



## West Virginia Senate

### Committee on the Judiciary

Minutes for February 29, 2024, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on the Judiciary met on February 29, 2024, 3:00 PM in Room 208-W.

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

Members absent: Senators Barrett, Hunt, Swope, Woelfel

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

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

**H. B. 5662 - Relating to adding "person in a position of trust" to certain crimes.**

J. A. Curia, Counsel, explained the bill, the proposed strike and insert and title amendment, and responded to questions.

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

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

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

**H. B. 5326 - Relating to prohibition of unfair real estate service agreements.**

Gordon Mowen, Counsel, explained the bill, the proposed strike and insert and title amendment, and responded to questions.

With leave of the committee, Angela Vance, AARP West Virginia, was administered the oath prescribed by Senate Rule 28a by Chairman Caputo, addressed the committee, and responded to questions. (See attached oath.)

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

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

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

**H. B. 4940 - A squatter cannot be considered a tenant in WV.**

Gordon Mowen, Counsel, explained the bill, the proposed strike and insert and title amendment, and responded to questions.

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

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

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

**H. B. 4998 - Modifying penalties for third offense shoplifting.**

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

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

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

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

**H. B. 5520 - Relating to juvenile competency.**

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

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

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

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

On Motion of Senator Azinger the committee adjourned.



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Mike Caputo

Chairman

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Beverly Douglas

Clerk/Analyst

The Senate of West Virginia



Testimony taken this 29<sup>th</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."

Angela Vance

Print Witness Name

Angela Vance

Sign Witness Name

Oath was administered by:

Mike Caputo

Print Member Name

Mike Caputo

Sign Member Name