



## West Virginia Senate

### Committee on the Judiciary

Minutes for February 23, 2024, 2:45 PM

Pursuant to the call of the Chair, the Senate Committee on the Judiciary met on February 23, 2024, 2:45 PM in Room 208-W.

Members present: Senators Trump, Weld, Azinger, Barrett, Caputo, Deeds, Hamilton, Hunt, Martin, Maynard, Stover, Swope, Takubo, Taylor

Members absent: Senators Rucker, Stuart, and Woelfel

A silent roll call being taken, the presence of a quorum was established.

On motion of Senator Trump, the minutes of the previous meeting were approved.

**S. B. 482 - Relating generally to Ethic's Commission's rule making authority and lobbying rules.**

Liz Schindzielorz, Counsel, explained the bill, the purpose of the proposed committee substitute for committee substitute, and responded to questions.

With leave of the committee, Theresa M. Kirk, General Counsel, West Virginia Ethics Commission, was administered the oath prescribed by Senate Rule 28a by Chairman Weld, addressed the committee, and responded to questions. (See attached oath.)

The question being on agreeing to the committee substitute for committee substitute, the same was put, and the committee substitute was agreed to.

On motion of Senator Trump, the committee reported the committee substitute for committee substitute to the full Senate with the recommendation that it do pass.

**S. B. 717 - Prohibiting sale of tobacco products to individuals younger than 21 years of age.**

Debra Graham, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Nicholas Stuchell, General Counsel, Office of Drug Control Policy, was administered the oath prescribed by Senate Rule 28a by Chairman Weld, addressed the committee, and responded to questions. (See attached oath.)

The question being on agreeing to the committee substitute, the same was put, and the committee substitute was agreed to.

On motion of Senator Trump moved to report the committee substitute to the full Senate with the recommendation that it do pass. The same was put and a division was demanded, which demand was sustained.

The vote being 8 in favor and 5 opposed, the motion was adopted.

**S. B. 803 - Updating definitions for assessment of real property.**

Gordon Mowen, Counsel, explained the bill, and responded to questions.

With leave of the committee, William Scott Lemley, Wetzel County Assessor, was, addressed the committee, and responded to questions.

Senator Martin moved to amend the bill on page 1, line 12, after the word “in”, by inserting the words “a revocable”. The same was put and rejected.

On motion of Senator Trump, the committee recommended the bill for passage.

**S. JR. 6 - Incorporation of Churches or Religious Denominations Amendment.**

Gordon Mowen, Counsel, explained the resolution, the purpose of the proposed committee substitute, and responded to questions.

The question being on agreeing to the committee substitute, the same was put, and the committee substitute was agreed to.

On motion of Senator Trump, the committee reported the committee substitute to the full Senate with the recommendation that it be adopted, but first be referred to Finance.

**S. B. 503 - Protecting belief-based student organizations from certain types of discrimination.**

Tom Smith, Chief Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

The question being on agreeing to the committee substitute, the same was put, and the committee substitute was agreed to.

On motion of Senator Barrett, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

**S. B. 769 - Prohibiting certain medical exams on anesthetized patients.**

Tom Smith, Chief Counsel, explained the bill, the purpose of the proposed strike and insert and title amendment, and responded to questions.

With leave of the committee, Mollie Montague, was administered the oath prescribed by Senate Rule 28a by Chairman Weld, addressed the committee, and responded to questions. (See attached oath.)

Senator Trump moved to adopt the strike and insert amendment.

On motion of Senator Trump, the committee adopted the strike and insert amendment.

On motion of Senator Trump, the committee reported the bill to the full Senate with the recommendation that it do pass as amended.

On motion of Senator Trump, the committee adopted the title amendment.

**S. B. 470 - Uniform Special Deposits Act.**

J. A. Curia, Counsel, explained the bill, the purpose of the proposed committee substitute for committee substitute, and responded to questions.

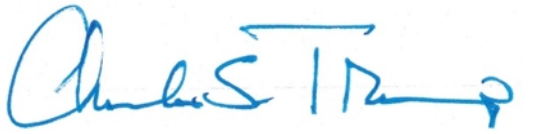
Senator Trump requested a ruling under the provisions of Senate Rule 43.

Chairman Weld replied that any impact of the Senator would be a member of a class of persons possibly to be affected by the passage of this bill, and refused to excuse Senator Trump from voting, and stated this is a standing ruling for this legislation.

The question being on agreeing to the committee substitute for committee substitute, the same was put, and the committee substitute was agreed to.

On motion of Senator Trump, the committee reported the committee substitute for committee substitute to the full Senate with the recommendation that it do pass.

On Motion of Senator Trump the committee adjourned.



Charles S. Trump

Chair



Beverly Douglas

Clerk/Analyst

The Senate of West Virginia



Testimony taken this 23<sup>rd</sup> day of February, 2024, in  
the Senate Committee on The Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be  
the truth, the whole truth, and nothing but the truth, so help me  
God."

Theresa M Kirk

Print Witness Name

R M Kirk

Sign Witness Name

Oath was administered by:

Ryan W. Weld

Print Member Name

[Signature]

Sign Member Name

The Senate of West Virginia



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the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be  
the truth, the whole truth, and nothing but the truth, so help me  
God."

Nicholas Stuckell

Print Witness Name

N. Stuckell

Sign Witness Name

Oath was administered by:

Ryan W. Weld

Print Member Name

[Signature]

Sign Member Name

The Senate of West Virginia



Remote/Virtual Testimony

Testimony taken this 23<sup>rd</sup> day of February, 2024, in  
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be  
the truth, the whole truth, and nothing but the truth, so help me  
God."

Mollie Montague

Print Witness Name

Suey Douglas

Testimony Attested to by Committee  
Clerk

Oath was administered by:

Ryan W. Weld

Print Member Name

[Signature]

Sign Member Name