



West Virginia House of Delegates

Standing Committee on the Judiciary

Minutes for March 13, 2025, 9:00 AM

Pursuant to the call of the Chair, the Standing Committee on the Judiciary met on Thursday, March 13, 2025, at 9:00 AM, in the House Judiciary Committee Room with Delegate Akers in the Chair.

Members present: Delegates Butler, Ferrell, Flanigan, Funkhouser, Hansen, Heckert, 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 Fluharty.

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 Bill 2056 and reports back a Committee Substitute therefor to the Standing Committee on the Judiciary.

The House Subcommittee on Courts has had under consideration House Bill 3190 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 Bill 2397 and reports the same back, with amendment, to the Standing Committee on the Judiciary.

The House Subcommittee on Homeland Security has had under consideration House Bill 2679 and reports back a Committee Substitute therefor to the Standing Committee on the Judiciary.

House Bill 2881, Relating to the makeup of the State Police Child Abuse and Neglect Investigations Unit

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 for consideration of the proposed committee substitute. The motion was adopted and the committee proceeded to consideration of the proposed committee substitute.

Chairman Akers recognized counsel for purposes of explaining the proposed committee substitute. Chairman Akers called for questions of counsel. Chairman Akers called for amendments to the proposed

committee substitute. 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 2881 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 to report the committee substitute for the bill. The motion was adopted and Chairman Akers ordered the committee substitute for the bill to be reported as moved.

House Bill 3154, Relating to advertising by licensed limited video lottery retailers and licensed limited video lottery operators

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 for consideration of the proposed committee substitute. The motion was adopted and the committee proceeded to consideration of the proposed committee substitute.

Chairman Akers recognized counsel for purposes of explaining the proposed committee substitute. Chairman Akers called for questions of counsel. Questions from the committee members followed. Without objection and having been placed under oath by Chairman Akers, Mr. Randy Burnside, West Virginia Lottery Commission, answered questions from the committee members. Chairman Akers called for amendments to the proposed committee substitute. 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 3154 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 to report the committee substitute for the bill. A roll call was demanded. With the demand being sustained, Chairman Akers ordered the clerk to call the roll. With there being 12 AYES, 12 NAYS, and 1 member absent, the motion was lost and the committee substitute for the bill was rejected. Those members voting in the positive were Delegates Flanigan, Funkhouser, Heckert, Hornby, Mallow, Marple, Martin, Maynor, Phillips, Roop, Zatezalo, and Chairman Akers with Delegate Fluharty being absent.

House Bill 3162, Providing that causes of action under Chapter 46A of the Code of West Virginia survive the death of the party

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

Vice-Chairman Maynor moved to report House Bill 3162 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 to report the bill. The motion was adopted and Chairman Akers ordered the bill to be reported as moved.

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

Committee Substitute for House Bill 2056, Relating to concurrent juvenile jurisdiction on military installations

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

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

House Bill 2397, Prevent immediate family members from acting in a fiduciary capacity for the same governmental authority

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

House Bill 3190, Controlled Substances and arrestable offences

Chairman Akers recognized Delegate Funkhouser as a sponsor for purposes of explaining the bill. Chairman Akers called for questions of Delegate Funkhouser regarding the bill. Questions from the committee members followed. Without objection and having been placed under oath by Chairman Akers, Mr. Kenneth Matthews answered questions from the committee members. Chairman Akers advanced the bill to markup and discussion.

Committee Substitute for House Bill 2679, To allow for the reinstatement of retired Deputy Sheriffs to their former departments

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

Committee Substitute for Senate Bill 336, Authorizing Department of Homeland Security to promulgate legislative rules

Chairman Akers recognized counsel for purposes of explaining the bill. Chairman Akers called for questions of counsel regarding the bill. Questions from the committee members followed. Without objection and having been placed under oath by Chairman Akers, Mr. David Wayne Miller, answered questions from the committee members. 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