



West Virginia Senate

Committee on the Judiciary

Minutes for February 26, 2024, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on the Judiciary met on February 26, 2024, 3:00 PM in Room 208-W.

Members present: Senators Trump, Weld, Azinger, Barrett, Caputo, Deeds, Hamilton, Hunt, Martin, Maynard, Rucker, Stover, Stuart, Taylor, Woelfel

Members absent: Senators Swope and Takubo

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. 755 - Providing safeguards for online sales of tobacco products.

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

With leave of the committee, Bridget Lambert, President, West Virginia Retailers Association, 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 amend the committee substitute on page 4, line 54 after the words "tobacco product", inserting the word "doesn't", striking the word "also", striking the "s" in "includes" and striking the word "and" and inserting in lieu thereof the word "or", and by adding the following provision "Notwithstanding any other provisions of this code to the contrary, it is unlawful to deliver products containing Delta 8, Delta 10, or Kratom."

There being no objection, Senator Trump reformed his amendment to strike the entire second sentence of subdivision (8), in its entirety, that begins on line 54 with "A "tobacco product" also..."

Senator Martin called for a division of the amendment. The first proposition being to prohibit delivery of electronic smoking devices and accessories, and the second proposition being to prohibit the delivery of Delta 8 or Delta 10, and Kratom products.

Chairman Weld ruled that the amendments can be divided.

The first proposition was put and a roll call was demanded, which demand was sustained.

On the adoption of the amendment the yeas were: Deeds, Hamilton, Stuart, and Trump – 4

The nays were: Azinger, Barrett, Caputo, Hunt, Martin, Maynard, Rucker, Stover, Taylor, Woelfel, and Weld (Mr. Chairman) – 11

The majority of all the members present not having voted in the affirmative, the Chairman declared the proposition rejected.

The second proposition was put and adopted.

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

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

S. B. 601 - Creating WV Women's Bill of Rights.

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

With leave of the committee, May Mailman, Director, Independent Woman's Law Center, 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, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

Originating Joint Resolution 1 – Homestead Exemption Veterans Amendment

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

On motion of Senator Trump, the committee agreed to the originating resolution.

On motion of Senator Trump, the committee reported the originating resolution to the full Senate with the recommendation it be adopted.

On Motion of Senator Trump the committee adjourned.



Ryan W. Weld
Chair



Beverly Douglas
Analyst/Clerk

The Senate of West Virginia



Testimony taken this 26th 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."

Bridget Laurel

Print Witness Name

Bridget Laurel

Sign Witness Name

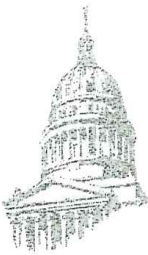
Oath was administered by:

Ryan W. Weld

Print Member Name

[Signature]

Sign Member Name



The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 26th 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."

Mary Mailman

Print Witness Name

Beverly Douglas

Testimony Attested to by Committee
Clerk

Oath was administered by:

Ryan W. Weld

Print Member Name

[Signature]

Sign Member Name