



West Virginia House of Delegates

Standing Committee on the Judiciary

Minutes for March 05, 2025, 9:00 AM

Pursuant to the call of the Chair, the Standing Committee on the Judiciary met on Wednesday, March 05, 2025, at 9:00 AM in the House Judiciary Committee Room with Delegate Akers in the Chair.

Members present: Delegates Butler, Ferrell, Flanigan, Fluharty, Funkhouser, Hansen, Hillenbrand, Holstein, Hornby, Jennings, Kelly, D., Kimble, Kump, Mallow, Marple, Martin, Maynor, Phillips, Ridenour, Roop, Shamblin, Ward, B., Zatezalo, and Chairman Akers.

Members absent: Delegates Heckert.

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

On motion of Vice-Chairman Maynor, the minutes of the previous meeting were approved.

Chairman Akers recognized the clerk for purposes of receiving subcommittee reports:

The House Subcommittee on Courts has had under consideration House Bills 2711, 2761, 2774 and reports the same back to the Standing Committee on the Judiciary.

The House Subcommittee on Legal Services has had under consideration House Bill 2707 and reports the same back, with amendment, to the Standing Committee on the Judiciary.

The House Subcommittee on Legal Services has had under consideration House Bills 2719 and 2867 and reports the same back to the Standing Committee on the Judiciary.

The House Subcommittee on Homeland Security has had under consideration House Bill 2781 and reports the same back to the Standing Committee on the Judiciary.

Committee Substitute for Senate Bill 138, Enhancing penalties for fleeing officer
(lied over)

Delegate Ridenour asked for unanimous consent to reform the amendment to the amendment. Without objection, Delegate Ridenour reformed the amendment to the amendment.

Delegate Ridenour asked for unanimous consent to explain the amendment in lieu of having it read. Without objection, Chairman Akers recognized Delegate Ridenour to explain the amendment to the amendment.

Chairman Akers called for questions regarding the amendment. Chairman Akers put the question before the committee on adoption of the motion to amend the amendment. The motion was adopted and the amendment was amended. Chairman Akers called for further amendments to the amendment. On motion by Delegate Ward, an amendment to the amendment was offered.

Delegate Ward asked for unanimous consent to explain the amendment in lieu of having it read. Without objection, Chairman Akers recognized Delegate Ward to explain the amendment.

Chairman Akers called for questions regarding the amendment. Questions from the committee members followed. Chairman Akers put the question before the committee on adoption of the motion to amend the amendment. The motion was adopted and the amendment was amended. Chairman Akers called for further amendments to the amendment. Hearing none, Chairman Akers put the question before the committee on adoption of the motion to amend the committee substitute for the bill. The motion was adopted and the committee substitute for the bill was amended. Chairman Akers recognized Vice-Chairman Maynor.

Vice-Chairman Maynor moved to report the Committee Substitute for Senate Bill 138 be reported to the floor, with amendment, with the recommendation that it do pass, as amended. Chairman Akers called for discussion. Chairman Akers put the question before the committee on adoption of the motion. The motion was adopted and Chairman Akers ordered the committee substitute for the bill to be reported as moved.

House Bill 2634, To double the criminal penalty for anyone found guilty of sexual assault on a minor

Chairman Akers recognized Vice-Chairman Maynor for purposes of making a motion. Vice-Chairman Maynor moved for the committee to consider the proposed committee substitute for the bill. Chairman Akers called for discussion on the motion. Chairman Akers put the question before the committee on adoption of the motion. The motion was adopted and the committee proceeded to consideration of the committee substitute for the bill.

Chairman Akers recognized counsel for purposes of explaining the committee substitute for the bill. Chairman Akers called for questions of counsel. Chairman Akers called for amendments to the committee substitute of the bill. Hearing none, Chairman Akers recognized Vice-Chairman Maynor for purposes of making a motion.

Vice-Chairman Maynor moved to report Committee Substitute for House Bill 2634 to the floor with the recommendation that it do pass. Chairman Akers called for discussion on the motion. Chairman Akers put the question before the committee on adoption of the motion. The motion was adopted and Chairman Akers ordered the committee substitute for the bill to be reported as moved.

House Bill 2382, Camping ban on certain public property.

Chairman Akers recognized Vice-Chairman Maynor for purposes of making a motion. Vice-Chairman Maynor moved for the committee to consider the proposed committee substitute for the bill. Chairman Akers called for discussion on the motion. Chairman Akers put the question before the committee on adoption of the motion. The motion was adopted and the committee proceeded to consideration of the committee substitute for the bill.

Chairman Akers recognized counsel for purposes of explaining the committee substitute for the bill. Chairman Akers called for questions of counsel. Questions from the committee members followed. Chairman Akers called for amendments to the committee substitute of the bill. Hearing none, Chairman Akers recognized Vice-Chairman Maynor for purposes of making a motion.

Vice-Chairman Maynor moved to report Committee Substitute for House Bill 2382 to the floor with the recommendation that it do pass. Chairman Akers called for discussion on the motion. Discussion from

the committee members followed. Chairman Akers put the question before the committee on adoption of the motion. The motion was adopted and Chairman Akers ordered the committee substitute for the bill to be reported as moved.

Committee Substitute for House Bill 2164, To allow for public and private schools in West Virginia to employ security personnel

Chairman Akers recognized Delegate Statler as the lead sponsor for purposes of explaining the committee substitute for the bill. Chairman Akers called for questions of Delegate Statler. Questions from the committee members followed. Chairman Akers advanced the bill to markup and discussion.

At this moment, Chairman Akers ceded the Chair to Vice-Chairman Maynor.

House Bill 2711, Relating to the repeal of the common law rule against perpetuities by extending it to 1,000 years for all trusts

Chairman Maynor recognized Delegate Akers as the lead sponsor for purposes of explaining the bill. Chairman Maynor called for questions of Delegate Akers. Chairman Maynor advanced the bill to markup and discussion.

At this moment, Chairman Maynor ceded the Chair to Delegate Akers.

House Bill 2719, Campaign finance and reporting

Chairman Akers recognized Delegate Hornby as the lead sponsor for purposes of explaining the bill. Chairman Akers called for questions of Delegate Hornby. Questions from the committee members followed. Chairman Akers advanced the bill to markup and discussion.

At this moment, Chairman Akers ceded the Chair to Vice-Chairman Maynor.

House Bill 2761, Relating to generally to magistrate courts

Chairman Maynor recognized Delegate Akers as the lead sponsor for purposes of explaining the bill. Chairman Maynor called for questions of Delegate Akers. Questions from the committee members followed. Chairman Maynor advanced the bill to markup and discussion.

At this moment, Chairman Maynor ceded the Chair to Delegate Akers.

House Bill 2774, Coach Protection Act

Chairman Akers recognized Delegate Browning as the lead sponsor for purposes of explaining the bill. Chairman Akers called for questions of Delegate Browning. Questions from the committee members followed. Chairman Akers advanced the bill to markup and discussion.

House Bill 2781, Relating to the meaning of residence for the Purpose of Bail

Chairman Akers recognized Delegate Hornby as the lead sponsor for purposes of explaining the bill. Chairman Akers called for questions of Delegate Hornby. Chairman Akers advanced the bill to markup and discussion.

House Bill 2867, Relating to Small Estates

Chairman Akers recognized Delegate Roop as the lead sponsor for purposes of explaining the bill. Chairman Akers called for questions of Delegate Roop. Questions from the committee members followed. Chairman Akers advanced the bill to markup and discussion.

On motion of Vice-Chairman Maynor, the committee adjourned.

Delegate JB Akers
Committee Chair

Mr. Daniel Osborne
Senior Clerk