorne, Vance, Warner, Westfall, Worrell, Young, and Zatezalo: Relating to Higher Education Consortium for Emerging Energy Technologies	521	1318		1339		521, 1339
12 -	By Delegates Heckert, Criss, Zatezalo, Mallow, Crouse, Sheedy, Chiarelli, Devault, Warner, Fehrenbacher, and W. Hall: Requesting that the Division of Highways place roadway welcome signs containing the phrase "West Virginia a Purple Heart State"	1618					1620

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
13 -	By Delegates Chiarelli, Devault, Warner, Householder, Sheedy, Horst, Mallow, Street, C. Pritt, Hillenbrand, and Brooks: Make 2nd week of February of every year a week of recognition of the Boy Scouts of America	522	826		866		522, 826, 866
14 -	By Delegates Ward and Espinosa: Stanley W. and Evelyn C. See Memorial Bridge	1071					1072
15 -	By Delegates Hillenbrand, Cooper, Ridenour, Sheedy, Heckert, Kirby, Crouse, Nestor, Kimble, Griffith, and Mazzocchi: Requesting That the Joint Committee on Government and Finance send official correspondence to West Virginia's federal delegations stating West Virginia veterans' concerns and objections to the two TRICARE for Life ("TFL") proposals	1695	2003		2033		1695, 2033
16 -	By Delegates Gearheart, Smith, Maynor, Ellington, Cooper, Worrell, Longanacre, Butler, McGeehan, Ridenour, and Householder: U. S. Army Staff Sgt. James Ira "Junior" Spurrier Memorial Bridge	1071					1072
21 -	By Delegate Westfall: Michael Lee "Rube" Ruben Memorial Bridge	1071	1816		1817		1072, 1817
22 -	By Delegate Hanshaw (Mr. Speaker): U.S. Army T/5 Doyle Bedell Taylor Memorial Bridge	1071	1816				1072, 1817
23 -	By Delegate Holstein: U.S. Army SGT Theron Turner Memorial Bridge	1327	1817	1818-1819	1822	3081	1328, 1817, 1822
24 -	By Delegate Linville: U. S. Army PFC Herman H. Lucas Memorial Bridge	1071	1816				1072, 1817

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
25 -	By Delegates Hite, Hardy, Hornby, Horst, Reynolds, Riley, Hanna, Ridenour, Espinosa, Maynor, and Garcia: U. S. Marine Corps, PFC John Louis "Johnny" Brumbaugh, Jr. Memorial Bridge	1071	1816		1817		1072, 1817
26 -	By Delegate Capito: U.S. Army SGT Samuel D. Roberts Sr. Memorial Bridge	1072	1816		1817		1072, 1817
27 -	By Delegates Summers, Toney, Mallow, Fehrenbacher, Honaker, Hite, Vance, Barnhart, Miller, W. Hall, and Forsh: Requesting Joint Committee on Government and Finance study all benefits of state employees to determine which benefits, if any, may be refused by an employee in exchange for a cash equivalent	1072	2003				1072, 2004
28 -	By Delegates Dittman, Mazzocchi, and Pettito: Terra Dawn Lewis Memorial Road and Bridge	1072					1072
29 -	By Delegate Hanshaw (Mr. Speaker): Amending Joint Rule 13 of the Joint Rules of the Senate and House that clarifies that when two or more bills amending the same statute are passed in the same session, the last passed controls	812			812		812-813
*31 -	By Delegates Ross, Lucas, Dillon, Cannon, Chiarelli, Griffith, Pushkin, Adkins, Hornbuckle, Linville, and Butler: Permitting the West Virginia Department of Tourism to proceed with procuring bids/interest in companies to place a lodge on the property of Beech Fork Lake	1437					1437
32 -	By Delegate Dillon: The Albert "Ab" Baisden Memorial Bridge	1072					1072
33 -	By Delegates Skaff, Pushkin, and Fluharty: Lt. Col. Mitchell M. Mickel Memorial Bridge	1618	2004	2033	2033	3081	1620, 2034

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
34 -	By Delegates Hite, Horst, Reynolds, Storch, Hanna, Willis, and Barnhart: William N. "Shug" Kisner Memorial Bridge	1327	1822		1823		1328, 1823
36 -	By Delegates Skaff and Young: U. S. Army Pvt. Charles A. White, Sr. Memorial Bridge	1619					1620
40 -	By Delegate Toney: USMC Corporal Larry Allen "Crocky" Holstein, Jr. Memorial Bridge	1327	1816		1817		1328, 1817
41 -	By Delegate Linville: U. S. Army PFC Herman H. Lucas Memorial Bridge	1327					1328
42 -	By Delegates Ellington, Gearheart, Smith, and Ridenour: U. S. Army SSG William Joseph "Will" Thompson Memorial Bridge	1327	1817	1819-1822	1822	3081	1328, 1822
43 -	By Delegate Westfall: U.S. Navy Quartermaster C.E. "Red" Landfried Memorial Bridge	1327					1328
44 -	By Delegates Fast, Brooks, and Ridenour: U. S. Army PV2 Harold Richard Plumley Memorial Bridge	1327					1328
45 -	By Delegates Toney and Vance: Lewis Joseph D'Antoni Memorial Road	1328					1328
47 -	By Delegates Hott, Kelly, Reynolds, Coop-Gonzalez, Ward, Heckert, Riley, Smith, Petitto, Mazzocchi, and Marple: U. S. Army SGT Walter Hedrick Memorial Bridge	1328	1816		1817		1328, 1817
49 -	By Delegates Ward, Smith, Crouse, Hott, Ridenour, Thorne, Maynor, Marple, Dean, Lucas, and Keaton: U. S. Army 1SG Elmer C. Lofton Memorial Bridge	1328	1816		1817		1328, 1817
50 -	By Delegate Toney: U. S. Army PVT Leon "Deacon" Stover Memorial Bridge	1328					1328

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
51 -	By Delegates Coop-Gonzalez and Nestor: U. S. Army SFC Samuel Evans Miller Memorial Bridge	1619	2004		2034		1620, 2034
52 -	By Delegate Barnhart: Study the financial effects of raising the threshold from \$25,000 to \$50,000 for the requirement of bids for municipal, public service district, county and state public works project	3034			3035		3035
54 -	By Delegate Foster: U.S. Army PFC Russell Richard Ferguson Memorial Bridge	1619	1822		1823		1620, 1823
55 -	By Delegates Pinson and Westfall: Chief Lee Thomas Memorial Bridge	1619					1620
56 -	By Delegates Gearheart and Smith: George M. Hall Memorial Bridge	1619					1620
58 -	By Delegates Jennings, Street, Storch, Barnhart, Reynolds, Cooper, Dittman, Smith, Jeffries, Tully, and Hornby: U. S. Army SSG Steven "Todd" Shay Memorial Bridge	1619	1822		1823		1620, 1823
61 -	By Delegate Jeffries: U.S. Army Sgt. John Edsel Edens Memorial Road	1620	2004	2034-2036	2036	3081	1620, 2036
62 -	By Delegates Mazzocchi, Holstein, Adkins, Ridenour, Bridges, Butler, Honaker, Heckert, Smith, Longanacre, and Cooper: U.S. Army PFC Clayton Collins Memorial Bridge	1620	1822		1823		1620, 1823
64 -	By Delegates Skaff, Young, Pushkin, Ferrell, W. Hall, and Shamblin: U. S. Army Air Corps PVT-II Charles A. White Memorial Road	1620					1620

Number	TITLE OF HOUSE CONCURRENT RESOLUTIONS	Communicated to Senate	Reported from Committee	Amended	Adopted by Senate	Readopted by House	OTHER PROCEEDINGS
78 -	By Delegate Hanshaw (Mr. Speaker): Proclaiming the extension of a state of emergency in our correctional institutions	3034			3035		3035
80 -	By Delegates Holstein, Adkins, Anderson, Barnhart, Brooks, Burkhammer, Butler, Cannon, Capito, Chiarelli, Clark, Cooper, Coop-Gonzalez, Criss, Crouse, Dean, DeVault, Dittman, Ellington, Espinosa, Fast, Fehrenbacher, Ferrell, Fluharty, Forsht, Foster, Garcia, Gearheart, Griffith, A. Hall, W. Hall, Hanna, Hansen, Hanshaw (Mr. Speaker), Hardy, Heckert, Hillenbrand, Hite, Honaker, Hornbuckle, Hornby, Horst, Hott, Householder, Howell, Jeffries, Jennings, Keaton, Kelly, Kimble, Kirby, Linville, Longanacre, Lucas, Marple, Maynor, Mazzocchi, McGeehan, Miller, Petitto, Phillips, Pinson, C. Pritt, E. Pritt, Pushkin, Reynolds, Ridenour, Riley, Rohrbach, Rowe, Shamblyn, Sheedy, Skaff, Smith, Statler, Steele, Storch, Street, Summers, Thorne, Toney, Tully, Vance, Walker, Ward, Warner, Westfall, Williams, Willis, Young, and Zatezalo: To study pediatric cancer in Appalachia and to provide directive language asking for a report on this issue in the appalachian region	3034			3035		3035
82 -	By Delegates Capito, Westfall, Fast, Hornby, Criss, and Summers: February to be designated annually as West Virginia Cancer Prevention Month	3034			3035		3035

JOURNAL of THE SENATE State of West Virginia

EIGHTY-SIXTH LEGISLATURE

First Extraordinary Session, 2023

August 6-8, 2023



NOTE: The proceedings of the First Extraordinary Session of the West Virginia Legislature in the year 2023 (convened by the Governor on August 6 and adjourned *sine die* on August 8) are shown hereinafter.

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE
FIRST EXTRAORDINARY SESSION, 2023

SUNDAY, AUGUST 6, 2023

Pursuant to the proclamation of His Excellency, the Governor, the Honorable Jim Justice, dated the sixth day of August, 2023, convening the eighty-sixth Legislature of West Virginia in extraordinary session today (Sunday, August 6, 2023), under the provisions of section seven, article seven of the Constitution of West Virginia, the Senate assembled in its chamber in the state capitol in the City of Charleston at 6 p.m., and was called to order by its President, the Honorable Craig Blair.

Prayer was offered by the Honorable Jay Taylor, a senator from the fourteenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Charles H. Clements, a senator from the second district.

On the call of the roll, the following answered to their names:

Senators Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President).

Thirty-three members having answered to their names, the President declared the presence of a quorum.

Executive Communications

Senator Blair (Mr. President) laid before the Senate the following proclamation from His Excellency, the Governor, convening the Legislature in extraordinary session, which was read by the Clerk:

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

Charleston

A PROCLAMATION

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby call the West Virginia Legislature to convene in Extraordinary Session at 4:00 PM on Sunday, August 6, 2023, in its chambers in the State Capitol, the City of Charleston, for the limited purpose of considering and acting upon only the following matters:

FIRST: To amend § 11B-2-20 of the Code of West Virginia, 1931, as amended, relating to combining the totals of the Revenue Shortfall Reserve Fund and Revenue Shortfall Reserve Fund - Part B when determining surplus deposit eligibility and limiting the amount of surplus deposited into the Revenue Shortfall Reserve Fund when deposits reach a certain ratio.

SECOND: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, by adding a new item of appropriation and increasing the expenditure of public moneys to the Department of Revenue, Office of the Secretary, fund 0465, fiscal year 2024, organization 0701, in the amount of \$12,462,568, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRD: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Corrections and Rehabilitation - West Virginia Parole Board, fund 0440, fiscal year 2024, organization 0608, to the Department of Homeland Security, Division of Corrections and Rehabilitation - Central Office, fund 0446, fiscal year 2024, organization 0608, to the Department of Homeland Security, Division of Corrections and Rehabilitation - Correctional Units, fund 0450, fiscal year 2024, organization 0608, and to the Department of Homeland Security, Division of Corrections and

Rehabilitation – Bureau of Juvenile Services, fund 0570, fiscal year 2024, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

FOURTH: To make a supplementary appropriation of public moneys out of the Treasury from the balances of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Parolee Supervision Fees, fund 6362, fiscal year 2024, organization 0608, and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority, fund 6675, fiscal year 2024, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

FIFTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Administration, Public Employees Insurance Agency, fund 0200, fiscal year 2024, organization 0225, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2024, organization 0608 and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Bureau of Juvenile Services, fund 0570, fiscal year 2024, organization 0608 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

SIXTH: To amend § 17B-2-1c of the Code of West Virginia, 1931, as amended, relating to temporary identification cards for released inmates, to clarify that the temporary identification cards are to be issued at no cost to the inmate, and to extend the period of validity of the temporary identification cards.

SEVENTH: To amend § 15A-3-16 of the Code of West Virginia, 1931, as amended, relating to regional jail per diem fees, to require certain municipalities to reimburse responsible county for up to five days of regional jail per diem fees when municipality incarcerates individuals for offenses that could have been prosecuted in municipal court but were prosecuted in magistrate court, and to make technical corrections.

EIGHTH: To amend §§ 62-1C-1a and 62-1C-2 of the Code of West Virginia, 1931, relating to pretrial release, to clarify the right to pretrial release, to clarify the maximum bail amount for charges for multiple misdemeanor offenses, to require prosecuting attorneys to report

on persons held in custody for certain period, to request reports from Supreme Court of Appeals, to revise the definition of "bail," to establish that a defendant has the right to select method of securing bail, to clarify that personal recognizance bonds shall include an unsecured monetary amount, to authorize judicial officers to impose reasonably necessary conditions to assure a defendant will appear as required, including releasing defendant on his or her own recognizance, and to make technical corrections.

NINTH: To amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated § 15A-4-13a, relating to inmate medical care, to prohibit the use of state funds for certain procedures or benefits that are not medically necessary for persons in the custody of the commissioner, to authorize the commissioner to establish rules, policies, or regulations relating to certain levels of care, and to define terms.

TENTH: To amend §§ 62-12-28 and 62-12-29 of the Code of West Virginia, 1931, as amended, relating to pretrial release programs, to authorize the Supreme Court of Appeals to develop pretrial release programs in all circuits, to request the Court to develop an electronic pretrial court date reminder system, and to require the community supervision committee of the administrative office of the Court to make a recommendation for the development of an electronic pretrial court date reminder system.

ELEVENTH: To amend § 15A-3-4 of the Code of West Virginia, 1931, as amended, relating to the powers and duties of the Commissioner of the Division of Corrections and Rehabilitation, to authorize the commissioner to require certain agreements with employees for reimbursement of training costs under certain conditions, to clarify that the transportation of inmates for court appearances is subject to the rules of the Supreme Court of Appeals, and to authorize the commissioner to cooperate with the Supreme Court of Appeals in developing a comprehensive transportation plan.

TWELFTH: To amend and reenact §§ 48-13-301, 48-13-403, 48-13-404, and 48-13-502 of the Code of West Virginia, 1931, as amended, to correct errors in the table of monthly basic child support obligations, to correct citations, and to correct worksheets for calculating basic child support obligation in line with provisions of the West Virginia Code.

THIRTEENTH: To repeal, amend, and create sections of West Virginia Code, 1931, as amended, relating to making West Virginia an agreement state with the United States Nuclear Regulatory Commission, transferring authority and responsibility for sources of radiation from other state agencies to the Department of Environmental Protection, and establishing a comprehensive regulatory system for the control of sources of radiation for the protection of the public and the environment, and other matters relating thereto.

FOURTEENTH: To supplement and amend appropriations of public moneys out of the Treasury in the State Fund, General Revenue, by decreasing an existing item of appropriation to the Department of Administration, Public Employees Insurance Agency, fund 0200, fiscal year 2024, organization 0225, in the amount of \$71,373,750, by supplementing and amending appropriations for the fiscal year ending June 30, 2024.

FIFTEENTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Education, State Board of Education – State Aid to Schools, fund 0317, fiscal year 2024, organization 0402, in the amount of \$55,847,110, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

SIXTEENTH: To supplement and amend Chapter 11, Acts of the Legislature, Regular Session, 2023, known as the budget bill, in Title II from the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Education, State Board of Education – State Aid to Schools, fund 0317, fiscal year 2024, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024, by increasing and decreasing items of appropriation.

SEVENTEENTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Higher Education Policy Commission, Marshall University, General Administration Fund, fund 0348, fiscal year 2024, organization 0471, in the amount of \$45,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

EIGHTEENTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Education, State Board of Education, State Department of Education, fund 0313, fiscal year 2024, organization 0402, in the amount of \$1,800,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

NINETEENTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the West Virginia State Senate, fund 0165, fiscal year 2024, organization 2100, to the West Virginia House of Delegates fund 0170, fiscal year 2024, organization 2200, and to Joint Expenses, fund 0175, fiscal year 2024, organization 2300 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

TWENTIETH: To amend § 7-22-9 of the Code of West Virginia, 1931, as amended, relating to authorizing the Mercer County Commission to levy a special district excise tax, to authorize the special district excise tax for the benefit of The Ridges Economic Opportunity Development District and to set forth the land area within the special district subject to the special district excise tax.

TWENTY-FIRST: To amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated § 7-5B-1 and § 7-5B-2, and to amend § 33-3-33 of said Code, all relating to funding certain first responders, to create special revenue funds administered by the Secretary of Homeland Security, to grant rulemaking authority, to define terms, to require the State Fire Marshal to provide certain information to the State Treasurer, and to require that volunteer fire departments eligible to receive funds implement the State Auditor's West Virginia Checkbook fiscal reporting system.

TWENTY-SECOND: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2024, organization 0606, in the total amount of \$12,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

TWENTY-THIRD: To make a supplementary appropriation of public moneys out of the Treasury from the balances of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Emergency Management, Growth County Fire Protection Fund, fund xxxx, fiscal year 2024, organization 0606, in the amount of \$3,000,000, and to the Department of Homeland Security, Division of Emergency Management, County Fire Protection Fund, fund xxxx, fiscal year 2024, organization 0606, in the amount of \$3,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

TWENTY-FOURTH: To amend § 20-1-19 of the Code of West Virginia, 1931, as amended, to officially designate Summersville Lake as a state park.

TWENTY-FIFTH: To amend § 11-13MM-10 of the Code of West Virginia, 1931, as amended, to clarify that certain payments paid prior to the effective date of the tax credits for property taxes paid on certain species of property are eligible for the tax credits created in House Bill 2526 during the 2023 Regular Session.

TWENTY-SIXTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Transportation – Division of Highways, fund 0620, fiscal year 2024, organization 0803, in the amount of \$150,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

TWENTY-SEVENTH: To supplement, amend, and increase existing items of appropriation from the State Road Fund to the Department of Transportation, Division of Highways, fund 9017, fiscal year 2024, organization 0803, in the total amount of \$150,000,000, for the fiscal year ending June 30, 2024.

TWENTY-EIGHTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Governor's Office – Civil Contingent Fund, fund 0105, fiscal year 2024, organization 0100, in the total amount of \$210,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

TWENTY-NINTH: To supplement and amend Chapter 11, Acts of the Legislature, Regular Session, 2023, known as the budget bill, as amended, in Title II from the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Economic Development – Office of the Secretary, fund 0256, fiscal year 2024, organization 0307, in the amount of \$25,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTIETH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Administration, Office of Technology, fund 0204, fiscal year 2024, organization 0231, in the amount of \$2,000,000, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2023, known as the Budget Bill for the fiscal year ending June 30, 2024.

THIRTY-FIRST: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Administration – Division of General Services, fund 0230, fiscal year 2024, organization 0211, in the amount of \$175,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTY-SECOND: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce – Division of Forestry, fund 0250, fiscal year 2024, organization 0305, in the amount of \$4,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTY-THIRD: To make a supplementary appropriation of federal funds out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Commerce, Geological and Economic Survey, fund 8704, fiscal year 2024, organization 0306, in the amount of \$2,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTY-FOURTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus

balance in the State Fund, General Revenue, to the Department of Arts, Culture, and History, Division of Culture and History, fund 0293, fiscal year 2024, organization 0432, in the total amount of \$4,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTY-FIFTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Environmental Protection, Division of Environmental Protection, fund 0273, fiscal year 2024, organization 0313, in the amount of \$8,242,100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTY-SIXTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce, Division of Natural Resources, fund 0265, fiscal year 2024, organization 0310, in the amount of \$2,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTY-SEVENTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Veterans' Assistance, fund 0456, fiscal year 2024, organization 0613, in the amount of \$1,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTY-EIGHTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to Miscellaneous Boards and Commissions, Adjutant General – State Militia, fund 0433, fiscal year 2024, organization 0603, in the total amount of \$3,039,900, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTY-NINTH: To make a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Corrections and Rehabilitation –

Regional Jail and Correctional Facility Authority, fund 6675, fiscal year 2024, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

FORTIETH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Health and Human Resources, fund 0525, fiscal year 2024, organization 0506, in the amount of \$5,225,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

FORTY-FIRST: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Attorney General, fund 0150, fiscal year 2024, organization 1500, in the amount of \$2,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

FORTY-SECOND: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, West Virginia State Police, fund 0453, fiscal year 2024, organization 0612, in the amount of \$1,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

FORTY-THIRD: To expire funds to the balance of the Department of Education, Vocational Consolidated Accounts Fund, fund 3945, fiscal year 2024, organization 0402, in the amount of \$12,000,000, from the State Department of Education, fund 3517, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

FORTY-FOURTH: To amend § 18B-3D-6 of the Code of West Virginia, 1931, as amended, to create a three-year pilot program to include Potomac State College of West Virginia University as an eligible institution for participation in the "Learn and Earn Program."

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IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



By the Governor

DONE at the Capitol in the City of Charleston, State of West Virginia, this Sixth Day of August, in the Year of our Lord, Two Thousand Twenty-Three, and in the One Hundred Sixty-First Year of the State.

A handwritten signature in blue ink, appearing to read 'James Justice', is written over the printed name of the Governor.

GOVERNOR

A handwritten signature in blue ink, appearing to read 'Mpc Warner', is written over the printed name of the Secretary of State.

SECRETARY OF STATE

At the request of Senator Takubo, unanimous consent being granted, the Clerk was authorized to notify the House of Delegates and Governor that the Senate has assembled, with a quorum present, and is ready to proceed with the business of this session.

The following communication was reported by the Clerk:



STEPHEN J. HARRISON
CLERK OF THE HOUSE

West Virginia House of Delegates

OFFICE OF THE CLERK
BUILDING 1, SUITE 212
1900 KANAWHA BLVD., EAST
CHARLESTON 25305

(304) 340-3200
STEVE.HARRISON@WVHOUSE.GOV

The Honorable Members of the West Virginia Senate
State Capitol
Charleston, West Virginia

Dear Senators:

The purpose of this letter is to notify you that the House of Delegates assembled on August 6, 2023, with a quorum present, to proceed with the business of this extraordinary session.

Sincerely,

A handwritten signature in blue ink that reads "Steve Harrison".

Stephen J. Harrison
Clerk of the House of Delegates

The Senate proceeded to the sixth order of business.

The following bills were introduced and read by their titles:

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1001—A Bill to amend and reenact §11B-2-20 of the Code of West Virginia, 1931, as amended, relating to combining the totals of the Revenue Shortfall Reserve Fund and Revenue Shortfall Reserve Fund – Part B when determining surplus deposit eligibility; limiting the amount of surplus deposited into the Revenue Shortfall Reserve Fund; and providing for an effective date.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1002—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, by adding a new item of appropriation and increasing the expenditure of public moneys to the Department of Revenue, Office of the Secretary, fund 0465, fiscal year 2024, organization 0701, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1003—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the

balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Corrections and Rehabilitation - West Virginia Parole Board, fund 0440, fiscal year 2024, organization 0608, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Central Office, fund 0446, fiscal year 2024, organization 0608, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2024, organization 0608, and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Bureau of Juvenile Services, fund 0570, fiscal year 2024, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1004—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balances of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Parolee Supervision Fees, fund 6362, fiscal year 2024, organization 0608, and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority, fund 6675, fiscal year 2024, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1005—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2024, organization 0608 and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Bureau of Juvenile Services, fund 0570, fiscal year 2024, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1006—A Bill to amend and reenact §17B-2-1c of the Code of West Virginia, 1931, as amended, relating to temporary identification cards for released inmates; clarifying that the temporary identification cards are issued at no cost to the inmate; and extending the period of validity of the temporary identification cards.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1007—A Bill to amend and reenact §15A-3-16 of the Code of West Virginia, 1931, as amended, relating to regional jail per diem fees; requiring certain municipalities to reimburse responsible county for up to five days of regional jail per diem fees when municipality incarcerates individuals for offenses that could

have been prosecuted in municipal court but were prosecuted in magistrate court; and making technical corrections.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1008—A Bill to amend and reenact §62-1C-1a and §62-1C-2 of the Code of West Virginia, 1931, as amended, all relating to pretrial release; clarifying right to pretrial release; clarifying maximum bail amount for charges for multiple misdemeanor offenses; requiring prosecuting attorneys to report on persons held in custody for certain period; requesting reports from Supreme Court of Appeals; revising definition of "bail"; establishing that defendant has right to select method of securing bail; clarifying that personal recognizance bonds shall include an unsecured monetary amount; authorizing judicial officer to impose reasonably necessary conditions to assure defendant will appear as required, including releasing defendant on his or her own recognizance; and making technical corrections.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1009—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15A-4-13a, relating to inmate medical care; prohibiting the use of state funds for certain procedures or benefits that are not medically necessary for persons in the custody of the commissioner; authorizing the commissioner to establish rules, policies, or regulations relating to certain levels of care; and defining terms.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1009 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1009) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1009) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1010—A Bill to amend and reenact §62-12-28 and §62-12-29 of the Code of West Virginia, 1931, as amended, all relating to pretrial release programs; authorizing Supreme Court of Appeals to develop pretrial release programs in all circuits; requesting court to develop electronic pretrial court date reminder system; and requiring community supervision committee of administrative office of the court to make recommendation for development of electronic pretrial court date reminder system.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson,

Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1010 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Karnes—1.

Absent: Martin—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1010) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Karnes—1.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1010) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1011—A Bill to amend and reenact §15A-3-4 of the Code of West Virginia, 1931, as amended, relating to the powers and duties of the Commissioner of the Division of Corrections and Rehabilitation; authorizing commissioner to require certain agreements with employees for reimbursement of training costs under certain conditions; clarifying that transportation of inmates for court appearances is subject to rules of the Supreme Court of Appeals; and authorizing the commissioner to cooperate with the Supreme Court of Appeals in developing a comprehensive transportation plan.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1011 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1011) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1011) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1012—A Bill to amend and reenact §48-13-301, §48-13-403, §48-13-404, and §48-13-502 of the Code of West Virginia, 1931, as amended, all relating to child support guidelines; correcting errors, including monthly basic child support obligation amounts and citations; and updating worksheets for new student loan deduction.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1013—A Bill to amend and reenact §16-1-7 of the Code of West Virginia, 1931, as amended; to repeal §16-27-1, §16-27-2, §16-27-3, and §16-27-4 of said code; to repeal §16-34-1, §16-34-2, §16-34-3, §16-34-4, §16-34-5, §16-34-6, §16-34-7, §16-34-8, §16-34-9, §16-34-10, §16-34-11, §16-34-12, §16-34-13, and §16-34-14 of said code; to amend and reenact §18-9E-3 of said code; to amend said code by adding thereto a new article, designated §22-35-1, §22-35-2, §22-35-3, §22-35-4, §22-35-5, §22-35-6, §22-35-7, §22-35-8, §22-35-9, §22-35-10, §22-35-11, §22-35-12, §22-35-13, §22-35-14, §22-35-15, §22-35-16, §22-35-17, §22-35-18, §22-35-19, §22-35-20, and §22-35-21; to amend said code by adding thereto a new article, designated §22-37-1, §22-37-2, §22-37-3, §22-37-4, §22-37-5, §22-37-6, §22-37-7, §22-37-8, §22-37-9, §22-37-10, §22-37-11, §22-37-12, §22-37-13 and §22-37-14; and to amend and reenact §29-1H-3 and §29-1H-5 of said code, all relating to making West Virginia an agreement state with the United States Nuclear Regulatory Commission and transferring authority and responsibility for sources of radiation from other state agencies to the Department of Environmental Protection; establishing a comprehensive regulatory system for the control of sources of radiation for the protection of the public and the environment; creating the Radiation Control Act; providing for declaration of policy and purpose; providing for certain definitions;

providing for exemptions; creating the Radiation Advisory Board; providing for the board's composition, authorities, duties, and for the compensation of members; providing that the Department of Environmental Protection is be designated as the state radiation control agency; providing for the department's duties, authorities, and requirements for consistency with federal law and regulations; providing for comprehensive programs and procedures to control radiation through general and specific licensing of radioactive materials and equipment; establishing rule-making authority under the department concerning radiation control; establishing licensing and registration requirements and procedures; establishing fee schedules, funding sources, and forms; transferring existing rules, licenses, policies, agreements, grants, and funding to the department from other agencies; establishing procedures and requirements regarding radioactive materials and sureties; providing for a comprehensive program to regulate radon, and its screening, testing, and mitigation; providing for the regulation of x-ray machines; providing for reports, fees, and qualifications of inspectors; creating the Radiation Site Closure and Reclamation Fund with requirements and funding sources; creating the Radiation Licensure and Inspection Fund with requirements and funding sources; allowing for impounding sources of ionizing radiation; providing authority for the Governor and the department to enter into agreements with the federal government, other states, or interstate agencies; defining effects on local ordinances; providing for administrative procedure and judicial review; defining enforcement procedures regarding violations of law; establishing civil penalties; establishing felonies with criminal penalties; providing for the licensure of radon mitigators, testers, contractors, and laboratories; providing for legislative findings; requiring radon licenses and providing requirements and exemptions; providing for recordkeeping, rulemaking, and confidentiality; transferring a special revenue fund and other funds to the department; providing for suspension or revocation of licenses for programs concerning radon and other radioactive materials; continuing an existing misdemeanor with criminal penalties; and providing that the Secretary of the Department of Environmental Protection shall assume responsibilities under the Appalachian States Low-Level Radioactive Waste Compact.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1014—A Bill supplementing and amending appropriations of public moneys out of the Treasury in the State Fund, General Revenue, by decreasing an existing item of appropriation to the Department of Administration, Public Employees Insurance Agency, fund 0200, fiscal year 2024, organization 0225, by supplementing and amending appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1015—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Education, State Board of Education – State Aid to Schools, fund 0317, fiscal year 2024, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1016—A Bill supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2023, known

as the budget bill, in Title II from the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Education, State Board of Education – State Aid to Schools, fund 0317, fiscal year 2024, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024, by increasing and decreasing items of appropriation.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1017—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Higher Education Policy Commission, Marshall University, General Administration Fund, fund 0348, fiscal year 2024, organization 0471, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1017 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1017) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1017) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1018—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Education, State Board of Education, State Department of Education, fund 0313, fiscal year 2024, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1018 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1018) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1018) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1019—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the West Virginia State

Senate, fund 0165, fiscal year 2024, organization 2100, to the West Virginia House of Delegates, fund 0170, fiscal year 2024, organization 2200, and to Joint Expenses, fund 0175, fiscal year 2024, organization 2300, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1019 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1019) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1019) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1020—A Bill to amend and reenact §7-22-9 of the Code of West Virginia, 1931, as amended, relating to authorizing the Mercer County Commission to levy a special district excise tax; authorizing the special district excise tax for the benefit of the Ridges Economic Opportunity Development District; and setting forth the land area within the special district subject to the special district excise tax.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1020 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1020) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope,

Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1020) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1021—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-5B-1 and §7-5B-2; and to amend and reenact §33-3-33 of said code, all relating to funding certain first responders; creating a special revenue fund administered by the Secretary of Homeland Security for the benefit of counties with excess levies or dedicated fees related to emergency services; creating a special revenue fund administered by the Secretary of Homeland Security for the benefit of emergency services in certain counties exhibiting population increase; granting rulemaking authority; requiring the State Fire Marshal provide certain information to the State Treasurer before distribution of the Fire Protection Fund; and requiring that volunteer fire departments eligible to receive policy surcharge funds implement the State Auditor's West Virginia Checkbook fiscal reporting system.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1021 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1021) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1021) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1022—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2024, organization 0606, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1022 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1022) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1022) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1023—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balances of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Emergency Management, Growth County Fire Protection Fund, fund xxxx, fiscal year 2024, organization 0606, and to the Department of Homeland Security, Division of Emergency Management, County Fire Protection Fund, fund xxxx, fiscal year 2024, organization 0606, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1023 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1023) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1023) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1024—A Bill to amend §20-1-19 of the Code of West Virginia, 1931, as amended, relating to establishing Summersville Lake State Park.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1025—A Bill to amend and reenact §11-13MM-10 of the Code of West Virginia, 1931, as amended, relating to clarifying that certain payments paid prior to the effective date of the tax credits for property taxes paid on certain species of property are eligible for the tax credits.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1025 was then read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Senate Bill 1025 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1025) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1025) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1026—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance

in the State Fund, General Revenue, to the Department of Transportation – Division of Highways, fund 0620, fiscal year 2024, organization 0803, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1027—A Bill supplementing, amending, and increasing existing items of appropriation from the State Road Fund to the Department of Transportation, Division of Highways, fund 9017, fiscal year 2024, organization 0803, for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1028—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Governor's Office – Civil Contingent Fund, fund 0105, fiscal year 2024, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1028 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1028) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope,

Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1028) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1029—A Bill supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2023, known as the budget bill, as amended, in Title II from the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Economic Development – Office of the Secretary, fund 0256, fiscal year 2024, organization 0307, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1029 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1029) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1029) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1030—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Administration, Office of Technology, fund 0204, fiscal year 2024, organization 0231, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2023, known as the Budget Bill for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1030 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1030) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1030) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1031—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of

Administration – Division of General Services, fund 0230, fiscal year 2024, organization 0211, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1031 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1031) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1031) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

(Senator Azinger in the Chair.)

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1032—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce – Division of Forestry, fund 0250, fiscal year 2024, organization 0305 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1032 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 1032) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope,

Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 1032) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1033—A Bill making a supplementary appropriation of federal funds out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Commerce, Geological and Economic Survey, fund 8704, fiscal year 2024, organization 0306, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1033 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 1033) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 1033) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1034—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Arts, Culture, and History, Division of Culture and History, fund 0293, fiscal year 2024, organization 0432, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1034 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart,

Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 1034) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 1034) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1035—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Environmental Protection, Division of Environmental Protection, fund 0273, fiscal year 2024, organization 0313, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1035 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 1035) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 1035) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1036—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce, Division of Natural Resources, fund 0265, fiscal year 2024, organization 0310 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith,

Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1036 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 1036) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 1036) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1037—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Veterans' Assistance, fund 0456, fiscal year 2024, organization 0613, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1037 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 1037) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 1037) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

(Senator Blair, Mr. President, in the Chair.)

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1038—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to Miscellaneous Boards and

Commissions, Adjutant General – State Militia, fund 0433, fiscal year 2024, organization 0603, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1038 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1038) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1038) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1039—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority, fund 6675, fiscal year 2024, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1039 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1039) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope,

Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1039) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1040—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Attorney General, fund 0150, fiscal year 2024, organization 1500, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1040 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1040) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1040) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1041—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, West Virginia State Police, fund 0453, fiscal year 2024, organization 0612, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1041 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart,

Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1041) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1041) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1042—A Bill expiring funds to the balance of the Department of Education, Vocational Consolidated Accounts Fund, fund 3945, fiscal year 2024, organization 0402, in the amount of \$12,000,000, from the State Department of Education, fund 3517, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with,

and it was taken up for immediate consideration, read a first time, and ordered to second reading.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1043—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Health and Human Resources, fund 0525, fiscal year 2024, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1043 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton,

Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1043) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1043) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 1044—A Bill to amend and reenact §18B-3D-6 of the Code of West Virginia, 1931, as amended, relating to creating a three-year pilot program to include Potomac State College of West Virginia University as an eligible institution for participation in the "Learn and Earn Program".

At the request of Senator Takubo, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

At the request of Senator Takubo, and by unanimous consent, the Senate returned to the consideration of

Senate Bill 1001, Combining Revenue Shortfall Reserve Fund and Revenue Shortfall Reserve Fund – Part B for surplus deposit eligibility.

Having been read a first time and ordered to second reading in earlier proceedings today.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 1001 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart,

Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1001) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1001) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

On motion of Senator Takubo, at 7:54 p.m., the Senate adjourned until tomorrow, Monday, August 7, 2023, at 12 Noon.

MONDAY, AUGUST 7, 2023

The Senate met at 12:45 p.m.

(Senator Blair, Mr. President, in the Chair.)

Prayer was offered by the Honorable Rollan A. Roberts, a senator from the ninth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Mike Caputo, a senator from the thirteenth district.

Pending the reading of the Journal of Sunday, August 6, 2023,

At the request of Senator Trump, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the third order of business.

Executive Communications

The following communication from His Excellency, the Governor, was reported by the Clerk:



Jim Justice
Governor of West Virginia

March 17, 2023

The Honorable Craig Blair
President, West Virginia Senate
Building 1, Room M-229
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear President Blair:

The following amends and replaces the "Excess Lottery Fund – Revenues, Expenditures, and Changes in Cash Balance" which I submitted to you on January 11, 2023 as part of my Budget Document for the fiscal year ending June 30, 2024:

Excess Lottery Fund
Revenues, Expenditures, and Changes in Cash Balance
(Nearest Dollar)

Balance @ July 1, 2022	\$ 93,923,017
Less: Reserve for Cash Flow / Contingencies	(6,600,000)
Less: Catastrophic Event Contingency	(30,000,000)
Plus: FY 2022 Actual Revenue	377,543,085
Less: FY 2022 Appropriations (FY 2022 Budget Bill)	(290,257,000)
Less: FY 2022 Surplus Appropriation (FY 2022 Budget Bill)	(17,800,000)
Less: FY 2022 Surplus Appropriation (FY 2022 Regular Session SB 517)	(22,500,000)
Plus: Cash not needed for FY 2022 Appropriations (Debt Service Actual)	31,496
Plus: Cash not needed for FY 2022 Appropriations (Reimbursable Credit)	<u>991,354</u>
Unappropriated Balance @ June 30, 2022	\$ 105,331,952
Plus: FY 2023 Revenue Estimate	<u>\$ 300,651,123</u>

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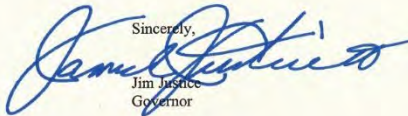
The Honorable Craig Blair
Page 2

March 17, 2023

Available for FY 2023 Appropriations	\$ 405,983,075
Less: FY 2023 Appropriations (FY 2023 Budget Bill) (SB 250)	(300,652,000)
Less: FY 2023 Surplus Appropriation (FY 2023 Budget Bill) (SB 250) FY 2022 Surplus	(17,000,000)
Less: Recommended FY 2023 Supplemental Appropriation	
Expiration to General Revenue Surplus (2023 Regular Session)	(30,500,000)
Less: FY 2023 Supplemental Appropriation (SBA) (Construction) (HB 3527) (2023 Regular Session)	(25,000,000)
Less: FY 2023 Supplemental Appropriation (Education) (Equipment) (HB 3527) (2023 Regular Session)	(15,000,000)
Plus: Cash not needed for FY 2023 Appropriations (Debt Service Actual)	<u>57,541</u>
Estimated Unappropriated Balance @ June 30, 2023	\$ 17,888,616
Plus: FY 2024 Revenue Estimate (as revised 03/17/2023)	\$ 338,670,790
Less: Recommended FY 2024 Appropriations (2024 Budget Bill)	(334,670,790)
Less: FY 2023 Surplus Appropriation (FY 2024 Budget Bill)	<u>(17,800,000)</u>
Estimated Unappropriated Balance @ June 30, 2024	<u>\$ 4,088,616</u>

Thank you for your cooperation in this matter.

Sincerely,



Jim Justice
Governor

In compliance with Article VI, Section 51 of the Constitution, the Senate consented to receive the foregoing amendment to the Budget Bill, which was referred to the Committee on Finance.

Senator Blair (Mr. President) then laid before the Senate the following communication from His Excellency, the Governor, consisting of executive nominations for appointees:



Jim Justice
Governor of West Virginia

August 7, 2023

Senate Executive Message No. 2
First Extraordinary Session 2023

TO: The Honorable Members of the
West Virginia Senate

Ladies and Gentlemen:

I respectfully submit the following nominations for your advice and consent:

1. For Member, Design-Build Board, Andrew K. Teeter, Charleston, Kanawha County, for the term ending July 7, 2025.
2. For Member, Board of Examiners for Speech-Language Pathology and Audiology, Amber Settles, South Charleston, Kanawha County, for the term ending June 30, 2025.
3. For Member, Board of Examiners for Speech-Language Pathology and Audiology, Heather Waselchalk, Charleston, Kanawha County, for the term ending June 30, 2025.
4. For Commissioner, West Virginia Bureau of Senior Services, Denise R. Worley, Beckley, Raleigh County, to serve at the will and pleasure of the Governor.
5. For Member, Bridge Valley Community and Technical College Board of Governors, Luke Carney, Red House, Putnam County, for the term ending June 30, 2025.
6. For Member, Board of Banking and Financial Institutions, Susan Barber, Washington, Wood County, for the term ending June 30, 2027.
7. For Member, Board of Banking and Financial Institutions, J. Gregory Gency, Clay, Clay County, for the term ending June 30, 2028.
8. For Member, Ethics Commission, F. Lynn Davis, Wellsburg, Brooke County, for the term ending June 30, 2025.

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9. For Member, Ethics Commission, Joshua Cottle, Culloden, Cabell County, for the term ending June 30, 2027.
10. For Member, Unemployment Compensation Board of Review, Ashley Seaton Switzer, Charleston, Kanawha County, for the term ending January 1, 2029.
11. For Member, West Virginia School of Osteopathic Medicine Board of Governors, Caitlyn Santer, Parkersburg, Wood County, for the term ending June 30, 2026.
12. For Member, Board of Examiners of Psychologists, Beverly A. Branson, Charleston, Kanawha County, for the term ending June 30, 2025.
13. For Member, Consolidated Public Retirement Board, Michael G. Corsaro, Hurricane, Putnam County, for the term June 30, 2023.
14. For Member, Consolidated Public Retirement Board, Brad L. Mankins, Daniels, Raleigh County, for the term ending June 30, 2025.
15. For Member, Higher Education Policy Commission, Diana Lewis Jackson, Morgantown, Monongalia County, for the term ending June 30, 2025.
16. For Member, Higher Education Policy Commission, James W. Dailey II, Martinsburg, Berkeley County, for the term ending June 30, 2023.
17. For Member, Higher Education Policy Commission, James V. Denova, Pittsburgh, Pennsylvania, for the term ending June 30, 2024.
18. For Member, Workforce Development Board, The Honorable Vic Sprouse, South Charleston, Kanawha County, for the term ending June 30, 2024.
19. For Member, Workforce Development Board, Deborah Harris, Charleston, Kanawha County, for the term ending June 30, 2025.
20. For Member, West Virginia Emergency Medical Services Advisory Council, Monica L. Mason, Scott Depot, Putnam County, for the term ending June 30, 2025.
21. For Member, Board of Examiners for Speech-Language Pathology and Audiology, Amanda E. Bonner, Barboursville, Cabell County, for the term ending June 30, 2026.
22. For Member, State Board of Sanitarians, Andrew J. Root, Keyser, Mineral County, for the term ending June 30, 2025.

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23. For Member, Solid Waste Management Board, Steve Pilato, Fayetteville, Fayette County, for the term ending June 30, 2027.
24. For Member, Solid Waste Management Board, Howard Coffield, Moundsville, Marshall County, for the term ending June 30, 2026.
25. For Member, Solid Waste Management Board, Tim Blankenship, Baisden, Mingo County, for the term ending June 30, 2025.
26. For Member, Board of Optometry, Jennifer Logan Stevens, Charleston, Kanawha County, for the term ending June 30, 2024.
27. For Member, Board of Optometry, Thomas A. Stout, Morgantown, Monongalia County, for the term ending June 30, 2025.
28. For Member, West Virginia Real Estate Appraiser Licensing and Certification Board, Elliott F. Borris, Charleston, Kanawha County, for the term ending June 30, 2024.
29. For Member, Air Quality Board, R. Thomas Hansen, Charleston, Kanawha County, for the term ending June 30, 2025.
30. For Member, Air Quality Board, J. Michael Koon, Weirton, Hancock County, for the term ending June 30, 2024.
31. For Member, Air Quality Board, Robert Orndorff, Charleston, Kanawha County, for the term ending June 30, 2027.
32. For Member, Air Quality Board, Leonard Knee, Reedsville, Preston County, for the term ending June 30, 2028.
33. For Member, Surface Mine Board, Richard Flanigan, Kenova, Wayne County, for the term ending June 30, 2026.
34. For Member, Surface Mine Board, Mark Schuerger, Charleston, Kanawha County, for the term ending June 30, 2026.
35. For Member, Surface Mine Board, James M. Smith, South Charleston, Kanawha County, for the term ending June 30, 2026.
36. For Member, Surface Mine Board, Henry Rauch, Morgantown, Monongalia County, for the term ending June 30, 2028.

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37. For Member, Surface Mine Board, Charles K. Meadows II, Gassaway, Braxton County, for the term ending June 30, 2024.
38. For Member, Environmental Quality Board, Stephen G. Capelli, Sr., Verona, New Jersey, for the term ending June 30, 2027.
39. For Member, Environmental Quality Board, Edward M. Snyder, Shepherdstown, Jefferson County, for the term ending June 30, 2026.
40. For Member, Environmental Quality Board, Bascombe Mitchel Blake, Jr., Morgantown, Monongalia County, for the term ending June 30, 2025.
41. For Member, West Virginia Parole Board, Travis W. Foreman, Beckley, Raleigh County, for the term ending June 30, 2029.
42. For Member, West Virginia University Board of Governors, The Honorable Kevin J. Craig, Huntington, Cabell County, for the term ending June 30, 2027.
43. For Member, West Virginia University Board of Governors, Michael F. D'Annunzio, Bridgeport, Harrison County, for the term ending June 30, 2027.
44. For Member, West Virginia University Board of Governors, Robert L. Reynolds, Concord, Massachusetts, for the term ending June 30, 2027.
45. For Member, Statewide Independent Living Council, Lysnay Frye, Paden City, Wetzel County, for the term ending June 30, 2026.
46. For Member, Statewide Independent Living Council, Canada Richardson, Charleston, Kanawha County, for the term ending June 30, 2025.
47. For Member, Statewide Independent Living Council, Denise R. Worley, Beckley, Raleigh County, for the term ending June 30, 2026.
48. For Member, Statewide Independent Living Council, Raymond Brooks, Martinsburg, Berkeley County, for the term ending June 30, 2026.
49. For Member, Statewide Independent Living Council, Mark E. Fordyce, Charlton Heights, Fayette County, for the term ending June 30, 2026.
50. For Member, Statewide Independent Living Council, Nadine Autry, Falling Waters, Berkeley County, for the term ending June 30, 2026.

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51. For Member, Statewide Independent Living Council, Harold T. Rogers, Charleston, Kanawha County, for the term ending June 30, 2024.
52. For Member, Statewide Independent Living Council, Miranda Lacy, Dunbar, Kanawha County, for the term ending June 30, 2026.
53. For Member, Statewide Independent Living Council, Nita Hobbs, Morgantown, Monongalia County, for the term ending June 30, 2024.
54. For Member, Statewide Independent Living Council, Teresa Sestito, Fairmont, Marion County, for the term ending June 30, 2026.
55. For Member, Statewide Independent Living Council, D. Scott Gossard, Petersburg, Grant County, for the term ending June 30, 2024.
56. For Member, Statewide Independent Living Council, Nathan Parker, Huntington, Cabell County, for the term ending June 30, 2026.
57. For Member, Statewide Independent Living Council, Cherie Buzzard, Moundsville, Marshall County, for the term ending June 30, 2026.
58. For Member, Statewide Independent Living Council, Kevin Smith, Parkersburg, Wood County, for the term ending June 30, 2024.
59. For Member, Fire Commission, Doug Mongold, Moorefield, Hardy County, for the term ending June 30, 2028.
60. For Member, Glenville State College Board of Governors, Ann Starcher Green, Charleston, Kanawha County, for the term ending June 30, 2027.
61. For Member, Glenville State College Board of Governors, Robert A. Marshall, Vienna, Wood County, for the term ending June 30, 2027.
62. For Member, New River Community and Technical College Board of Governors, Richard R. Schneider, Wilmington, Delaware, for the term ending June 30, 2027.
63. For Member, West Liberty University Board of Governors, Michael J. Baker, Wheeling, Ohio County, for the term ending June 30, 2027.
64. For Member, Shepherd University Board of Governors, Gat Caperton, Berkeley Springs, Morgan County, for the term ending June 30, 2027.

OFFICE OF THE GOVERNOR

65. For Member, West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, Tyson C. Judy, Scott Depot, Putnam County, for the term ending June 30, 2026.
66. For Member, West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, Jeffrey T. Jones, South Charleston, Kanawha County, for the term ending June 30, 2026.
67. For Member, Board of Pharmacy, Jenna Misiti, Huntington, Cabell County, for the term ending June 30, 2028.
68. For Member, Board of Pharmacy, Robert B. Duncan, Hurricane, Putnam County, for the term ending June 30, 2028.
69. For Member, Women's Commission, Samantha L. Willis, Ravenswood, Jackson County, for the term ending June 30, 2026.
70. For Member, Board of Examiners in Counseling, Alecia N. Allen, Dunbar, Kanawha County, for the term ending June 30, 2028.
71. For Member, West Virginia Board of Chiropractic, Jeffrey Summers, Charleston, Kanawha County, for the term ending June 30, 2026.
72. For Member, West Virginia Commission for the Deaf and Hard of Hearing, John W. Burdette, Ronceverte, Greenbrier County, for the term ending June 30, 2026.
73. For Member, West Virginia Commission for the Deaf and Hard of Hearing, Paul See, Moorefield, Hardy County, for the term ending June 30, 2026.
74. For Member, West Virginia Commission for the Deaf and Hard of Hearing, Gloria Hollen, Inwood, Berkeley County, for the term ending June 30, 2026.
75. For Member, West Virginia Commission for the Deaf and Hard of Hearing, Roy B. Forman, Williamstown, Wood County, for the term ending June 30, 2026.
76. For Member, West Virginia Commission for the Deaf and Hard of Hearing, Julie Ann Shoeman, Charles Town, Jefferson County, for the term ending June 30, 2025.
77. For Member, Board of Directors of the United Health System, Randall Williams, Morgantown, Monongalia County, for the term ending October 15, 2028.
78. For Member, Board of Directors of the United Health System, James S. Ferguson, Summersville, Nicholas County, for the term ending October 15, 2028.

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79. For Member, West Virginia Board of Professional Surveyors, Gary D. Facemyer, Sissonville, Kanawha County, for the term ending June 30, 2026.
80. For Member, West Virginia Board of Professional Surveyors, Lantz G. Rankin, Turtle Creek, Boone County, for the term ending June 30, 2027.
81. For Member, Board of Accountancy, Richard A. Riley, Jr., Morgantown, Monongalia County, for the term ending June 30, 2026.
82. For Member, Board of Accountancy, Brian D. Wadsworth, South Charleston, Kanawha County, for the term ending June 30, 2026.
83. For Member, Natural Resources Commission, Janet Hamric Hodge, Smithville, Ritchie County, for the term ending June 30, 2027.
84. For Member, Natural Resources Commission, Jeffrey S. Bowers, Sugar Grove, Pendleton County, for the term ending June 30, 2027.
85. For Member, Solid Waste Management Board, Roger E. Bryant, Henlawson, Logan County, for the term ending June 30, 2028.
86. For Member, Environmental Quality Board, Marybeth Winters, Daniels, Raleigh County, for the term ending June 30, 2028.
87. For Member, Nursing Home Administrators Licensing Board, Rodney L. Hannah, Ripley, Jackson County, for the term ending June 30, 2028.
88. For Member, Nursing Home Administrators Licensing Board, James A. Harris, Anmoore, Harrison County, for the term ending June 30, 2028.
89. For Member, West Virginia Board of Architects, Richard Forren, Bridgeport, Harrison County, for the term ending June 30, 2028.
90. For Member, Eastern West Virginia Community and Technical College Board of Governors, Sheldon W. Arbaugh, Moorefield, Hardy County, for the term ending June 30, 2027.
91. For Member, Eastern West Virginia Community and Technical College Board of Governors, John Kubeika, Winchester, Virginia, for the term ending June 30, 2027.
92. For Member, Eastern West Virginia Community and Technical College Board of Governors, Jonathan G. Brill, Yellow Spring, Hampshire County, for the term of June 30, 2026.

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93. For Member, Public Service Commission, Renee A. Larrick, Daniels, Raleigh County, for the term ending June 30, 2029.
94. For Member, Southern West Virginia Community and Technical College Board of Governors, Sydney Brown, Logan, Logan County, for the term ending June 30, 2027.
95. For Director, Public Employees Insurance Agency, Brian Cunningham, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.
96. For Member, Higher Education Policy Commission, E. Gail Pitchford, Charleston, Kanawha County, for the term ending June 30, 2025.
97. For Member, Marshall University Board of Governors, Kipp Bodnar, Waban, Massachusetts, for the term ending June 30, 2027.
98. For Member, Marshall University Board of Governors, Ginny T. Lee, Palo Alto, California, for the term ending June 30, 2027.
99. For Member, Marshall University Board of Governors, Kathy G. Eddy, Parkersburg, Wood County, for the term ending June 30, 2027.
100. For Member, State Personnel Board, Forrest H. Roles, Charleston, Kanawha County, for the term ending June 30, 2026.
101. For Member, State Personnel Board, James S. Dissen, Charleston, Kanawha County, for the term ending June 30, 2026.
102. For Member, West Virginia Board of Dentistry, G. Richard Gerber, Vienna, Wood County, for the term ending June 30, 2028.
103. For Member, West Virginia Emergency Medical Services Advisory Council, David J. Weller II, Falling Waters, Berkeley County, for the term ending June 30, 2026.
104. For Member, West Virginia Emergency Medical Services Advisory Council, Patricia Watson, Hamlin, Lincoln County, for the term ending June 30, 2026.
105. For Member, West Virginia Emergency Medical Services Advisory Council, Nicholas Cooper, Marlinton, Pocahontas County, for the term ending June 30, 2026.
106. For Member, Design-Build Board, Chad M. Riley, Bridgeport, Harrison County, for the term ending July 7, 2026.

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107. For Member, Design-Build Board, David G. Hammond, Lewisburg, Greenbrier County, for the term ending July 7, 2026.
108. For Member, Design-Build Board, Michael Gianni, Weirton, Brooke County, for the term ending July 7, 2026.
109. For Member, Design-Build Board, Pheobe Patton Randolph, Barboursville, Cabell County, for the term ending July 7, 2026.
110. For Member, Board of Directors of the West Virginia United Health System, Jocelyn M. Moore, Inwood, Berkeley County, for the term ending October 15, 2028.
111. For Member, Economic Development Authority, Eddie J. Canterbury, Logan, Logan County, for the term ending June 30, 2027.
112. For Member, Commission on the Arts, Margaret Mary Layne, Huntington, Cabell County, for the term ending June 30, 2026.
113. For Member, Commission on the Arts, Rebecca A. Deem McGinnis, Vienna, Wood County, for the term ending June 30, 2026.
114. For Member, Commission on the Arts, Charles H. Friddle III, Elkins, Randolph County, for the term ending June 30, 2026.
115. For Member, Commission on the Arts, Brooke Smolder, Scott Depot, Putnam County, for the term ending June 30, 2026.
116. For Member, Commission on the Arts, Caleb B. David, Charleston, Kanawha County, for the term ending June 30, 2025.
117. For Member, West Virginia Archives and History Commission, Tracy L. Burch, Scott Depot, Putnam County, for the term ending June 30, 2026.
118. For Member, West Virginia Archives and History Commission, Daniel Gatts, Moundsville, Marshall County, for the term ending June 30, 2026.
119. For Member, West Virginia Archives and History Commission, John Gavin Hale, Belington, Barbour County, for the term ending June 30, 2026.
120. For Member, West Virginia Archives and History Commission, Matthew R. McGrew, Kenna, Jackson County, for the term ending June 30, 2024.

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121. For Member, West Virginia Archives and History Commission, Harold R. Petry, Nitro, Kanawha County, for the term ending June 30, 2025.
122. For Member, West Virginia Archives and History Commission, Sandra Scaffidi, Fairmont, Marion County, for the term ending June 30, 2026.
123. For Member, Housing Development Fund, Patrick J. Martin, Morgantown, Monongalia County, for the term ending October 30, 2027.
124. For Member, Housing Development Fund, Troy N. Giatras, Charleston, Kanawha County, for the term ending October 30, 2024.
125. For Member, Housing Development Fund, Lynne F. Gianola, Charleston, Kanawha County, for the term ending October 30, 2024.
126. For Member, Capitol Building Commission, The Honorable L. Brent Boggs, Gassaway, Braxton County, for the term ending June 30, 2026.
127. For Member, Athletic Commission, John P. Stevens, Beckley, Raleigh County, for the term ending June 30, 2027.
128. For Member, Athletic Commission, Cecil L. Ramsey II, Glenville, Gilmer County, for the term ending June 30, 2027.
129. For Member, Athletic Commission, Brandon L. Gray, Fayetteville, Fayette County, for the term ending June 30, 2027.
130. For Superintendent, West Virginia State Police, Jack C. Chambers, Pecks Mill, Logan County, to serve at the will and pleasure of the Governor.
131. For Chief Information Officer, Office of Technology, Heather D. Abbott, Elkview, Kanawha County, to serve at the will and pleasure of the Governor.
132. For Secretary, West Virginia Department of Homeland Security, Mark A. Sorsaia, Hurricane, Putnam County, to serve at the will and pleasure of the Governor.
133. For Member, West Virginia Parole Board, Cedric R. Robertson, Beckley, Raleigh County, for the term ending June 30, 2029.
134. For Member, Workforce Development Board, Denise R. Worley, Beckley, Raleigh County, for the term ending June 30, 2026.

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135. For Member, Workforce Development Board, Juston Chad Morrison, Sutton, Braxton County, for the term ending June 30, 2026.
136. For Member, Workforce Development Board, Ben Ashley, Charleston, Kanawha County, for the term ending June 30, 2026.
137. For Member, Workforce Development Board, Steve Cox, Buffalo, Putnam County, for the term ending June 30, 2026.
138. For Member, Workforce Development Board, Traci L. Nelson, Charleston, Kanawha County, for the term ending June 30, 2026.
139. For Member, Workforce Development Board, Lisa Samples White, Charleston, Kanawha County, for the term ending June 30, 2026.
140. For Member, Workforce Development Board, Scott A. Adkins, South Charleston, Kanawha County, for the term ending June 30, 2026.
141. For Member, Workforce Development Board, Pisnu Bua-lam, Scott Depot, Putnam County, for the term ending June 30, 2026.
142. For Member, Workforce Development Board, D. Anne Cavalier, Smithers, Fayette County, for the term ending June 30, 2026.
143. For Member, Workforce Development Board, Mendy Marshall, Poca, Putnam County, for the term ending June 30, 2026.
144. For Member, Workforce Development Board, Alex Weld, Wellsburg, Brooke County, for the term ending June 30, 2025.
145. For Member, Workforce Development Board, Cynthia Persily, Charleston, Kanawha County, for the term ending June 30, 2026.
146. For Member, Workforce Development Board, Jacob Green, Madison, Boone County, for the term ending June 30, 2026.
147. For Member, Workforce Development Board, Sarah Bolyard, Charleston, Kanawha County, for the term ending June 30, 2024.
148. For Member, Housing Development Fund, Kristina D. Raynes, Eleanor, Putnam County, for the term ending October 30, 2026.

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149. For Member, West Virginia Board of Licensed Dietitians, Jenni Jones, Oak Hill, Fayette County, for the term ending June 30, 2026.
150. For Member, West Virginia Commission on Holocaust Education, Rachel B. Sweet, Charleston, Kanawha County, for the term ending June 30, 2026.
151. For Member, Board of Registration for Professional Engineers, Garth E. Thomas, Jr., South Charleston, Kanawha County, for the term ending June 30, 2028.
152. For Member, Board of Registration for Professional Engineers, Carol A. Stevens, Alum Creek, Lincoln County, for the term ending June 30, 2026.
153. For Member, Public Employees Insurance Agency Finance Board, Jason L. Myers, Bridgeport, Harrison County, for the term ending June 30, 2027.
154. For Member, Public Employees Insurance Finance Board, Michael T. Smith, Milton, Cabell County, for the term ending June 30, 2027.
155. For Acting Secretary, West Virginia Department of Health and Human Services, Sherri A. Young, Elkview, Kanawha County, to serve at the will and pleasure of the Governor.

Notice of these appointments was previously provided to the appropriate legislative staff at the time the appointments were made.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Justice", is written over a light blue circular background.

Jim Justice
Governor

JC]: mrp

cc: Clerk of the Senate
Senate Confirmations Chair

Which communication was received.

At the request of Senator Boley, and by unanimous consent, the nominations hereinbefore reported were taken up for immediate consideration.

Thereupon, Senator Blair (Mr. President) laid before the Senate the following executive message:

Senate Executive Message 2, dated August 7, 2023 (*shown in the Senate Journal of today, immediately hereinbefore reported*).

Senator Boley then moved that the Senate advise and consent to all of the executive nominations referred to in Senate Executive Message 2, except the nomination of Alex Weld to the Workforce Development Board (being nomination number 144 in Executive Message 2).

The question being on the adoption of Senator Boley's aforesaid motion,

The roll was then taken; and

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Martin—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared Senator Boley's motion had prevailed and that all the executive nominations referred to in Senate Executive Message 2, except the nomination of Alex Weld to the Workforce Development Board (being nomination number 144 in Executive Message 2) had been confirmed.

Senator Boley then moved that the Senate advise and consent to the nomination of Alex Weld to the Workforce Development Board (being nomination number 144 in Executive Message 2).

Prior to the call of the roll and at the request of Senator Weld, unanimous consent being granted, Senator Weld was excused from voting under Rule 43 of the Rules of the Senate.

The roll was then taken; and

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Martin—1.

Excused from voting: Weld—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared Senator Boley's motion had prevailed and the nomination of Alex Weld to the Workforce Development Board had been confirmed.

Consideration of executive nominations having been concluded,

The Senate proceeded to the sixth order of business.

At the request of Senator Takubo, and by unanimous consent, Senators Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, and Woodrum offered the following resolution from the floor:

Senate Resolution 101—Recognizing the importance of West Virginia's energy resources and critical pipeline infrastructure to support economic development and national security.

At the request of Senator Takubo, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Petitions

Senator Smith presented a petition from John Kitchen and numerous Terra Alta residents, expressing concerns regarding the condition of Orr Tannery Road, Afton Road, and Reckart Mill Road in Terra Alta, West Virginia.

Referred to the Committee on Transportation and Infrastructure.

The Senate proceeded to the ninth order of business.

Senate Bill 1002, Supplementing and amending appropriations from General Revenue to Department of Revenue, Office of Secretary.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was referred to the Committee on Finance.

Senate Bill 1003, Supplementing and amending appropriations from General Revenue to multiple funds for Division of Corrections and Rehabilitation.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was referred to the Committee on Finance.

Senate Bill 1004, Making supplementary appropriation to Division of Corrections and Rehabilitation, Parolee Supervision Fees and Regional Jail and Correctional Facility Authority.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was referred to the Committee on Finance.

Senate Bill 1005, Supplementing and amending appropriations from General Revenue to Division of Corrections and Rehabilitation, Correctional Units and Bureau of Juvenile Services.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was referred to the Committee on Finance.

Senate Bill 1006, Updating temporary identification cards for released inmates.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was referred to the Committee on the Judiciary.

Senate Bill 1007, Requiring municipalities to reimburse responsible county regional jail per diem fees in certain cases.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was referred to the Committee on the Judiciary.

Senate Bill 1008, Clarifying conditions for pretrial release.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was referred to the Committee on the Judiciary.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Takubo, at 12:58 p.m., the Senate recessed until 3 p.m. today.

The Senate reconvened at 3:49 p.m. and resumed consideration of the remainder of its second reading calendar, the next bill coming up in numerical sequence being

Senate Bill 1012, Updating child support guidelines.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Senate Bill 1013, Making WV an agreement state with US Nuclear Regulatory Commission.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Senate Bill 1014, Supplementing and amending appropriations from General Revenue to Department of Administration, PEIA.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Senate Bill 1015, Supplementing and amending appropriations from General Revenue to BOE, State Aid to Schools.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Senate Bill 1016, Supplementing and amending appropriations from General Revenue to Department of Education, State Aid to Schools.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Senate Bill 1024, Establishing Summersville Lake State Park.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Senate Bill 1026, Supplementing and amending appropriations from General Revenue to DOH.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Senate Bill 1027, Supplementing, amending and increasing existing items of appropriation from State Road Fund to DOH.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale,

Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Karnes, and Martin—3.

Engrossed Senate Bill 1027 was then read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Senate Bill 1027 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Karnes, and Martin—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1027) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Karnes, and Martin—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1027) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Senate Bill 1042, Expiring funds to Department of Education, Vocational Consolidated Accounts Fund from State Department of Education.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Karnes, and Martin—3.

Engrossed Senate Bill 1042 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Karnes, and Martin—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1042) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Karnes, and Martin—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1042) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Senate Bill 1044, Including Potomac State College in eligibility for Learn and Earn Program.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

At the request of Senator Takubo, and by unanimous consent, the Senate returned to the fourth order of business.

Senator Tarr, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 1002, Supplementing and amending appropriations from General Revenue to Department of Revenue, Office of Secretary.

Now on second reading, having been read a first time on August 6, 2023;

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Eric J. Tarr,
Chair.

At the request of Senator Takubo, unanimous consent being granted, the bill (S. B. 1002) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a second time, and ordered to engrossment and third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

Engrossed Senate Bill 1002 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1002) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1002) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Senator Tarr, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 1003, Supplementing and amending appropriations from General Revenue to multiple funds for Division of Corrections and Rehabilitation.

Now on second reading, having been read a first time on August 6, 2023;

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Eric J. Tarr,
Chair.

At the request of Senator Takubo, unanimous consent being granted, the bill (S. B. 1003) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a second time, and ordered to engrossment and third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

Engrossed Senate Bill 1003 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1003) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen,

Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1003) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Senator Tarr, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 1004, Making supplementary appropriation to Division of Corrections and Rehabilitation, Parolee Supervision Fees and Regional Jail and Correctional Facility Authority.

Now on second reading, having been read a first time on August 6, 2023;

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Eric J. Tarr,
Chair.

At the request of Senator Takubo, unanimous consent being granted, the bill (S. B. 1004) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a second time, and ordered to engrossment and third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

Engrossed Senate Bill 1004 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1004) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1004) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Senator Tarr, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 1005, Supplementing and amending appropriations from General Revenue to Division of Corrections and Rehabilitation, Correctional Units and Bureau of Juvenile Services.

Now on second reading, having been read a first time on August 6, 2023;

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Eric J. Tarr,
Chair.

At the request of Senator Takubo, unanimous consent being granted, the bill (S. B. 1005) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a second time, and ordered to engrossment and third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

Engrossed Senate Bill 1005 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1005) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1005) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Senator Trump, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 1006, Updating temporary identification cards for released inmates.

And has amended same.

Now on second reading, having been read a first time on August 6, 2023;

Senate Bill 1007, Requiring municipalities to reimburse responsible county regional jail per diem fees in certain cases.

And has amended same.

Now on second reading, having been read a first time on August 6, 2023;

And,

Senate Bill 1008, Clarifying conditions for pretrial release.

And has amended same.

Now on second reading, having been read a first time on August 6, 2023;

And reports the same back with the recommendation that they each do pass, as amended.

Respectfully submitted,

Charles S. Trump IV,
Chair.

At the request of Senator Takubo, unanimous consent being granted, Senate Bill 1006 contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration and read a second time.

The following amendment to the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 2. ISSUANCE OF LICENSE, EXPIRATION AND RENEWAL.

§17B-2-1c. Temporary identification card for released inmates.

(a) The West Virginia Division of Corrections and Rehabilitation is authorized to issue a temporary identification card to an eligible inmate at no cost, no more ~~more~~ earlier than seven days prior to the inmate's release from the Division's custody. An identification card issued pursuant to this section shall be valid for ~~90~~ 180 days after the date of issuance.

(b) A valid identification card issued pursuant to this section shall have the same force and effect as a standard identification card issued by the Division of Motor Vehicles pursuant to §17B-2-1(f) of this code.

(c)(1) Notwithstanding any other provision of this code, the Division of Motor Vehicles shall accept a valid identification card issued pursuant to this section as sufficient proof of identity, age, and residency of a person applying for an identification card or driver's license pursuant to §17B-2-1 of this code.

(2) If the Division of Motor Vehicles is unable to verify the person's social security number by another means, the Division of Motor Vehicles shall contact the Division of Corrections and Rehabilitation to verify the social security number provided by such person. The Division of Motor Vehicles shall accept verification by the Division of Corrections and Rehabilitation as sufficient documentation of the person's social security number for the purpose of issuing such person an identification card or driver's license pursuant to §17B-2-1 of this code.

(3) The Division of Corrections and Rehabilitation, in collaboration with the Division of Motor Vehicles, shall develop a policy to permit the sharing of released inmates' social security numbers for the limited purposes of this section, and shall obtain any necessary written authorization from an inmate prior to the inmate's release from the Division of Corrections and Rehabilitation's custody.

(d) An inmate is not eligible to receive an identification card pursuant to this section if the inmate is in possession of a valid West Virginia identification card or driver's license, which expires more than ~~seven~~ 30 days after the inmate's date of release from the Division of Corrections and Rehabilitation's custody, or if the inmate is not a citizen of the United States.

(e) Nothing in this section shall be construed to permit or require issuance of an identification card or driver's license for federal use, in violation of the standards promulgated pursuant to the REAL ID Act of 2005, 49 U.S.C. § 30301 *et seq.*

(f) During the six months preceding an inmate's release date from the Division of Corrections and Rehabilitation's custody, the division shall ~~make efforts to~~ assist the inmate to obtain a certified copy of the inmate's birth certificate, a Social Security card, and a state-issued driver's license or identification card.

The bill (S. B. 1006), as amended, was then ordered to engrossment and third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

Engrossed Senate Bill 1006 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale,

Queen, Roberts, Rucker, Smith, Stover, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Stuart—1.

Absent: Grady and Martin—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1006) passed.

The following amendment to the title of the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

Eng. Senate Bill 1006—A Bill to amend and reenact §17B-2-1c of the Code of West Virginia, 1931, as amended, relating to temporary identification cards for released inmates; clarifying that the temporary identification cards are issued at no cost to the inmate; expanding eligibility requirements for temporary identification cards; and extending the period of validity of the temporary identification cards.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Stuart—1.

Absent: Grady and Martin—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1006) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

At the request of Senator Takubo, unanimous consent being granted, Senate Bill 1007 contained in the preceding report from the

Committee on the Judiciary was taken up for immediate consideration and read a second time.

The following amendment to the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 3. DIVISION OF CORRECTIONS AND REHABILITATION.

§15A-3-16. Funds for operations of jails under the jurisdiction of the commissioner.

(a) Any special revenue funds previously administered by the Regional Jail and Correctional Facility Authority or its executive director are continued and shall be administered by the commissioner.

(b) Funds that have been transferred by §15A-3-16(a) of this code shall be limited in use to operations of jail functions, and for payment to the Regional Jail and Correctional Facility Authority Board, for payment of indebtedness. In no case shall a fund be utilized to offset or pay operations of nonjail parts of the facility: *Provided*, That funds may be utilized on a pro rata basis for shared staff and for operational expenses of facilities being used as both prisons and jails.

(c) Whenever the commissioner determines that the balance in these funds is more than the immediate requirements of this article, he or she may request that the excess be invested until needed. Any excess funds so requested shall be invested in a manner consistent with the investment of temporary state funds. Interest earned on any moneys invested pursuant to this section shall be credited to these funds.

(d) These funds consist of the following:

(1) Moneys collected and deposited in the State Treasury which are specifically designated by Acts of the Legislature for inclusion in these funds;

(2) Contributions, grants, and gifts from any source, both public and private, specifically directed to the operations of jails under the control of the commissioner;

(3) All sums paid pursuant to §15A-3-16(g) of this code; and

(4) All interest earned on investments made by the state from moneys deposited in these funds.

(e) The amounts deposited in these funds shall be accounted for and expended in the following manner:

(1) Amounts deposited shall be pledged first to the debt service on any bonded indebtedness;

(2) After any requirements of debt service have been satisfied, the commissioner shall requisition from these funds the amounts that are necessary to provide for payment of the administrative expenses of this article, as limited by this section;

(3) The commissioner shall requisition from these funds, after any requirements of debt service have been satisfied, the amounts that are necessary for the maintenance and operation of jails under his or her control. These funds shall make an accounting of all amounts received from each county by virtue of any filing fees, court costs, or fines required by law to be deposited in these funds and amounts from the jail improvement funds of the various counties;

(4) Notwithstanding any other provisions of this article, sums paid into these funds by each county pursuant to §15A-3-16(g) of this code for each inmate shall be placed in a separate account and shall be requisitioned from these funds to pay for costs incurred; and

(5) Any amounts deposited in these funds from other sources permitted by this article shall be expended based on particular needs to be determined by the commissioner.

(f)(1) After a jail facility becomes available pursuant to this article for the incarceration of inmates, each county within the region shall incarcerate all persons whom the county would have incarcerated in any jail prior to the availability of the jail facility in the jail facility, except those whose incarceration in a local jail facility used as a local holding facility is specified as appropriate under the previously

promulgated, and hereby transferred standards and procedures developed by the Jail Facilities Standards Commission, and whom the sheriff or the circuit court elects to incarcerate therein.

(2) Notwithstanding the provisions of §15A-3-16(f)(1) of this code, circuit and magistrate courts are authorized to:

(A) Detain persons who have been arrested or charged with a crime in a county or municipal jail ~~specified as appropriate under the standards and procedures referenced in §15A-3-16(f)(1) of this code~~ for a period not to exceed 96 hours; or

(B) Commit persons convicted of a crime in a county or municipal jail ~~specified as appropriate under the standards and procedures referenced in §15A-3-16(f)(1) of this code~~ for a period not to exceed 14 days.

(g) When inmates are placed in a jail facility under the jurisdiction of the commissioner pursuant to §15A-3-16(f) of this code, the county, and municipality if the incarceration is a municipal violation, shall pay into this fund a cost per day for each incarcerated inmate, to be determined as set forth in subsection (k) of this section. ~~Beginning July 1, 2018, and continuing through June 30, 2023, in no case shall any county or municipality be required to pay a rate that exceeds \$48.25 per day, per inmate~~

(h) The per diem costs for incarcerating inmates may not include the cost of construction, acquisition, or renovation of the regional jail facilities: *Provided*, That each jail facility or unit operating in this state shall keep a record of the date and time that an inmate is incarcerated, and a county may not be charged for a second day of incarceration for an individual inmate until that inmate has remained incarcerated for more than 24 hours. After that, in cases of continuous incarceration, subsequent per diem charges shall be made upon a county only as subsequent intervals of 24 hours pass from the original time of incarceration.

(i) The county is responsible for costs incurred by the division for housing and maintaining inmates in its facilities who are pretrial inmates and convicted misdemeanants. The costs of housing ~~shall be borne by the division on a felony conviction on which an inmate is incarcerated beginning the calendar day following the day of~~

~~sentencing: *Provided*, That beginning July 1, 2019, the costs of housing shall be borne by the division on a felony conviction when an inmate is incarcerated beginning the calendar day following the day of conviction. In no case shall the county be responsible for any costs of housing and maintaining felony convicted inmate populations.~~

(j) The county is responsible for the costs incurred by the authority for housing and maintaining an inmate who, prior to a felony conviction on which the inmate is incarcerated and is awaiting transportation to a state correctional facility for a 60-day evaluation period as provided in §62-12-7a of this code.

(k) (1) Effective July 1, 2023, the cost per day, per inmate for an incarcerated inmate shall be determined as set forth in this subsection. The base rate per day, per inmate rate shall be set at \$54.48. The State Budget Office shall annually examine the most recent three fiscal years of costs submitted by the commissioner for the cost of operating the jail facilities and units under his or her jurisdiction, and taking an average per day, per inmate cost of maintaining the operations of the jail facilities or units shall adjust the per day, per inmate rate annually. Notice of the adjusted per day, per inmate rate shall be provided to each county commission.

(2) Beginning July 1, 2023, the commissioner shall determine the pro rata share of inmate days per county. This figure shall be calculated by multiplying each ~~counties~~ county's population as contained in the 2020 United States Census by .52.

(3) Each county shall pay as its annual per diem jail cost:

(A) Eighty percent of the current per diem rate for the first 80 percent of its pro rata share of total billed inmate days;

(B) One hundred percent of the current per diem rate for its inmate days that are greater than 80 percent and up to 100 percent of its pro rata share of total billed inmate days; and

(C) One hundred twenty percent of the current per diem rate for its inmate days that exceed 100 percent of its pro rata share of total billed inmate days.

(4) Beginning July 1, 2031, and every 10 years thereafter the pro rata share of inmate days per county shall be calculated by dividing the number of inmate days from the previous calendar year by the state's population according to the most recent United States Census data and then multiplying that number by each ~~counties~~ county's population.

(5) The commissioner shall post on the Division of Corrections and Rehabilitations webpage by county:

(i) The pro rata share of inmate days;

(ii) The base number of pro rata days;

(iii) The reduced rate of the per day, per inmate costs;

(iv) The increased per day, per inmate; and

(v) Any other information deemed necessary by the commissioner.

(l) In cases in which the incarcerated inmate was placed in a jail facility by the municipal police of a Class I or Class II municipal corporation as defined in §8-1-3 of this code, or of a Class III municipal corporation as defined in §8-1-3 of this code but with a population in excess of 4,000 according to the most recent census taken under the authority of the United States, and the incarceration is ~~not a municipal violation~~ resulted from a charge that could have been brought in municipal court but was brought in a magistrate court of this state, the county commission responsible for paying the cost per day pursuant to this subsection ~~may~~ shall be entitled to seek reimbursement from the municipal corporation of actual expenditures for ~~one day up to five days~~ of per diem costs borne by the county commission. ~~by memorandum of understanding~~

The bill (S. B. 1007), as amended, was then ordered to engrossment and third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

Engrossed Senate Bill 1007 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Woelfel, Woodrum, and Blair (Mr. President)—30.

The nays were: Chapman and Weld—2.

Absent: Grady and Martin—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1007) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Woelfel, Woodrum, and Blair (Mr. President)—30.

The nays were: Chapman and Weld—2.

Absent: Grady and Martin—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1007) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

At the request of Senator Takubo, unanimous consent being granted, Senate Bill 1008 contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration and read a second time.

The following amendment to the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 1C. BAIL.

§62-1C-1a. Pretrial release; types of release; conditions for release; considerations as to conditions of release.

(a) Subject to the provisions of §62-1C-1 of this code, when a person charged with a violation or violations of the criminal laws of this state first appears before a judicial officer:

(1) Except for good cause shown, a judicial officer shall release a person charged with a misdemeanor offense on his or her own recognizance unless that person is charged with:

(A) A misdemeanor offense of actual violence or threat of violence against a person;

(B) A misdemeanor offense where the victim was a minor, as defined in §61-8C-1 of this code;

(C) A misdemeanor offense involving the use of a deadly weapon, as defined in §61-7-2 of this code;

(D) A misdemeanor offense of the Uniform Controlled Substances Act as set forth in chapter 60A of this code;

(E) Misdemeanor offenses of sexual abuse;

(F) A serious misdemeanor traffic offense set forth in §17C-5-1 or §17C-5-2 of this code; or

(G) A misdemeanor offense involving auto tampering, petit larceny or possession, transfer or receiving of stolen property when alleged value on the property involved exceeds \$250.

(2) For the misdemeanor offenses specified in subsection (a) of this section, felony offenses, and all other offenses ~~which that~~ carry a possible penalty of incarceration, ~~the arrested person is entitled to a~~ defendant shall be admitted to bail subject to the least restrictive condition or combination of conditions that the judicial officer determines reasonably necessary to assure that person will appear as required, and ~~which that~~ will not jeopardize the safety of the ~~arrested person~~ defendant, victims, witnesses, or other persons in the community or the safety and maintenance of evidence. Further conditions may include that the person charged shall:

(A) Not violate any criminal law of this state, another state, or the United States;

(B) Remain in the custody of a person designated by the judicial officer, who agrees to assume supervision and to report any violation of a release condition to the court, if the designated person is reasonably able to assure the judicial officer that the person will appear as required and will not pose a danger to himself or herself or to the safety of any other person or the community;

(C) Participate in home incarceration pursuant to §62-11B-1 *et seq.* of this code;

(D) Participate in an electronic monitoring program if one is available where the person is charged or will reside.

(E) Maintain employment, or, if unemployed, actively seek employment;

(F) Avoid all contact with an alleged victim of the alleged offense and with potential witnesses and other persons as directed by the court;

(G) Refrain from the use or excessive use of alcohol, or any use of a narcotic drug or other controlled substance, as defined in §60A-1-1 *et seq.* of this code without a prescription from a licensed medical practitioner;

~~(H) Execute an agreement to forfeit, upon failing to appear as required, property of a sufficient unencumbered value, including money, as is reasonably necessary to assure the appearance of the person as required. The person charged shall provide the court with proof of ownership, the value of the property, and information regarding existing encumbrances of the property as, in the discretion of the judicial officer, is reasonable and necessary collateral to ensure the subsequent appearance of the person as required;~~

~~(I) Post a cash bond, or execute a bail bond with solvent sureties who will execute an agreement to forfeit an amount reasonably necessary to assure appearance of the person as required. If other than an approved surety, the surety shall provide the court with information regarding the value of its assets and liabilities and the nature and extent of encumbrances against the surety's property. The surety shall have a net worth of sufficiently unencumbered value to pay the amount of the bail bond; or~~

~~(J)(H) Satisfy any other condition that is reasonably necessary to assure the appearance of the person as required and to assure the safety of the arrested person defendant, victims, witnesses, other persons in the community, or the safety and maintenance of evidence.~~

(3) Proper considerations in determining whether to release the arrested person defendant on an unsecured bond his or her own recognizance, fixing a reasonable amount of bail, or imposing other reasonable conditions of release are:

(A) The ability of the arrested person defendant to give bail;

(B) The nature, number, and gravity of the offenses;

(C) The potential penalty the arrested person defendant faces;

(D) Whether the alleged acts were violent in nature;

(E) The arrested person's defendant's prior record of criminal convictions and delinquency adjudications, if any;

(F) The character, health, residence, and reputation of the arrested person defendant;

(G) The character and strength of the evidence which has been presented to the judicial officer:

(H) Whether the ~~arrested person~~ defendant is currently on probation, extended supervision, or parole;

(I) Whether the ~~arrested person~~ defendant is already on bail or subject to other release conditions in other pending cases;

(J) Whether the ~~arrested person~~ defendant has been bound over for trial after a preliminary examination;

(K) Whether the ~~arrested person~~ defendant has in the past forfeited bail or violated a condition of release or was ever a fugitive from justice; and

(L) The policy against unnecessary incarceration of ~~arrested persons~~ defendants pending trial set forth in this section.

(b) In all misdemeanors, ~~each~~ bail may not exceed three times the maximum fine provided for the offense. If the person is charged with more than one misdemeanor, ~~each~~ bail may not exceed three times the highest maximum fine of the charged offenses offense having the highest maximum fine among the offenses charged.

(c) Notwithstanding any provisions of this article to the contrary, whenever a person ~~not subject to the provisions of §62-1C-1 of this code~~ not released on his or her own recognizance pursuant to subsection (a) of this section remains incarcerated after his or her initial appearance, relating to a misdemeanor, ~~due to the inability to meet the requirements of a secured bond,~~ a magistrate or judge shall hold a hearing within 5 days of setting the initial bail to determine if there is a condition or combination of conditions which can meet the considerations set forth in §62-1C-1a(a)(2) of this code.

(d) A judicial officer may upon notice and hearing modify the conditions of release at any time by imposing additional or different conditions.

(e) A prosecuting attorney and defense counsel, unless expressly waived by the defendant, shall appear at all hearings in which bail ~~or bond~~ conditions are at issue other than the proceeding at which the conditions of release are initially set.

(f) No judicial officer may recommend the services of a surety who is his or her relative as that term is defined in §6B-1-3 of this code.

§62-1C-2. Bail defined; ~~form~~ selection of form by defendant; receipts; right of judicial officer to impose conditions on release.

(a) Bail is the pretrial release of a person from custody upon terms and conditions specified by order of an appropriate judicial officer. Bail shall be set at a monetary amount determined by a judicial officer to provide adequate security for the appearance of a defendant to answer to a specific criminal charge before any court or magistrate at a specific time or at any time to which the case may be continued. A personal recognizance bond shall contain a required monetary amount, which shall be unsecured.

(b) ~~It may take any~~ A defendant is entitled to and shall select one of the following forms for making bail:

(a) ~~The~~ (1) By the deposit by the defendant or by some other person for him or her of cash, in a manner consistent with rules promulgated by the Supreme Court of Appeals:

(2) By executing an agreement to forfeit, upon failing to appear as required, real or personal property of a sufficient unencumbered value, including money, as is reasonably necessary to assure the appearance of the person as required which shall be known as a recognizance. The defendant or person or persons owning the property shall provide the court with proof of ownership, the value of the property, and information regarding existing encumbrances of the property as, in the discretion of the judicial officer, is reasonable and necessary collateral to ensure the subsequent appearance of the person as required; or

(3) By use of a bail bondsman, as defined in §51-10A-1 of this code, who shall post a cash bond or execute a bail bond with solvent sureties who will execute an agreement to forfeit an amount reasonably necessary to assure appearance of the defendant as required. If other than an approved surety, the surety shall provide the judicial officer with information regarding the value of its assets and liabilities and the nature and extent of encumbrances against the

surety's property. The surety shall have a net worth of sufficiently unencumbered value to pay the amount of the bail bond.

~~(b) The written undertaking by one or more persons to forfeit a sum of money equal to the amount of the bail if the defendant is in default for appearance, which shall be known as a recognizance;~~

~~(c) Such other form as the judge of the court that will have jurisdiction to try the offense may determine.~~

(c) All bail shall be received by the clerk of the court, or by the magistrate and, except in case of recognizance, receipts shall be given therefor by him or her.

(d) Nothing in this article shall be construed as limiting a judicial officer from imposing any condition or combination of conditions that he or she determines are reasonably necessary to assure that the defendant will appear as required, and that will not jeopardize the safety of the defendant, victims, witnesses, or other persons in the community or the safety and maintenance of evidence pursuant to the provisions of §62-1C-1a of this code, including, but not limited to, release of a defendant on his or her own recognizance.

The bill (S. B. 1008), as amended, was then ordered to engrossment and third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

Engrossed Senate Bill 1008 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Boley, Caputo, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Swope, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—28.

The nays were: Azinger, Chapman, Stuart, and Taylor—4.

Absent: Grady and Martin—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1008) passed.

The following amendment to the title of the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

Eng. Senate Bill 1008—A Bill to amend and reenact §62-1C-1a and §62-1C-2 of the Code of West Virginia, 1931, as amended, all relating to pretrial release; clarifying right to pretrial release; clarifying maximum bail amount for charges for multiple misdemeanor offenses; revising definition of "bail"; establishing that defendant has right to select method of securing bail; clarifying that personal recognizance bonds shall include an unsecured monetary amount; authorizing judicial officer to impose reasonably necessary conditions to assure defendant will appear as required, including releasing defendant on his or her own recognizance; and making technical corrections.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Barrett, Boley, Caputo, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Swope, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—28.

The nays were: Azinger, Chapman, Stuart, and Taylor—4.

Absent: Grady and Martin—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1008) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

At the request of Senator Takubo, and by unanimous consent, the Senate returned to the consideration of

Senate Bill 1026, Supplementing and amending appropriations from General Revenue to DOH.

Having been reported on second reading and laid over one day, retaining its place on the calendar, in earlier proceedings today,

At the request of Senator Takubo, unanimous consent being granted, the Senate reconsidered its action by which in earlier proceedings today it adopted Senator Takubo's request that the bill lie over one day, retaining its place on the calendar.

The vote thereon having been reconsidered,

The question again being on the adoption of Senator Takubo's request that the bill lie over one day, retaining its place on the calendar.

At the request of Senator Takubo, unanimous consent being granted, his aforesaid request was withdrawn.

Thereafter, Senate Bill 1026 was read a second time and ordered to engrossment and third reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Stover—3.

Engrossed Senate Bill 1026 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1026) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Grady and Martin—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1026) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

On motion of Senator Takubo, at 4:40 p.m., the Senate adjourned until tomorrow, Tuesday, August 8, 2023, at 12 Noon.

TUESDAY, AUGUST 8, 2023

The Senate met at 6:34 p.m.

(Senator Blair, Mr. President, in the Chair.)

Prayer was offered by the Honorable Vince S. Deeds, a senator from the tenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Laura Wakim Chapman, a senator from the first district.

Pending the reading of the Journal of Monday, August 7, 2023,

At the request of Senator Tarr, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

At the request of Senator Caputo, and by unanimous consent, Senator Caputo addressed the Senate.

The Senate then stood in observance of a moment of silence in recognition of the passing of the Honorable Virginia Mahan, a former member of the West Virginia House of Delegates.

Thereafter, at the request of Senator Takubo, and by unanimous consent, the remarks by Senator Caputo were ordered printed in the Appendix to the Journal.

The Clerk presented the following communications from various state agencies as required by the provisions of law:

Administration, Department of (State Building Commission Fund) (§5-6-1)

Deaf and Hard of Hearing, Commission for the (§5-14-9)

Economic Development Authority (Combined Financial Statements) (§31-15-29)

Economic Development, Department of (Neighborhood Investment Program) (§11-13J-4a)

Environmental Protection, Department of (Oil and Gas Abandoned Well Plugging Fund) (§22-6-29a)

Environmental Protection, Department of (Oil and Gas Reclamation Fund) (§22-6-29)

Forestry, Division of (Outdoor Heritage Conservation Fund) (§5B-2G-6)

Health and Human Resources, Department of (Youth Services) (§49-2-1006)

Miners' Health, Safety, and Training, Office of (§22A-1-4)

Municipal Bond Commission (§13-3-15)

Natural Resources, Division of (§20-1-7)

Occupational Therapy, Board of (§30-1-12)

Protective Services, Division of (Monthly Incident Report) (§15-2D-3)

Public Employees Grievance Board (§6C-3-3)

Tax Department, State (Innovative Mine Safety Technology Tax Credit Review and Accountability Report) (§11-13BB-11)

Treasurer, Office of the (Debt Position Quarterly Report) (§12-6A-6)

The Senate proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 1003, Supplementing and amending appropriations from General Revenue to multiple funds for Division of Corrections and Rehabilitation.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page one, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

That the total appropriation for the fiscal year ending June 30, 2024, to fund 0440, fiscal year 2024, organization 0608, be supplemented and amended by adding new items of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HOMELAND SECURITY

74 -Division of Corrections and Rehabilitation –

West Virginia Parole Board

(W.V. Code Chapter 62)

Fund 0440 FY 2024 Org 0608

	Appropriation	General Revenue Fund
1a Personal Services and Employee Benefits – Surplus	24301	\$ <u>4,588</u>
4a Salaries of Members of West Virginia		

4b Parole Board - Surplus..... 22799 \$ 41,300

And, that the total appropriation for the fiscal year ending June 30, 2024, to fund 0446, fiscal year 2024, organization 0608, be supplemented and amended to read as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HOMELAND SECURITY

75 - Division of Corrections and Rehabilitation –

Central Office

(WV Code Chapter 15A)

Fund 0446 FY 2024 Org 0608

	Appropriation	General Revenue Fund
1 Personal Services and Employee Benefits.....	00100	\$ 253,306
2 Personal Services and Employee Benefits - Surplus	24301	\$ <u>4,588</u>
3 Salary and Benefits of Cabinet Secretary and		
4 Agency Heads.....	00201	126,000
5 Salary and Benefits of Cabinet Secretary and		
6 Agency Heads – Surplus	02099	<u>4,586</u>
7 Current Expenses.....	13000	2,400

8	Directed Transfer - Surplus	70099	<u>603,432</u>
9	Total		<u>197,9452</u>

10 From the above appropriation for Directed Transfer – Surplus (fund 0446, 11 organization 0608) \$55,066 shall be transferred to the Parolee Supervision Fees Fund (fund 12 6362), \$87,188 shall be transferred to the Regional Jail and Correctional Facility Authority 13 Fund (fund 6675), \$940,712 shall be transferred to the Regional Jails Operating Cash 14 Control Account (fund 6678) and \$123,898 shall be transferred to the Prison Industries Fund 15 (fund 6303).

And, that the total appropriation for the fiscal year ending June 30, 2024, to fund 0450, fiscal year 2024, organization 0608, be supplemented and amended by creating new items of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HOMELAND SECURITY

76 - Division of Corrections and Rehabilitation –

Correctional Units

(WV Code Chapter 15A)

Fund 0450 FY 2024 Org 0608

	Appropriation	General Revenue Fund
5a Facilities Planning and Administration – Surplus.....	xxxxx	<u>22,942</u>

6a Charleston Correctional Center – Surplus.....	45699	<u>91,776</u>
7a Beckley Correctional Center – Surplus.....	45099	<u>64,244</u>
8a Anthony Correctional Center – Surplus.....	50499	<u>110,132</u>
9a Huttonsville Correctional Center – Surplus.....	28500	<u>321,218</u>
10a Northern Correctional Center – Surplus.....	53499	<u>156,020</u>
12a Pruntytown Correctional Center – Surplus.....	54399	<u>229,442</u>
13a Corrections Academy - Surplus.....	56999	<u>96,366</u>
15a Martinsburg Correctional Center – Surplus.....	66399	<u>91,776</u>
16a Parole Services - Surplus.....	68699	<u>344,164</u>
17a Special Services - Surplus	68799	<u>275,330</u>
18a Investigative Services - Surplus.....	71699	<u>82,600</u>
20a Salem Correctional Center - Surplus ...	77499	<u>270,742</u>
23a Parkersburg Correctional Center – Surplus.....	82899	<u>133,076</u>
24a St. Mary's Correctional Center – Surplus.....	88199	<u>261,564</u>
25a Denmar Correctional Center – Surplus.....	88299	<u>137,666</u>

26a Ohio County Correctional Center – Surplus.....	88399	<u>32,122</u>
27a Mt. Olive Correctional Complex – Surplus.....	88899	<u>458,884</u>
28a Lakin Correctional Center - Surplus....	89699	<u>256,976</u>

And, that the total appropriation for the fiscal year ending June 30, 2024, to fund 0570, fiscal year 2024, organization 0608, be supplemented and amended by adding new items of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HOMELAND SECURITY

77 - Division of Corrections and Rehabilitation –

Bureau of Juvenile Services

(WV Code Chapter 15A)

Fund 0570 FY 2024 Org 0608

	Appro- priation	General Revenue Fund
1a Statewide Reporting Centers – Surplus.....	26299	<u>394,640</u>
2a Robert L. Shell Juvenile Center – Surplus.....	26799	<u>59,654</u>
4a Central Office - Surplus.....	70199	<u>82,600</u>

6a Gene Spadaro Juvenile Center – Surplus.....	79399	<u>64,244</u>
8a Kenneth Honey Rubenstein Juvenile Center - Surplus.....	98099	<u>133,076</u>
9a Vicki Douglas Juvenile Center – Surplus.....	98199	<u>41,300</u>
11a Lorrie Yeager Jr. Juvenile Center – Surplus.....	98399	<u>50,478</u>
12a Sam Perdue Juvenile Center – Surplus.....	98499	<u>64,244</u>
13a Tiger Morton Center - Surplus	98599	<u>55,066</u>
14a Donald R. Kuhn Juvenile Center – Surplus.....	98699	<u>123,898</u>
15a J.M. "Chick" Buckbee Juvenile Center – Surplus.....	98799	<u>59,654</u>

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Senate Bill 1003, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1003) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1003) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 1004, Making supplementary appropriation to Division of Corrections and Rehabilitation, Parolee Supervision Fees and Regional Jail and Correctional Facility Authority.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page two, line thirteen, by striking out the number "27,533" and inserting in lieu thereof the number "55,066";

And,

On page two, line twenty-six, by striking out the number "43,594" and inserting in lieu thereof the number "87,188".

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Senate Bill 1004, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1004) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1004) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 1005, Supplementing and amending appropriations from General Revenue to Division of Corrections and Rehabilitation, Correctional Units and Bureau of Juvenile Services.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page one, line fourteen, following the words "an appropriated", by striking out the word "surplus".

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Senate Bill 1005, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1005) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1005) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1006, Updating temporary identification cards for released inmates.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1007, Requiring municipalities to reimburse responsible county regional jail per diem fees in certain cases.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 1009, Prohibiting use of state funds for certain procedures or benefits not medically necessary.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

By striking everything after the enacting clause and inserting in lieu thereof the following:

§15A-4-13a. Prohibition on use of taxpayer resources for certain medical procedures.

(a) For purposes of this section:

(1) "Medical procedure" means health care services or products, surgery, in-patient or out-patient treatment, or the prescribing or dispensing of drugs or biologicals for the purpose of treating an illness, injury, disease, condition, or the symptoms thereof.

(2) "Medically necessary" means health care services or products that a prudent provider of health care would provide to a patient to prevent, diagnose, or treat an illness, injury, or disease, or any symptoms thereof to include the provision of contraception by means of dispensing drugs or medical procedures, that are necessary and:

(A) Provided in accordance with generally accepted standards of medical practice;

(B) Clinically appropriate with regard to type, frequency, extent, location, and duration;

(C) Not provided primarily for the convenience of the patient or provider of health care;

(D) Required to improve a specific health condition of a patient or to preserve the existing state of health of the patient; and

(E) The most clinically appropriate level of health care that may be safely provided to the patient.

(3) A provider of health care prescribing, ordering, recommending, or approving a health care service or product does not, by itself, make that health care service or product medically necessary.

(b) No funds authorized or appropriated by state law shall be expended, directly or indirectly, for any medical procedure that the Commissioner of Corrections and Rehabilitation, or his or her designee or agent, after consulting with a medical professional determines is not medically necessary for any individual who is in the custody of the Division of Corrections and Rehabilitation.

(c) No funds authorized or appropriated by state law may be expended, directly or indirectly, for health benefits that cover any medical procedure that the Commissioner of Corrections and Rehabilitation, or his or her designee or agent, after consulting with a medical professional determines is not medically necessary for any individual who is in the custody of the Division of Corrections and Rehabilitation.

(d) The commissioner is authorized to establish written rules, policies, and regulations regarding medical procedures which may distinguish between inmates based upon, among other grounds, length of incarceration.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Senate Bill 1009, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1009) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1009) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, to

take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 1010, Authorizing Supreme Court to develop pretrial release programs in all circuits.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

By striking everything after the enacting clause and inserting in lieu thereof the following:

§62-12-28. Authorizing Supreme Court to develop pilot pretrial release programs.

(a) The West Virginia Supreme Court of Appeals is hereby authorized to develop ~~pilot~~ pretrial release programs in ~~up to five circuits~~ all the circuits of this state with the aim of reducing regional jail populations of short-term detainees while ensuring the safety of law-abiding citizens.

(b) The programs authorized by subsection (a) of this section shall be available only to persons charged with ~~misdemeanors and nonviolent felonies~~ non-violent misdemeanors.

(c) Any program developed pursuant to this section shall require input from arresting officers and shall allow for ~~telephone~~ electronic authorization by magistrates of a charged person's participation.

(d) In developing the ~~pilot~~ programs in the state for examples of successful practices authorized by this section the Court is requested to review any existing programs.

(e) ~~The provisions of this section shall be in effect for three years from the effective date of this section~~ As part of any pretrial release program, the Court is requested to develop an electronic

system for pretrial court date reminders, through text messages, emails, or other electronic means, to reduce the risk of failure to appear, which should be available to all defendants on pretrial release and their counsel of record.

(f) The Supreme Court of Appeals is hereby requested to provide annual reports to the President of the Senate and the Speaker of the House of Delegates as to the efficacy of the programs.

§62-12-29. Shared information for community supervision.

(a) The Administrative Director of the Supreme Court of Appeals of West Virginia is requested to assemble a community supervision committee, to include representatives of the judiciary, probation, parole, day report centers, magistrates, sheriffs, corrections and other members at the discretion of the director. The administrative director shall appoint a chair from among the members and attend the meeting ex officio.

(b) The committee shall:

(1) Design and deploy a method for probation officers, parole officers, day report centers and others providing community supervision to electronically share offender information and assessments;

(2) Coordinate information reporting and access across agencies continuing supervision;

(3) Collect and share information about assessed and collected restitution among agencies continuing supervision;

(4) Collect sentencing-level data to enable the study of sentencing practices across the state; ~~and~~

(5) Coordinate with the Community Corrections Subcommittee of the Governor's Committee on Crime, Delinquency and Correction in the discharge of these duties; and

(6) Research and recommend a means for the development and deployment of an electronic system for pretrial court date reminders, through text messages, emails, or other electronic means, to reduce the risk of failure to appear, which should be available to all defendants on pretrial release and their counsel of record.

(c) The committee shall annually submit a report on its activities during the previous year, on or before September 30, to the Governor, the Speaker of the House of Delegates, the President of the Senate and, upon request, to any individual member of the Legislature.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Senate Bill 1010, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1010) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr,

Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1010) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1019, Supplementing and amending appropriations from General Revenue to WV State Senate, WV House of Delegates, and to Joint Expenses.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1020, Authorizing Mercer County Commission to levy special district excise tax for Ridges Economic Opportunity Development District.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 1021, Funding certain first responders.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page one, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS

ARTICLE 5B. Funds for fire protection.

§7-5B-1. Funds for use of fire protection in counties with excess levy or dedicated fee.

(a) There is hereby created in the State Treasury a special revenue fund designated and known as the County Fire Protection Fund which is an interest-and-earnings accumulating account. The fund shall receive Legislative appropriations, grants, gifts, devises, and donations from any public or private source. All interest and other returns derived from the deposit and investment of moneys in the County Fire Protection Fund shall be credited to the fund. Any balance, including accrued interest and other returns, remaining in the fund at the end of each fiscal year shall not revert to the General Revenue Fund but shall remain in the fund and be expended as provided in this section. The fund shall be administered by the Secretary of Homeland Security and distributed by the Secretary to certain county commissions and distributed by those county commissions to fire departments in those counties for the exclusive benefit of fire protection in the county. Distributions from the fund shall be distributed only to the county commissions of counties which have in place a countywide excess levy, or a countywide fee, dedicated to fire or emergency services. Among those counties, distributions shall be in relative proportion to each county's population's percentage of the aggregate population of all such counties combined.

(b) The Secretary of Homeland Security may propose legislative rules, including emergency rules, for promulgation in

accordance with §29A-3-1 et seq. of this code to implement this section.

§7-5B-2. Funds for use of fire protection in counties.

(a) There is hereby created in the State Treasury a special revenue fund designated and known as the All County Fire Protection Fund which is an interest-and-earnings accumulating account. The fund shall receive Legislative appropriations, grants, gifts, devises, and donations from any public or private source. All interest and other returns derived from the deposit and investment of moneys in the All County Fire Protection Fund shall be credited to the fund. Any balance, including accrued interest and other returns, remaining in the fund at the end of each fiscal year shall not revert to the General Revenue Fund but shall remain in the fund and be expended as provided in this section. The fund shall be administered by the Secretary of Homeland Security and distributed by the Secretary to county commissions and distributed by those county commissions to fire departments in those counties for the exclusive benefit of fire protection in the county. Among those counties, distributions shall be in relative proportion to each county's population's percentage of the aggregate population of all such counties combined.

(b) The Secretary of Homeland Security may propose legislative rules, including emergency rules, for promulgation in accordance with §29A-3-1 et seq. of this code to implement this section.

CHAPTER33. INSURANCE.

ARTICLE 3. LICENSING, FEES AND TAXATION OF INSURERS.

§33-3-33. Surcharge on fire and casualty insurance policies to benefit volunteer and part-volunteer fire departments; Public Employees Insurance Agency and municipal pension plans; special fund created; allocation of proceeds; effective date.

(a)(1) For the purpose of providing additional revenue for volunteer fire departments, part-volunteer fire departments and certain retired teachers and the teachers retirement reserve fund, there is hereby authorized and imposed on and after July 1, 1992, on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to one percent of the taxable premium for each such policy. After June 30, 2005, the surcharge shall be imposed as specified in subdivisions (2) and (3) of this subsection.

(2) After June 30, 2005, through December 31, 2005, for the purpose of providing additional revenue for volunteer fire departments, part-volunteer fire departments and to provide additional revenue to the Public Employees Insurance Agency and municipal pension plans, there is hereby authorized and imposed on and after July 1, 2005, on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to one percent of the taxable premium for each such policy.

(3) After December 31, 2005, for the purpose of providing additional revenue for volunteer fire departments and part-volunteer fire departments, there is hereby authorized and imposed on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to fifty-five one hundredths of one percent of the taxable premium for each such policy.

(4) For purposes of this section, casualty insurance may not include insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transaction or insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction while the debtor is disabled as defined in the policy. The policy surcharge may not be subject to premium taxes, agent commissions or any other assessment against premiums.

(b) The policy surcharge shall be collected and remitted to the Commissioner by the insurer, or in the case of surplus lines coverage, by the surplus lines licensee, or if the policy is issued by a risk retention group, by the risk retention group. The amount required to be collected under this section shall be remitted to the Commissioner on a quarterly basis on or before the twenty-fifth day of the month succeeding the end of the quarter in which they are collected, except for the fourth quarter for which the surcharge shall be remitted on or before March 1 of the succeeding year.

(c) Any person failing or refusing to collect and remit to the Commissioner any policy surcharge and whose surcharge payments are not postmarked by the due dates for quarterly filing is liable for a civil penalty of up to \$100 for each day of delinquency, to be assessed by the Commissioner. The Commissioner may suspend the insurer, broker or risk retention group until all surcharge payments and penalties are remitted in full to the Commissioner.

(d)(1) All money from the policy surcharge shall be collected by the Commissioner who shall disburse the money received from the surcharge into a special account in the state Treasury, designated the Fire Protection Fund. The net proceeds of this portion of the tax and the interest thereon, after appropriation by the Legislature, shall be distributed quarterly on the first day of the months of January, April, July and October to each volunteer fire company or department on an equal share basis by the state Treasurer. After June 30, 2005, the money received from the surcharge shall be distributed as specified in subdivisions (2) and (3) of this subsection.

(2)(A) After June 30, 2005, through December 31, 2005, all money from the policy surcharge shall be collected by the Commissioner who shall disburse one half of the money received from the surcharge into the Fire Protection Fund for distribution as provided in subdivision (1) of this subsection.

(B) The remaining portion of moneys collected shall be transferred into the fund in the state Treasury of the Public

Employees Insurance Agency into which are deposited the proportionate shares made by agencies of this state of the Public Employees Insurance Agency costs of those agencies, until November 1, 2005. After the October 31, 2005, through December 31, 2005, the remain portion shall be transferred to the special account in the state Treasury, known as the Municipal Pensions and Protection Fund.

(3) After December 31, 2005, all money from the policy surcharge shall be collected by the Commissioner who shall disburse all of the money received from the surcharge into the Fire Protection Fund for distribution as provided in subdivision (1) of this subsection.

(4) Before each distribution date to volunteer fire companies or departments, the state Fire Marshal shall report to the state Treasurer; ~~the names and addresses of all volunteer and part-volunteer fire companies and departments within the state which meet the eligibility requirements established in section eight a, article fifteen, chapter eight of this code.~~

(A) The names and addresses of all volunteer and part-volunteer fire companies and departments within the state which meet the eligibility requirements established in §8-15-8a of this code during the preceding quarter;

(B) The number of volunteer firefighters and the number of full-time paid members providing services to each volunteer and part-volunteer fire company and department during the preceding quarter;

(C) A full accounting of each volunteer and part-volunteer fire company and department eligible to receive a distribution under this section's revenues and expenditures for the last two calendar years; and

(D) A list of each volunteer and part-volunteer fire company and department has implemented the State Auditor's West Virginia Checkbook fiscal reporting system on or before January 1, 2026.

(e) Notwithstanding any other provision of this subsection, each volunteer and part-volunteer fire company and department shall implement the State Auditor's West Virginia Checkbook fiscal reporting system on or before January 1, 2026, in order to remain eligible to receive any funds pursuant to this section.

~~(e) (f)~~ The allocation, distribution and use of revenues provided in the Fire Protection Fund are subject to the provisions of ~~sections eight a and eight b, article fifteen, chapter eight~~ §8-15-8a and §8-15-8b of this code.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng Senate Bill 1021—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-5B-1 and §7-5B-2; and to amend and reenact §33-3-33 of said code, all relating to funding certain first responders; creating special revenue fund administered by the Secretary of Homeland Security for the benefit of fire protection in counties with excess levies or dedicated fees related to emergency services; creating a special revenue fund administered by the Secretary of Homeland Security for the benefit of fire protection in all counties; granting rulemaking authority; requiring the State Fire Marshal provide certain information to the State Treasurer before distribution of the Fire Protection Fund; and requiring that volunteer fire departments eligible to receive policy surcharge funds implement the State Auditor's West Virginia Checkbook fiscal reporting system.

On motion of Senator Takubo, the following amendments to the House of Delegates amendments to the bill (Eng. S. B. 1021) were reported by the Clerk, considered simultaneously, and adopted:

On page 1, section 1, line 11, after the word "protection" by inserting the words "or emergency services";

On page 2, section 2, line 11, after the word "protection" by inserting the words "or emergency services";

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 1021—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-5B-1 and §7-5B-2; and to amend and reenact §33-3-33 of said code, all relating to funding certain first responders; creating a special revenue fund administered by the Secretary of Homeland Security for the benefit of fire protection or emergency services in counties with excess levies or dedicated fees related to emergency services; creating a special revenue fund administered by the Secretary of Homeland Security for the benefit of fire protection or emergency services in all counties; granting rulemaking authority; requiring the State Fire Marshal provide certain information to the State Treasurer before distribution of the Fire Protection Fund; and requiring that volunteer fire departments eligible to receive policy surcharge funds implement the State Auditor's West Virginia Checkbook fiscal reporting system.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Senate Bill 1021, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1021) passed with its Senate amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1021) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 1022, Supplementing and amending appropriations from General Revenue to Department of Homeland Security, Division of Emergency Management.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page two, line thirty-two, following the word "the", by striking out the word "Growth" and inserting in lieu thereof the following: "All".

On motion of Senator Tarr, the following amendments to the House of Delegates amendment to the bill (Eng. S. B. 1022) were reported by the Clerk and considered simultaneously:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

That the total appropriation for the fiscal year ending June 30, 2024, to fund 0443, fiscal year 2024, organization 0606, be supplemented and amended to read as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HOMELAND SECURITY

73 - Division of Emergency Management

(W.V. Code Chapter 15)

Fund 0443 FY 2024 Org 0606

		General Revenue Fund
	Appro- priation	
1	Personal Services	
	and Employee Benefits..... 00100	\$ 2,228,903
2	Salary and Benefits of Cabinet Secretary and	
3	Agency Heads..... 00201	61,250
4	Unclassified	21,022
 09900	

5	Current Expenses	13000	51,065
6	Repairs and Alterations.....	06400	600
7	Radiological Emergency Preparedness	55400	17,052
8	SIRN	55401	600,000
9	Directed Transfer	70000	12,000,000
10	Federal Funds/Grant Match (R).....	74900	1,488,195
11	Mine and Industrial Accident Rapid		
12	Response Call Center	78100	504,586
13	Early Warning Flood System (R)	87700	1,298,686
14	BRIM Premium	91300	<u>96,529</u>
15	Total.....		\$18,367,888

16 Any unexpended balances remaining in the appropriations for Federal Funds/Grant Match

17 (fund 0443, appropriation 74900), Early Warning Flood System (fund 0443, appropriation

18 87700), and Disaster Mitigation (fund 0443, appropriation 95200) at the close of the fiscal year

19 2023 are hereby reappropriated for expenditure during the fiscal year 2024.

20 From the above appropriation for Directed Transfer (fund 0443, appropriation 70000)

21 \$3,000,000 shall be transferred to the All County Fire Protection Fund (fund xxxx)

22 and \$3,000,000 shall be transferred to the County Fire Protection Fund (fund xxxx) and

23 \$6,000,000 shall be transferred to the Fire Protection Fund (fund 7158).;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 1022—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2024, organization 0606, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

Whereas, The Governor submitted an Executive Message to the Legislature on August 6, 2023, which included a Statement of the State Fund, General Revenue, setting forth therein the cash balance as of July 1, 2023, and further included the estimate of revenue for the fiscal year 2024, less net appropriation balances forwarded and regular and surplus appropriations for the fiscal year 2024, and

Whereas, It appears from the Governor's Statement of the State Fund, General Revenue, there now remains an unappropriated balance in the Treasury which is available for appropriation during the fiscal year ending June 30, 2024; therefore

Following discussion,

The question being on the adoption of Senator Tarr's amendments to the House of Delegates amendment to the bill, the same was put and prevailed.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment, as amended.

Engrossed Senate Bill 1022, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt,

Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1022) passed with its Senate amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1022) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 1023, Making supplementary appropriation to Department of Homeland Security, Division of Emergency Management, Growth County Fire Protection Fund and County Fire Protection Fund.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page one, line nine, following the word "Management," by striking out the word "Growth" and inserting in lieu thereof the following: "All";

On page one, following the enacting clause, on line eight, at the beginning, by striking out the word "Growth" and inserting in lieu thereof the following: "All";

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 1023—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balances of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Emergency Management, All County Fire Protection Fund, fund xxxx, fiscal year 2024, organization 0606 and to the Department of Homeland Security, Division of Emergency Management, County Fire Protection Fund, fund xxxx, fiscal year 2024, organization 0606 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Senate Bill 1023, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1023) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1023) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1026, Supplementing and amending appropriations from General Revenue to DOH.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1027, Supplementing, amending and increasing existing items of appropriation from State Road Fund to DOH.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1029, Supplementing and amending appropriations from General Revenue to Department of Economic Development, Office of Secretary.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1030, Supplementing and amending appropriations from General Revenue to Department of Administration, Office of Technology.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 1031, Supplementing and amending appropriations from General Revenue to Department of Administration, Division of General Services.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page two, line thirteen, following the number "37799", by striking out the number "175,000,000" and inserting in lieu thereof the number "125,000,000".

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Senate Bill 1031, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1031) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1031) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1032, Supplementing and amending appropriations from General Revenue to Department of Commerce, Division of Forestry.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1033, Making supplemental appropriation of federal funds to Department of Commerce, Geological and Economic Survey.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1034, Supplementing and amending appropriations from General Revenue to Department of Arts, Culture, and History, Division of Culture and History.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1037, Supplementing and amending appropriations from General Revenue to Department of Veterans' Assistance.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1038, Supplementing and amending appropriations from General Revenue to Adjutant General, State Militia.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1039, Making supplementary appropriation to Division of Corrections and Rehabilitation, Regional Jail and Correctional Facility Authority.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1041, Supplementing and amending appropriations from General Revenue to Department of Homeland Security, West Virginia State Police.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1042, Expiring funds to Department of Education, Vocational Consolidated Accounts Fund from State Department of Education.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 1043, Supplementing and amending appropriations from General Revenue to DHHR.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. House Bill 112—A Bill to amend and reenact §48-13-301, §48-13-403, §48-13-404, and §48-13-502 of the Code of West Virginia, 1931, as amended; all relating to child support; adjusting monthly child support obligation amounts; correcting citations; and updating child support worksheets.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 112 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo,

Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 112) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 112) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. House Bill 114—A Bill supplementing and amending appropriations of public moneys out of the Treasury in the State Fund, General Revenue, by decreasing an existing item of appropriation to the Department of Administration, Public Employees Insurance Agency, fund 0200, fiscal year 2024,

organization 0225, by supplementing and amending appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 114 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 114) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 114) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. House Bill 115—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Education, State Board of Education – State Aid to Schools, fund 0317, fiscal year 2024, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was

taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 115 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 115) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 115) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. House Bill 116—A Bill supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2023, known as the budget bill, in Title II from the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Education, State Board of Education – State Aid to Schools, fund 0317, fiscal year 2024, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024 by increasing and decreasing items of appropriation; therefore.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 116 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 116) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 116) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. House Bill 117—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Higher Education Policy Commission, Marshall University, General Administration Fund, fund 0348, fiscal year 2024, organization 0471 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 117 was then read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed House Bill 117 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—28.

The nays were: Chapman, Rucker, and Smith—3.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 117) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—28.

The nays were: Chapman, Rucker, and Smith—3.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 117) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Thereafter, at the request of Senator Caputo, and by unanimous consent, the remarks by Senator Plymale as to the passage of Engrossed House Bill 117 were ordered printed in the Appendix to the Journal.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. House Bill 124—A Bill to amend §20-1-19 of the Code of West Virginia, 1931, as amended, relating to establishing Summersville Lake State Park.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 124 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 124) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 124) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. House Bill 125—A Bill to amend and reenact §11-13MM-10 of the Code of West Virginia, 1931, as amended to clarify that certain payments paid prior to the effective date of the tax credits for property taxes paid on certain species of property are eligible for the tax credits.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 125 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo,

Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 125) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 125) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. House Bill 128—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Governor's Office – Civil Contingent Fund, fund 0105, fiscal year 2024, organization

0100 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 128 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 128) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 128) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. House Bill 144—A Bill to amend and reenact §18B-3D-6 of the Code of West Virginia, 1931, as amended, relating to creating a three-year pilot program to include Potomac State College of West Virginia University as an eligible institution for participation in the "Learn and Earn Program".

At the request of Senator Takubo, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Boley, Caputo, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—30.

The nays were: None.

Absent: Chapman, Grady, Martin, and Phillips—4.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 144 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 144) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Maynard, Nelson, Oliverio, Plymale, Queen,

Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Grady, Martin, and Phillips—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 144) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

On motion of Senator Takubo, at 7:33 p.m., the Senate recessed.

The Senate reconvened at 9:18 p.m. and resumed business under the third order.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to the House of Delegates amendments to, and the passage as amended with its Senate amended title, to take effect from passage, of

Eng. Senate Bill 1021, Funding certain first responders.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to the House of Delegates amendment to, and the passage as amended with its Senate amended title, to take effect from passage, of

Eng. Senate Bill 1022, Supplementing and amending appropriations from General Revenue to Department of Homeland Security, Division of Emergency Management.

Executive Communications

The following communication from His Excellency, the Governor, was reported by the Clerk:



Jim Justice
 Governor of West Virginia

August 06, 2023

SENATE EXECUTIVE MESSAGE NO. 1
 2023 1st SPECIAL SESSION

The Honorable Craig Blair
 President, West Virginia Senate
 Building 1, Room M-229
 1900 Kanawha Boulevard, East
 Charleston, West Virginia 25305

Dear President Blair:

The following is the "FY 2024 Official Estimate General Revenue – Statement of Revenues by Source" which I submitted as revised to you on June 30, 2023 for the fiscal year ending June 30, 2024:

General Revenue Fund
 Statement of Revenues by Source
 (Expressed in Thousands)

<u>Source of Revenue</u>		<u>FY 2024 Official Estimate</u>
Business and Occupation Tax	\$	110,000
Consumers Sales and Use Tax		1,763,700
Personal Income Tax		2,004,000
Liquor Profit Transfers		26,500
Beer Tax and Licenses		7,000
Tobacco Products Tax (Cigarette & Other)		157,400
Business Franchise Fees		750
Property Transfer Tax		10,000
Property Tax		8,000
Insurance Tax		117,000
Departmental Collections		25,114

OFFICE OF THE GOVERNOR

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Corporate Income/Business Franchise Tax	210,000
Miscellaneous Transfers	2,000
Interest Income	38,900
Severance Tax	313,000
Miscellaneous Receipts	2,000
HB102 - Lottery Transfers	65,000
Soft Drink Excise Tax	12,900
Liquor License Renewal	736
Senior Citizen Tax Credit Reimbursement	10,000
Total	<u>\$ 4,884,000</u>

The following amends and replaces the "General Revenue Fund – Statement of Revenues, Expenditures, and Changes in Cash Balance" which I submitted to you on January 11, 2023 for the fiscal year ending June 30, 2024:

General Revenue Fund
 Statement of Revenues, Expenditures, and Changes in Cash Balance
 (Nearest Dollar)

Actual Beginning Cash Balance July 1, 2023	\$ 2,884,813,151
Less: 31 Day Disbursements (July 1, 2023 - July 31, 2023)	(55,323,715)
Plus: Prior Year Reimbursements (July 1, 2023 - July 31, 2023)	218,002
Less: Prior Year Appropriations Forwarded	(797,995,917)
Less: Cash Balance - Adjustments and Accruals	<u>(443,404)</u>
Accumulated Surplus from FY 2023 @ July 31, 2023	\$2,031,268,117
Less: Transfer to Revenue Shortfall Reserve Fund (Statutory)	<u>\$ (87,537,432)</u>
Less: FY 2024 Surplus Appropriations (FY 2023 Surplus) (House Bill 2024) (Surplus Section) (2023 Regular Session)	\$(1,165,478,000)
Plus: Prior Year Reimbursements (August 1, 2023 – August 3, 2023)	4,186
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Homeland Security) (State Police)	(1,000,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Veterans' Assistance) (Nursing Facility Replacement Beds)	(1,000,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Department of Education) (Minecraft/Gamechangers)	(1,800,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation	

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The Honorable Craig Blair
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	(2023 1st Extraordinary Session) (Administration) (Office of Technology – Review and Upgrades)	(2,000,000)
Less:	FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Attorney General) (Outside Counsel)	(2,000,000)
Less:	FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Commerce) (Natural Resources) (Improvements and Research)	(2,000,000)
Less:	FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Corrections) (One-time payment)	(2,913,917)
Less:	FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Adjutant General) (Projects)	(3,039,900)
Less:	FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Commerce) (Forestry) (Equipment)	(4,000,000)
Less:	FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Arts, Culture & History) (Natural Resource Exhibit/Semiquincentennial)	(4,000,000)
Less:	FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (DHHR) (Reimbursement Rates)	(5,225,000)
Less:	FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (DEP) (Reclamation and Remediation)	(8,242,100)
Less:	FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Legislature) (Technology Upgrades)	(11,500,000)
Less:	FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Homeland Security and Emergency Management) (Fire Protection)	(12,000,000)
Less:	FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Economic Development Authority) (Building)	(25,000,000)
Less:	FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Higher Education) (Marshall University) (Cybersecurity Program)	(45,000,000)
Less:	FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Education) (SAF PELA Increase for 80/20 Plan)	(55,847,110)
Less:	FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (State Road Fund) (Highways)	(150,000,000)
Less:	FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Administration)	

OFFICE OF THE GOVERNOR

The Honorable Craig Blair
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(Co-located Lab)	(175,000,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Executive) (Civil Contingent Fund) (Grant Matching Funds)	<u>(210,000,000)</u>
Total Estimated Unappropriated Surplus Balance @ August 8, 2023	\$56,688,845
Plus: FY 2024 Revenue Estimate (as revised)	\$4,884,000,000
Less: FY 2024 Appropriations (FY 2024 Budget Bill) (HB 2024) (2023 Regular Session)	(4,874,572,614)
Plus: FY 2024 Recommended Supplemental Appropriation (2023 1st Extraordinary Session) (PEIA Subsidy Reduction)	71,373,750
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Corrections) (Corrections CO Increase)	(21,121,273)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Rainy Day Fund Transfer)	(12,462,568)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Education) (PSSP Final Calculations)	<u>(1,536,677)</u>
Estimated Unappropriated Balance from FY 2024 Activity @ June 30, 2024	\$45,680,618
Total Estimated Balance @ June 30, 2024	\$102,369,463

*Based on legislation modifying Rainy Day Fund calculations

The following amends and replaces the "FY 2024 Official Estimate" "State Road Fund – Statement of Revenues by Source" which I submitted to you on January 11, 2023 as part of my Budget Document for the fiscal year ending June 30, 2024:

State Road Fund
 Statement of Revenues by Source
 (Expressed in Thousands)

<u>Source of Revenue</u>	<u>FY 2024 Official Estimate Revised</u>
Motor Fuel Tax	\$437,500
Registration	155,000
Sales (Privilege)	285,000
Litter	1,700
Miscellaneous Revenue	210,000
Federal Reimbursement	<u>641,300</u>

OFFICE OF THE GOVERNOR

The Honorable Craig Blair
 SENATE EXECUTIVE MESSAGE NO. 1
 2023 1st SPECIAL SESSION
 Page 5

August 06, 2023

Total State Road \$1,730,500

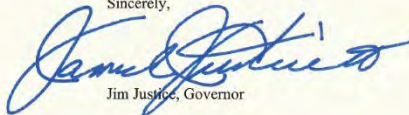
Note: The Governor's official Revenue Estimate for Fiscal Year 2024 is revised upward by \$150 million. The changes include an increase in the Miscellaneous Revenue estimate.

State Road Fund
 Statement of Revenues, Expenditures,
 and Changes in Cash Balance
 (Nearest Dollar)

Cash and Investment Balance - July 1, 2022	\$128,465,074
Plus: FY 2023 Collections	<u>1,706,663,811</u>
Total Estimated Receipts and Balance:	\$1,835,128,885
Less: FY 2023 Actual Expenditures:	
Division of Highways	\$(1,607,084,334)
Division of Motor Vehicles	(52,023,609)
Industrial Access Road Transfer	<u>(1,465,684)</u>
Cash Balance @ June 30, 2023	\$174,555,258
Plus: Revenue Estimate – FY 2024	\$1,577,500,000
Less: FY 2024 Appropriations (HB 2024) (Budget Bill) (Highways)	(1,630,574,687)
Less: FY 2024 Appropriations (HB 2024) (Budget Bill) (Division of Motor Vehicles)	(66,692,527)
Less: FY 2024 Appropriations (HB 2024) (Budget Bill) (Claims Against the State)	(515,660)
Plus: FY 2024 Revenue Revision (2023 1 st Extraordinary Session)	150,000,000
Less: FY 2024 Recommended Supplemental Appropriation (2023 1 st Extraordinary Session)	<u>(150,000,000)</u>
Estimated Unappropriated Balance @ June 30, 2024	\$54,272,384

Thank you for your cooperation in this matter.

Sincerely,



Jim Justice, Governor

In compliance with Article VI, Section 51 of the Constitution, the Senate consented to receive the foregoing amendments to the Budget Bill, which were referred to the Committee on Finance.

(Senator Smith in the Chair.)

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Blair (Mr. President).

Thereafter, at the request of Senator Takubo, and by unanimous consent, the remarks by Senator Blair (Mr. President) were ordered printed in the Appendix to the Journal.

At the request of Senator Takubo, and by unanimous consent, the Clerk of the Senate was directed to submit communications, after bills have been examined, found truly enrolled, authenticated with signatures, and presented to His Excellency, the Governor, for his action, bills passed but not presented to him prior to adjournment of this first extraordinary session of the eighty-sixth Legislature in the year 2023, showing the date such bills so enrolled were presented to the Governor; said communications to be included in the Journal of the last day of the session, together with Governor's action on said bills.

In accordance with the foregoing unanimous consent request, the following communications were reported by the Clerk:

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



SENATE CAPITOL, ROOM M-211
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305-0800
304.357.7800

August 9, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

- S. B. 1006**, Updating temporary identification cards for released inmates;
- S. B. 1007**, Requiring municipalities to reimburse responsible county regional jail per diem fees in certain cases;
- S. B. 1019**, Supplementing and amending appropriations from General Revenue to WV State Senate, WV House of Delegates, and to Joint Expenses;
- S. B. 1020**, Authorizing Mercer County Commission to levy special district excise tax for Ridges Economic Opportunity Development District;
- S. B. 1026**, Supplementing and amending appropriations from General Revenue to DOH;
- S. B. 1027**, Supplementing, amending and increasing existing items of appropriation from State Road Fund to DOH;
- S. B. 1029**, Supplementing and amending appropriations from General Revenue to Department of Economic Development, Office of Secretary;
- S. B. 1030**, Supplementing and amending appropriations from General Revenue to Department of Administration, Office of Technology;
- S. B. 1032**, Supplementing and amending appropriations from General Revenue to Department of Commerce, Division of Forestry;
- S. B. 1033**, Making supplemental appropriation of federal funds to Department of Commerce, Geological and Economic Survey;

S. B. 1034, Supplementing and amending appropriations from General Revenue to Department of Arts, Culture, and History, Division of Culture and History;

S. B. 1037, Supplementing and amending appropriations from General Revenue to Department of Veterans' Assistance;

S. B. 1038, Supplementing and amending appropriations from General Revenue to Adjutant General, State Militia;

S. B. 1039, Making supplementary appropriation to Division of Corrections and Rehabilitation, Regional Jail and Correctional Facility Authority;

S. B. 1041, Supplementing and amending appropriations from General Revenue to Department of Homeland Security, West Virginia State Police;

S. B. 1042, Expiring funds to Department of Education, Vocational Consolidated Accounts Fund from State Department of Education;

And,

S. B. 1043, Supplementing and amending appropriations from General Revenue to DHHR.

These bills are presented to you on this day, August 9, 2023.

Respectfully submitted,



Kristin Jones
Assistant Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M-211
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305-0800
304-357-7800

August 10, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

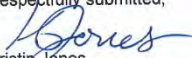
Dear Governor Justice,

The following bill, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, has been examined and found truly enrolled:

S. B. 1003, Supplementing and amending appropriations from General Revenue to multiple funds for Division of Corrections and Rehabilitation.

This bill is presented to you on this day, August 10, 2023.

Respectfully submitted,


Kristin Jones
Assistant Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M-211
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305-0800
304-357-7800

August 10, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

S. B. 1004, Making supplementary appropriation to Division of Corrections and Rehabilitation, Parolee Supervision Fees and Regional Jail and Correctional Facility Authority;

S. B. 1005, Supplementing and amending appropriations from General Revenue to Division of Corrections and Rehabilitation, Correctional Units and Bureau of Juvenile Services;

S. B. 1009, Prohibiting use of state funds for certain procedures or benefits not medically necessary;

S. B. 1010, Authorizing Supreme Court to develop pretrial release programs in all circuits;

S. B. 1021, Funding certain first responders;

S. B. 1022, Supplementing and amending appropriations from General Revenue to Department of Homeland Security, Division of Emergency Management;

S. B. 1023, Making supplementary appropriation to Department of Homeland Security, Division of Emergency Management, Growth County Fire Protection Fund and County Fire Protection Fund;

And,

S. B. 1031, Supplementing and amending appropriations from General Revenue to Department of Administration, Division of General Services.

These bills are presented to you on this day, August 10, 2023.

Respectfully submitted,

Handwritten signature of Kristin Jones in blue ink.

Kristin Jones
Assistant Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates



STEPHEN J. HARRISON
CLERK OF THE HOUSE

West Virginia House of Delegates

OFFICE OF THE CLERK
BUILDING 1, SUITE 212
1900 KANAWHA BLVD., EAST
CHARLESTON 25305

(304) 340-3200
STEVE.HARRISON@WVHOUSE.GOV

August 10, 2023

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

Having been examined and found truly enrolled, the following bills, signed by the Speaker of the House of Delegates and the President of the Senate, are presented for your action:


- H. B. 112, Relating to child support guidelines;
- H. B. 114, Supplementing and amending the appropriations to the PEIA;
- H. B.115, Supplementing and amending the appropriations to the Department of Education, State Board of Education – State Aid to Schools;
- H. B. 116, Supplementing and amending the appropriations to state aid to schools;
- H. B. 117, Supplementing and amending the appropriations to Higher Education Policy Marshall University;
- H. B. 124, Establishing Summersville Lake State Park;
- H. B. 125, Clarifying that certain payments paid prior to the effective date of the tax credits for property taxes paid on certain species of property are eligible for the tax credits;
- H. B. 128, Supplementing and amending the appropriations to the Governor's Office – Civil Contingent Fund;

And,

- H. B. 144, Including Potomac State College of West Virginia in the definition of community and technical college education program for participation in the "Learn and Earn Program".

Respectfully submitted,

Stephen J. Harrison
Clerk of the House of Delegates

C:  The Honorable Lee Cassis
Clerk of the Senate

Executive Communications

Under authorization of Senate approval therefor in prior proceedings today, to include in this day's Journal communications showing the Governor's action on enrolled bills presented to him in post-session reports, the following are inserted hereinafter:

The Clerk then presented the following communications from His Excellency, the Governor, regarding bills approved by him:



Jim Justice
Governor of West Virginia

August 11, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law is House Bill No. One Hundred Twenty-Four (124), which was presented to me on August 10, 2023.

You will note that I have approved this bill on August 11, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

August 14, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. One Thousand Three (1003), which was presented to me on August 10, 2023.

Senate Bill No. One Thousand Four (1004), which was presented to me on August 10, 2023.

Senate Bill No. One Thousand Five (1005), which was presented to me on August 10, 2023.

Senate Bill No. One Thousand Nineteen (1019), which was presented to me on August 9, 2023.

Senate Bill No. One Thousand Twenty-Two (1022), which was presented to me on August 10, 2023.

You will note that I have approved these bills on August 14, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

August 14, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. One Thousand Six (1006), which was presented to me on August 9, 2023.

Senate Bill No. One Thousand Seven (1007), which was presented to me on August 9, 2023.

Senate Bill No. One Thousand Nine (1009), which was presented to me on August 10, 2023.

Senate Bill No. One Thousand Ten (1010), which was presented to me on August 10, 2023.

You will note that I have approved these bills on August 14, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

August 14, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. One Thousand Twenty-Three (1023), which was presented to me on August 10, 2023.

Senate Bill No. One Thousand Twenty-Six (1026), which was presented to me on August 9, 2023.

Senate Bill No. One Thousand Twenty-Seven (1027), which was presented to me on August 9, 2023.

Senate Bill No. One Thousand Twenty-Nine (1029), which was presented to me on August 9, 2023.

Senate Bill No. One Thousand Thirty (1030), which was presented to me on August 9, 2023.

You will note that I have approved these bills on August 14, 2023.

Sincerely,

A handwritten signature in cursive script that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

August 14, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. One Thousand Thirty-One (1031), which was presented to me on August 10, 2023.

Senate Bill No. One Thousand Thirty-Two (1032), which was presented to me on August 9, 2023.

Senate Bill No. One Thousand Thirty-Three (1033), which was presented to me on August 9, 2023.

Senate Bill No. One Thousand Thirty-Four (1034), which was presented to me on August 9, 2023.

Senate Bill No. One Thousand Thirty-Seven (1037), which was presented to me on August 9, 2023.

You will note that I have approved these bills on August 14, 2023.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

August 14, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. One Thousand Thirty-Eight (1038), which was presented to me on August 9, 2023.

Senate Bill No. One Thousand Thirty-Nine (1039), which was presented to me on August 9, 2023.

Senate Bill No. One Thousand Forty-One (1041), which was presented to me on August 9, 2023.

Senate Bill No. One Thousand Forty-Two (1042), which was presented to me on August 9, 2023.

Senate Bill No. One Thousand Forty-Three (1043), which was presented to me on August 9, 2023.

You will note that I have approved these bills on August 14, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

August 14, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. One Hundred Fourteen (114), which was presented to me on August 10, 2023.

House Bill No. One Hundred Fifteen (115), which was presented to me on August 10, 2023.

House Bill No. One Hundred Sixteen (116), which was presented to me on August 10, 2023.

House Bill No. One Hundred Seventeen (117), which was presented to me on August 10, 2023.

House Bill No. One Hundred Twenty-Eight (128), which was presented to me on August 10, 2023.

You will note that I have approved these bills on August 14, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

August 16, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. One Hundred Twelve (112), which was presented to me on August 10, 2023.

House Bill No. One Hundred Twenty-Five (125), which was presented to me on August 10, 2023.

You will note that I have approved these bills on August 16, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

August 22, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. One Hundred Forty-Four (144), which was presented to me on August 10, 2023.

Senate Bill No. One Thousand Twenty-One (1021), which was presented to me on August 10, 2023.

You will note that I have approved these bills on August 22, 2023.

Sincerely,

A handwritten signature in cursive script, reading "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

[CLERK'S NOTE: Enr. Senate Bill 1020 became law without the Governor's signature on August 25, 2023, under the provisions of Section 14, Article VII of the Constitution of West Virginia.]

Senator Blair (Mr. President) then moved that the first extraordinary session of the Senate in the year two thousand twenty-three adjourn *sine die*.

The question being on the adoption of the aforesated motion by Senator Blair (Mr. President), and on this question, Senator Takubo demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Barrett, Caputo, Clements, Deeds, Hamilton, Hunt, Jeffries, Maroney, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woodrum, and Blair (Mr. President)—27.

The nays were: None.

Absent: Boley, Chapman, Grady, Karnes, Martin, Rucker, and Woelfel—7.

So, a majority of those present and voting having voted in the affirmative, the Chair declared the aforesated motion by Senator Blair (Mr. President) adopted.

In accordance with the foregoing motion, at 9:35 p.m., the first extraordinary session of the Senate in the year two thousand twenty-three adjourned *sine die*.

We hereby certify that the foregoing Senate record of the proceedings of the First Extraordinary Session of the Eighty-Sixth Legislature, 2023, is the Official Journal of the Senate for said session.

President of the Senate

Clerk of the Senate

Appendix — Remarks

REMARKS OF
**HONORABLE
MIKE CAPUTO**

Tuesday, August 8, 2023

SENATOR CAPUTO: Thank you, Mr. President.

Members, colleagues, staff . . . as we speak, there's a memorial service going on right now for a former colleague of ours. Many of us served in the House of Delegates with Delegate Virginia Mahan.

Ginny was 74. She fought a long battle with cancer, and she was probably one of the toughest ladies that I've ever served with. Mr. President, you've had the privilege to know her as well as I have.

You know, I guess all I can say about Ginny is she was a public servant that didn't know the word quit. She worked tirelessly every day, she researched every piece of legislation that'd come through the House of Delegates, and she took her work very, very seriously. But she was also one of the kindest people that I ever had the privilege to serve with.

Delegate Mahan and I got elected the same year, 1996. We didn't know each other before that, but it didn't take us long, Senator Trump, to become good, good friends . . . and you know her very well as I did.

You know, her heart was always with the people of Summers County and she cared . . . She always said she wanted to be the voice for those who didn't have a voice. She wanted to be the voice of the people who couldn't hire lobbyists and send them down here to advocate for them.

She truly was as kindhearted as anybody I have ever met in my entire life and I think I'm a better person because of knowing Virginia Mahan.

At this time, Mr. President, if it would be appropriate, I would ask for a moment of silence to remember our former colleague, Delegate Virginia Mahan.

**Supplementing and amending the
appropriations to Higher Education Policy
Marshall University**

(Passage of Eng. House Bill 117)

REMARKS OF
**HONORABLE
ROBERT H. PLYMALE**

Tuesday, August 8, 2023

SENATOR PLYMALE: Thank you, Mr. President.

I would be remiss if I didn't get up to speak a little bit.

Marshall does have an ongoing relationship with the Department of Defense. They also have other . . . with Homeland Security. And this is a move that will make this an eastern hub for the United States. Being outside of the D.C. grid . . . this will create very many opportunities including a coordination with the Appalachian Regional Commission.

I think this is a big step for the State of West Virginia—it happens to be located in the area that the Senator from Cabell and I represent—but this is a great step for our state.

I look forward to the developments that will come here. I want to congratulate the Marshall administration in what they've done to do this and this body that has recognized that. And I appreciate what you all have done.

In relation to the Senior Senator from the Eighth and his work, thank you very much.

REMARKS OF
HONORABLE
CRAIG BLAIR

Tuesday, August 8, 2023

MR. PRESIDENT: I want to start off in that we've had a historic special session. I've been serving since 2003—there's people in here longer than me—and I don't believe that I've ever seen a special session where we did Started out with 44 – 45 bills . . . I think we've passed 36 bills. You're to be applauded for the work that you've done for the people of West Virginia.

There's more to applaud though. This doesn't come easy. This has been three days . . . didn't cost the taxpayer an extra cent for us to be here. We did this during the interim time period. But there were bills that were important . . . things that were important for the people of West Virginia that was being done.

So, let's not forget to thank some of the people that can really make this happen: That's our staff. Stand up, round of applause for everybody here. Far too often they go unrecognized and, just like a good referee . . . transparent . . . to be a good official is to be transparent and not be seen. And that's our staff. They do a phenomenal job.

I'm going to ad lib a little bit for just a second. To the back of the chamber we have the Speaker of the House of Delegates, Roger Hanshaw. Stand up and give him a round of applause.

Now, I want you to do something else, too. I just witnessed one of the most moving moments in my time in the last 20 years . . . 20 – 21 years. I listened to the Speaker address his members of the House of Delegates and it was one of the finest messages that I've ever heard. It's being taken and put up and you will have it on your phones. I beg you . . . I am not near as articulate as what that man is, but everything he said was spot on and it applies to us in this chamber as well. And I'm not going to be redundant on that aspect of it. But, Mr. Speaker, my hat's off to you, if I had one on. It was excellent. You're talking about us working together to build the best West Virginia that we can possibly have for the people in this state. They deserve nothing less.

We're redefining government, ladies and gentlemen. The Speaker did talk about when we

travel throughout this country and throughout this world, others come up and ask questions about how are you doing this, how are you doing that in the State of West Virginia. I can remember those questions were never asked. It's because of your hard work, the hard work of the House of Delegates, and the hard work of the executive. And we shouldn't forget our agencies because our agencies are doing something, also . . . and our Board of Public Works. They're looking at how we can do it better, how we could go from one of the worst states in the nation to how we can be one of the best. And it's showing. And the Speaker talked about that. We're in the Top 10 of the business climate: Our pension systems . . . one of the best in the nation; 21.25 percent tax reduction and that doesn't include the rebate, not rebate, refundable tax credit for the automobiles, the personal property tax. And we're set to trigger another 10 percent reduction in the personal income tax.

I've got all my notes because I was jotting some things down. There was a big debate over there in the House of Delegates here just a few minutes ago and some things were said. But the most important thing that we need to remember on this is that we're building a better State of West Virginia. We're trying to have My ultimate goal is—I'm from a growth area—I want to make sure that we got growth areas in every one of your districts, every House members' district in the State of West Virginia. That is called success. That's why we're all here . . . to make the lives better.

We've finally done something that's . . . said it couldn't be done. And that is, is our state operates at the speed of business, not the speed of government. And I can prove this.

We were entertaining somebody who was looking into investing billions—that's with a "B"—in the State of West Virginia the other night. And there was a group that was coming out that just got done investing in the State of West Virginia . . . they're already here but they're doing more. They said to me, Craig, we've never seen anything like it. Every other state that we go to, what we did in three months in the State of West Virginia would have taken years in any other state that they currently operate in. Ladies and gentlemen, that's why we're here. That's why we've become attractive, by being hungry, hungry for success for our people, hungry for opportunity for our people.

We're not a democracy, by the way. We're a representative form of democracy and,

sometimes, people forget that. You embody that. You are that representative form of democracy. You hear what your people say in your districts. You listen. We can't never forget that. That word democracy is thrown around way too much. It's the representative form of democracy. If we remember that, the sky's the limit for the people of West Virginia. And it's happening.

There are other times, though, because there are still problems in West Virginia and we're not turning our back on it.

As the Speaker stands back there—he's been with us—at the end of the session we knew that we still had issues with Corrections. Within, I think it was three weeks, we started having meetings every other week and, as we got closer to this session, we had them more frequently. And we listened. We listened to all involved and we were trying to find a path forward. A good way.

Ladies and gentlemen, today, you are at the beginning of the success on straightening out Corrections instead of just throwing money at it . . . working together to have a better outcome across the board.

The fire/EMS issue: We've done the Band-Aid that we did for Corrections back in 2018–2019. That's not good enough.

And Mr. Speaker—I'm going to speak for you now because we've already done this before—we intend, in the matter of the next couple of weeks, to start down the same path with fire/EMS in the State of West Virginia as what we did with Corrections while not forgetting to keep our eye on the ball on Corrections.

Now, the funny part about it is we have many balls in the air. And it takes each and every one of your expertise to come together to help make this successful. And you do not get 100 percent of everything you want. If that was the case, I would have got my eyeglass bill this past year. Which, by the way, I looked at my prescription the other day and the code says that your . . . it's at least a year, and my prescription says good for one year. Thought I'd throw that little plug in there for my bill for next year . . . maybe.

I'm not going to go any further, but you should be proud of yourselves. The House of Delegates should be proud of themselves. We should be proud of the work that we've done for the people of West Virginia. And the minority,

you're not excluded . . . and you know that. We want your input, we want your feedback. We're all in this together. We are senators in this room.

I don't care where the good ideas come from. If it's a good idea, we deploy it. And each and every one of you know that I live by that in my role of having the privilege . . . the privilege . . . of being the guy that represents your will and helps bring your will to the fruition for the people of West Virginia.

I don't know how to close better than to say this one thing. As I've talked about traveling around the country and all, I've noticed something. And it's time for the people of West Virginia to realize this; they've been beat down for a long time. The people outside the state think better than what we think of ourselves. It's time to dream big, believe that we can be better, that we can be successful, that we can keep our youth here with gainful employment, and have the best education in the world.

Notice, I dream big. We dream big. We know that we can do it and failure's not an option . . . but it's not a pretty process.

Now, I will close because I'm not one of the best speakers in the world. But Benjamin Franklin, my hero, is hanging up in the office in there, and it's on the bottom of my stationery, and one of his quotes was, "Well done is better than well said." Ladies and gentlemen in this room, you do it well. It's well done.

Thank you.

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HISTORY OF BILLS AND RESOLUTIONS CONSIDERED BY SENATE

SENATE BILLS PASSED LEGISLATURE

1003. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to multiple funds for Division of Corrections and Rehabilitation** (original similar to HB103) - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 6, Acts, 1st Extraordinary Session, 2023
1004. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Division of Corrections and Rehabilitation, Parolee Supervision Fees and Regional Jail and Correctional Facility Authority** (original similar to HB104) - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 7, Acts, 1st Extraordinary Session, 2023
1005. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Division of Corrections and Rehabilitation, Correctional Units and Bureau of Juvenile Services** (original similar to HB105) - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 8, Acts, 1st Extraordinary Session, 2023
1006. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Updating temporary identification cards for released inmates** (original similar to HB106) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 26, Acts, 1st Extraordinary Session, 2023
1007. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Requiring municipalities to reimburse responsible county regional jail per diem fees in certain cases** (original similar to HB107) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 27, Acts, 1st Extraordinary Session, 2023
1009. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Prohibiting use of state funds for certain procedures or benefits not medically necessary** (original similar to HB109) - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 28, Acts, 1st Extraordinary Session, 2023
1010. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Authorizing Supreme Court to develop pretrial release programs in all circuits** (original similar to HB110) - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 30, Acts, 1st Extraordinary Session, 2023

1019. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to WV State Senate, WV House of Delegates, and to Joint Expenses** (original similar to HB119) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 9, Acts,1st Extraordinary Session, 2023
1020. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Authorizing Mercer County Commission to levy special district excise tax for Ridges Economic Opportunity Development District** (original similar to HB120) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Became law without Governor's signature 8/25/23 - Chapter 29, Acts,1st Extraordinary Session, 2023
1021. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Funding certain first responders** (original similar to HB121) - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/22/23 - Chapter 32, Acts,1st Extraordinary Session, 2023
1022. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Homeland Security, Division of Emergency Management** (original similar to HB122) - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 10, Acts,1st Extraordinary Session, 2023
1023. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Department of Homeland Security, Division of Emergency Management, Growth County Fire Protection Fund and County Fire Protection Fund** (original similar to HB123) - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 11, Acts,1st Extraordinary Session, 2023
1026. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to DOH** (original similar to HB126) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 12, Acts,1st Extraordinary Session, 2023
1027. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing, amending and increasing existing items of appropriation from State Road Fund to DOH** (original similar to HB127) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 13, Acts,1st Extraordinary Session, 2023
1029. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Economic Development, Office of Secretary** (original similar to HB129) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 14, Acts,1st Extraordinary Session, 2023

1030. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Administration, Office of Technology** (original similar to HB130) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 15, Acts, 1st Extraordinary Session, 2023
1031. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Administration, Division of General Services** (original similar to HB131) - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 16, Acts, 1st Extraordinary Session, 2023
1032. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Commerce, Division of Forestry** (original similar to HB132) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 17, Acts, 1st Extraordinary Session, 2023
1033. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplemental appropriation of federal funds to Department of Commerce, Geological and Economic Survey** (original similar to HB133) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 18, Acts, 1st Extraordinary Session, 2023
1034. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Arts, Culture, and History, Division of Culture and History** (original similar to HB134) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 19, Acts, 1st Extraordinary Session, 2023
1037. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Veterans' Assistance** (original similar to HB137) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 20, Acts, 1st Extraordinary Session, 2023
1038. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Adjutant General, State Militia** (original similar to HB138) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 21, Acts, 1st Extraordinary Session, 2023
1039. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Division of Corrections and Rehabilitation, Regional Jail and Correctional Facility Authority** (original similar to HB139) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 22, Acts, 1st Extraordinary Session, 2023

1041. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Homeland Security, West Virginia State Police** (original similar to HB141) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 23, Acts, 1st Extraordinary Session, 2023
1042. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Expiring funds to Department of Education, Vocational Consolidated Accounts Fund from State Department of Education** (original similar to HB142) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 24, Acts, 1st Extraordinary Session, 2023
1043. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to DHHR** (original similar to HB143) - Passed 8/8/2023; Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 25, Acts, 1st Extraordinary Session, 2023

HOUSE BILLS PASSED LEGISLATURE

112. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Relating to child support guidelines** - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/16/23 - Chapter 31, Acts, 1st Extraordinary Session, 2023
114. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending the appropriations to the PEIA** - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 1, Acts, 1st Extraordinary Session, 2023
115. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending the appropriations to the Department of Education, State Board of Education – State Aid to Schools** - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 2, Acts, 1st Extraordinary Session, 2023
116. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending the appropriations to state aid to schools** - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 3, Acts, 1st Extraordinary Session, 2023
117. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending the appropriations to Higher Education Policy Marshall University** - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 4, Acts, 1st Extraordinary Session, 2023
124. By Del. Hanshaw (Mr. Speaker), Skaff, Hanna and Tully [By Request of the Executive] - **Establishing Summersville Lake State Park** - Passed 8/8/2023;

- Effective from passage - To Governor 8/10/23 - Approved by Governor 8/11/23 - Chapter 34, Acts, 1st Extraordinary Session, 2023
125. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Clarifying that certain payments paid prior to the effective date of the tax credits for property taxes paid on certain species of property are eligible for the tax credits** (original similar to SB1025) - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/16/23 - Chapter 125, Acts, 1st Extraordinary Session, 2023
128. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending the appropriations to the Governor's Office – Civil Contingent Fund** - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 5, Acts, 1st Extraordinary Session, 2023
144. By Del. Hanshaw (Mr. Speaker), Skaff and Howell [By Request of the Executive] - **Including Potomac State College of West Virginia in the definition of community and technical college education program for participation in the "Learn and Earn Program"** - Passed 8/8/2023; Effective from passage - To Governor 8/10/23 - Approved by Governor 8/22/23 - Chapter 33, Acts, 1st Extraordinary Session, 2023

ALL SENATE BILLS INTRODUCED

1001. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Combining Revenue Shortfall Reserve Fund and Revenue Shortfall Reserve Fund – Part B for surplus deposit eligibility** (original similar to HB101) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - To Finance
1002. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Revenue, Office of Secretary** (original similar to HB102) - Introduced 8/6/2023 - Committee reference dispensed - Referred to Finance on 2nd reading 8/7/2023 - Constitutional rule suspended - Passed Senate 8/7/2023 - Effective from passage - To House 8/8/2023 - To Finance
1003. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to multiple funds for Division of Corrections and Rehabilitation** (original similar to HB103) - Introduced 8/6/2023 - Committee reference dispensed - Referred to Finance on 2nd reading 8/7/2023 - Constitutional rule suspended - Passed Senate 8/7/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Amended - Passed House 8/8/2023 - Effective from passage - Senate concurred in House amendments and passed bill 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 6, Acts, 1st Extraordinary Session, 2023

1004. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Division of Corrections and Rehabilitation, Parolee Supervision Fees and Regional Jail and Correctional Facility Authority** (original similar to HB104) - Introduced 8/6/2023 - Committee reference dispensed - Referred to Finance on 2nd reading 8/7/2023 - Constitutional rule suspended - Passed Senate 8/7/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Amended - Passed House 8/8/2023 - Effective from passage - Senate concurred in House amendments and passed bill 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 7, Acts, 1st Extraordinary Session, 2023
1005. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Division of Corrections and Rehabilitation, Correctional Units and Bureau of Juvenile Services** (original similar to HB105) - Introduced 8/6/2023 - Committee reference dispensed - Referred to Finance on 2nd reading 8/7/2023 - Constitutional rule suspended - Passed Senate 8/7/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Amended - Passed House 8/8/2023 - Effective from passage - Senate concurred in House amendments and passed bill 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 8, Acts, 1st Extraordinary Session, 2023
1006. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Updating temporary identification cards for released inmates** (original similar to HB106) - Introduced 8/6/2023 - Committee reference dispensed - Referred to Judiciary on 2nd reading 8/7/2023 - Amended - Constitutional rule suspended - Passed Senate with amended title 8/7/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Passed House 8/8/2023 - Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 26, Acts, 1st Extraordinary Session, 2023
1007. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Requiring municipalities to reimburse responsible county regional jail per diem fees in certain cases** (original similar to HB107) - Introduced 8/6/2023 - Committee reference dispensed - Referred to Judiciary on 2nd reading 8/7/2023 - Amended - Constitutional rule suspended - Passed Senate 8/7/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Passed House 8/8/2023 - Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 27, Acts, 1st Extraordinary Session, 2023
1008. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Clarifying conditions for pretrial release** (original similar to HB108) - Introduced 8/6/2023 - Committee reference dispensed - Referred to Judiciary on 2nd reading 8/7/2023 - Amended - Constitutional rule suspended - Passed Senate with amended title 8/7/2023 - Effective from passage - To House 8/8/2023 - To Judiciary
1009. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Prohibiting use of state funds for certain procedures or benefits not medically necessary** (original similar to HB109) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed -

Amended - Passed House 8/8/2023 - Effective from passage - Senate concurred in House amendments and passed bill 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 28, Acts,1st Extraordinary Session, 2023

1010. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Authorizing Supreme Court to develop pretrial release programs in all circuits** (original similar to HB110) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Amended - Passed House 8/8/2023 - Effective from passage - Senate concurred in House amendments and passed bill 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 30, Acts,1st Extraordinary Session, 2023
1011. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Updating authority and duties of Commissioner of Corrections and Rehabilitation** (original similar to HB111) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - To Judiciary
1012. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Updating child support guidelines** (original similar to HB112) - Introduced 8/6/2023 - Committee reference dispensed - Laid over on 2nd reading 8/7/23
1013. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making WV an agreement state with US Nuclear Regulatory Commission** (original similar to HB113) - Introduced 8/6/2023 - Committee reference dispensed - Laid over on 2nd reading 8/7/23
1014. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Administration, PEIA** (original similar to HB114) - Introduced 8/6/2023 - Committee reference dispensed - Laid over on 2nd reading 8/7/23
1015. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to BOE, State Aid to Schools** (original similar to HB115) - Introduced 8/6/2023 - Committee reference dispensed - Laid over on 2nd reading 8/7/23
1016. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Education, State Aid to Schools** (original similar to HB116) - Introduced 8/6/2023 - Committee reference dispensed - Laid over on 2nd reading 8/7/23
1017. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Higher Education Policy Commission, Marshall University** (original similar to HB117) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage

- To House 8/8/2023 - Reference dispensed - Read 1st time 8/8/2023 - Constitutional Rule rejected
1018. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to BOE, State Department of Education** (original similar to HB118) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - To House Finance 8/8/2023
1019. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to WV State Senate, WV House of Delegates, and to Joint Expenses** (original similar to HB119) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Passed House 8/8/2023 - Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 9, Acts, 1st Extraordinary Session, 2023
1020. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Authorizing Mercer County Commission to levy special district excise tax for Ridges Economic Opportunity Development District** (original similar to HB120) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Passed House 8/8/2023 - Effective from passage - To Governor 8/9/23 - Became law without Governor's signature 8/25/23 - Chapter 29, Acts, 1st Extraordinary Session, 2023
1021. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Funding certain first responders** (original similar to HB121) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Amended - Passed House 8/8/2023 - Title amended - Effective from passage - Senate amended House amendment and passed 8/8/2023 - Effective from passage - House concurred in Senate amendment and passed 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/22/23 - Chapter 32, Acts, 1st Extraordinary Session, 2023
1022. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Homeland Security, Division of Emergency Management** (original similar to HB122) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Amended - Passed House 8/8/2023 - Effective from passage - Senate amended House amendment and passed 8/8/2023 - Effective from passage - House concurred in Senate amendment 8/8/2023 - Passed House 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 10, Acts, 1st Extraordinary Session, 2023
1023. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Department of Homeland Security, Division of Emergency Management, Growth County Fire**

- Protection Fund and County Fire Protection Fund** (original similar to HB123) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Amended - Passed House 8/8/2023 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 11, Acts, 1st Extraordinary Session, 2023
1024. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Establishing Summersville Lake State Park** (original similar to HB124) - Introduced 8/6/2023 - Committee reference dispensed - Laid over on 2nd reading 8/7/23
1025. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Clarifying that payments paid prior to effective date on certain tax credits are eligible for tax credit** (original similar to HB125) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - To Finance
1026. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to DOH** (original similar to HB126) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/7/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Passed House 8/8/2023 - Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 12, Acts, 1st Extraordinary Session, 2023
1027. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing, amending and increasing existing items of appropriation from State Road Fund to DOH** (original similar to HB127) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/7/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Passed House 8/8/2023 - Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 13, Acts, 1st Extraordinary Session, 2023
1028. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Governor's Office, Civil Contingent Fund** (original similar to HB128) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Read 1st time 8/8/2023 - Constitutional Rule rejected
1029. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Economic Development, Office of Secretary** (original similar to HB129) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Passed House 8/8/2023 - Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 14, Acts, 1st Extraordinary Session, 2023

1030. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Administration, Office of Technology** (original similar to HB130) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Passed House 8/8/2023 - Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 15, Acts, 1st Extraordinary Session, 2023
1031. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Administration, Division of General Services** (original similar to HB131) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Amended - Passed House 8/8/2023 - Effective from passage - Senate concurred in House amendments and passed bill 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 16, Acts, 1st Extraordinary Session, 2023
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1034. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Arts, Culture, and History, Division of Culture and History** (original similar to HB134) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Passed House 8/8/2023 - Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 19, Acts, 1st Extraordinary Session, 2023
1035. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to DEP, Division of Environmental Protection** (original similar to HB135) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - To Finance

1036. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Commerce, Division of Natural Resources** (original similar to HB136) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - To Finance
1037. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Veterans' Assistance** (original similar to HB137) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Passed House 8/8/2023 - Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 20, Acts, 1st Extraordinary Session, 2023
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1039. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Making supplementary appropriation to Division of Corrections and Rehabilitation, Regional Jail and Correctional Facility Authority** (original similar to HB139) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Passed House 8/8/2023 - Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 22, Acts, 1st Extraordinary Session, 2023
1040. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Attorney General** (original similar to HB140) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - To Finance
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1042. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Expiring funds to Department of Education, Vocational Consolidated Accounts Fund from State Department of Education** (original similar to HB142) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional

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1043. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to DHHR** (original similar to HB143) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Passed House 8/8/2023 - Effective from passage - To Governor 8/9/23 - Approved by Governor 8/14/23 - Chapter 25, Acts, 1st Extraordinary Session, 2023
1044. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Including Potomac State College in eligibility for Learn and Earn Program** (original similar to HB144) - Introduced 8/6/2023 - Committee reference dispensed - Laid over on 2nd reading 8/7/23

ALL SENATE RESOLUTIONS OFFERED

101. By Sen. Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel and Woodrum - **Recognizing WV energy resources and pipeline infrastructure to support economic development and national security** - Introduced 8/7/2023 - Committee reference dispensed - Adopted 8/7/2023

SENATE BILLS COMMUNICATED TO HOUSE

1001. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Combining Revenue Shortfall Reserve Fund and Revenue Shortfall Reserve Fund – Part B for surplus deposit eligibility** (original similar to HB101) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - To Finance
1002. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Revenue, Office of Secretary** (original similar to HB102) - Introduced 8/6/2023 - Committee reference dispensed - Referred to Finance on 2nd reading 8/7/2023 - Constitutional rule suspended - Passed Senate 8/7/2023 - Effective from passage - To House 8/8/2023 - To Finance
1008. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Clarifying conditions for pretrial release** (original similar to HB108) - Introduced 8/6/2023 - Committee reference dispensed - Referred to Judiciary on 2nd reading 8/7/2023 - Amended - Constitutional rule suspended - Passed Senate with amended title 8/7/2023 - Effective from passage - To House 8/8/2023 - To Judiciary

1011. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Updating authority and duties of Commissioner of Corrections and Rehabilitation** (original similar to HB111) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - To Judiciary
1017. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Higher Education Policy Commission, Marshall University** (original similar to HB117) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Read 1st time 8/8/2023 - Constitutional Rule rejected
1018. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to BOE, State Department of Education** (original similar to HB118) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - To House Finance 8/8/2023
1025. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Clarifying that payments paid prior to effective date on certain tax credits are eligible for tax credit** (original similar to HB125) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - To Finance
1028. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Governor's Office, Civil Contingent Fund** (original similar to HB128) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - Reference dispensed - Read 1st time 8/8/2023 - Constitutional Rule rejected
1035. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to DEP, Division of Environmental Protection** (original similar to HB135) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - To Finance
1036. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Department of Commerce, Division of Natural Resources** (original similar to HB136) - Introduced 8/6/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - To Finance
1040. By Sen. Blair (Mr. President) and Woelfel [By Request of the Executive] - **Supplementing and amending appropriations from General Revenue to Attorney General** (original similar to HB140) - Introduced 8/6/2023 -

Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/6/2023 - Effective from passage - To House 8/8/2023 - To Finance

HOUSE BILLS COMMUNICATED TO SENATE

112. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Relating to child support guidelines** - Introduced 8/6/2023 - Passed House 8/6/2023 - Title amended - Effective from passage - To Senate 8/8/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/16/23 - Chapter 31, Acts, 1st Extraordinary Session, 2023
113. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Relating to making West Virginia an agreement state with the United States Nuclear Regulatory Commission** - Introduced 8/6/2023 - Immediate consideration - Passed House 8/6/2023 - Effective from passage
114. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending the appropriations to the PEIA** - Introduced 8/6/2023 - Passed House 8/6/2023 - Effective from passage - To Senate 8/8/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 1, Acts, 1st Extraordinary Session, 2023
115. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending the appropriations to the Department of Education, State Board of Education – State Aid to Schools** - Introduced 8/6/2023 - To Finance - Reference dispensed - Passed House 8/6/2023 - Effective from passage - To Senate 8/8/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 2, Acts, 1st Extraordinary Session, 2023
116. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending the appropriations to state aid to schools** - Introduced 8/6/2023 - To Finance - Reference dispensed - Passed House 8/6/2023 - Effective from passage - To Senate 8/8/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 3, Acts, 1st Extraordinary Session, 2023
117. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending the appropriations to Higher Education Policy Marshall University** - Introduced 8/6/2023 - To Finance - Read bill a 1st time - Passed House 8/8/2023 - Effective from passage - To Senate 8/8/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 4, Acts, 1st Extraordinary Session, 2023
124. By Del. Hanshaw (Mr. Speaker), Skaff, Hanna and Tully [By Request of the Executive] - **Establishing Summersville Lake State Park** - Introduced

8/6/2023 - Reference dispensed - Passed House 8/6/2023 - Effective from passage - To Senate 8/8/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/11/23 - Chapter 34, Acts, 1st Extraordinary Session, 2023

125. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Clarifying that certain payments paid prior to the effective date of the tax credits for property taxes paid on certain species of property are eligible for the tax credits** (original similar to SB1025) - Introduced 8/6/2023 - To Finance - Reference dispensed - Passed House 8/6/2023 - Effective from passage - To Senate 8/8/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/16/23 - Chapter 125, Acts, 1st Extraordinary Session, 2023
128. By Del. Hanshaw (Mr. Speaker) and Skaff [By Request of the Executive] - **Supplementing and amending the appropriations to the Governor's Office – Civil Contingent Fund** - Introduced 8/6/2023 - To Finance - Amended - Passed House 8/8/2023 - Effective from passage - To Senate 8/8/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/14/23 - Chapter 5, Acts, 1st Extraordinary Session, 2023
144. By Del. Hanshaw (Mr. Speaker), Skaff and Howell [By Request of the Executive] - **Including Potomac State College of West Virginia in the definition of community and technical college education program for participation in the "Learn and Earn Program"** - Introduced 8/6/2023 - Passed House 8/6/2023 - Effective from passage - To Senate 8/8/2023 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 8/8/2023 - Effective from passage - To Governor 8/10/23 - Approved by Governor 8/22/23 - Chapter 33, Acts, 1st Extraordinary Session, 2023

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1018 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to BOE, State Department of Education	28			29		28-29
1019 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to WV State Senate, WV House of Delegates, and to Joint Expenses	29			31	138	30-31, 180, 187
1020 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Authorizing Mercer County Commission to levy special district excise tax for Ridges Economic Opportunity Development District	31			32	138	31-33, 180, 195
1021 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Funding certain first responders	33		139-145	34, 146	138, 173	33-35, 138-146, 183, 194
1022 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Department of Homeland Security, Division of Emergency Management	35		147-149	36, 150	146, 173	35-36, 146-150, 183, 187

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
1023 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Department of Homeland Security, Division of Emergency Management, Growth County Fire Protection Fund and County Fire Protection Fund	37		151	38, 152	151	37-38, 151-152, 183, 189
1024 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Establishing Summersville Lake State Park	38					39, 90
1025 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Clarifying that payments paid prior to effective date on certain tax credits are eligible for tax credit	39			40		39-40
1026 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to DOH	40			119	153	41, 90, 118-119, 180, 189
1027 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing, amending and increasing existing items of appropriation from State Road Fund to DOH	41			91	153	41, 90-92, 180, 189
1028 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Governor's Office, Civil Contingent Fund	41			42		41-43
1029 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Department of Economic Development, Office of Secretary	43			44	153	43-45, 180, 189

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
1030 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Department of Administration, Office of Technology	45			46	153	45-46, 180, 189
1031 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Department of Administration, Division of General Services	46		154	48, 154	153	47-48, 153-155, 183, 190
1032 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Department of Commerce, Division of Forestry	48			49	155	48-50, 180, 190
1033 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplemental appropriation of federal funds to Department of Commerce, Geological and Economic Survey	50			51	155	50-51, 180, 190
1034 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Department of Arts, Culture, and History, Division of Culture and History	52			53	155	52-53, 181, 190
1035 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to DEP, Division of Environmental Protection	53			54		54-55
1036 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Department of Commerce, Division of Natural Resources	55			56		55-57

Number	TITLE OF SENATE BILLS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
1037 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Department of Veterans' Assistance	57			58	155	57-58, 181, 190
1038 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Adjutant General, State Militia	58			60	156	59-60, 181, 191
1039 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Division of Corrections and Rehabilitation, Regional Jail and Correctional Facility Authority	60			61	156	60-62, 181, 191
1040 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Attorney General	62			63		62-63
1041 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Department of Homeland Security, West Virginia State Police	64			65	156	64-65, 181, 191
1042 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Expiring funds to Department of Education, Vocational Consolidated Accounts Fund from State Department of Education	65			92	156	65, 92-93, 181, 191
1043 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to DHHR	66			67	156	66-67, 181, 191
1044 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Including Potomac State College in eligibility for Learn and Earn Program	67					68, 93

Number	TITLE OF SENATE RESOLUTIONS	Introduced	Reported from Committee	Amended	Adopted by Senate	OTHER PROCEEDINGS
101 -	By Senators Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, and Woodrum: Recognizing WV energy resources and pipeline infrastructure to support economic development and national security	86			87	

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
112 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Relating to child support guidelines	157			158		157-158, 184, 193
114 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the PEIA	158			160		158-160, 184, 192
115 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the Department of Education, State Board of Education – State Aid to Schools	160			161		160-162, 184, 192
116 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to state aid to schools	162			163		162-164, 184, 192

Number	TITLE OF HOUSE BILLS	Communicated to Senate	Reported from Committee	Amended	Passed Senate	Repassed by House	OTHER PROCEEDINGS
117 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to Higher Education Policy Marshall University	164			165		164-166, 184, 192
124 -	By Delegates Hanshaw (Mr. Speaker), Skaff, Hanna, and Tully [By Request of the Executive]: Establishing Summersville Lake State Park	166			167		166-167, 184, 186
125 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Clarifying that certain payments paid prior to the effective date of the tax credits for property taxes paid on certain species of property are eligible for the tax credits	168			169		168-169, 184, 193
128 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the Governor’s Office – Civil Contingent Fund	169			171		169-171, 184, 192
144 -	By Delegates Hanshaw (Mr. Speaker), Skaff, and Howell [By Request of the Executive]: Including Potomac State College of West Virginia in the definition of community and technical college education program for participation in the “Learn and Earn Program”	171			172		171-173, 184, 194

