



# West Virginia House of Delegates

## Standing Committee on the Judiciary

Minutes for March 14, 2025, 9:00 AM

Pursuant to the call of the Chair, the Standing Committee on the Judiciary met on Friday, March 14, 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, and Chairman Akers.

Members absent: Delegates Fluharty, Zatezalo.

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 3082 and reports the same back to the Standing Committee on the Judiciary.

**House Bill 3082**, Relating to requiring a parolee or probationer found to have suffered with addiction to participate in a support service

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

Chairman Akers moved for House Bill 2664 to be discharged from the Subcommittee on Legal Services. 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 House Bill 2664 was discharged from the Subcommittee on Legal Services and returned to the possession of the Standing Committee on the Judiciary.

Chairman Akers recognized Delegate Hillenbrand for purposes of making a motion. Delegate Hillenbrand moved for the committee to reconsider its action regarding Committee Substitute for House Bill 3154. 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. A roll call was demanded and with the demand being sustained, Chairman Akers ordered the clerk to call the roll. With there being 13 AYES, 10 NAYS, and two members absent, the motion was adopted and the committee returned to consideration of Committee Substitute for House Bill 3154. Members voting in the negative were Delegates Butler, Hansen, Holstein, Jennings, Kelly, Kimble, Kump, Ridenour, Ward, and Chairman Akers with Delegates Fluharty and Zatezalo being absent.

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

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 14 AYEs, 9 NAYs, and two members absent, the motion was adopted and Chairman Akers ordered the committee substitute for the bill to be reported as moved. Those members voting in the negative were Delegates Butler, Hansen, Holstein, Jennings, Kelly, Kimble, Kump, Ridenour, and Ward with Delegates Fluharty and Zatezalo being absent.

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

Chairman Akers recognized counsel for purposes of explaining the committee substitute. Chairman Akers called for questions of counsel. Chairman Akers called for amendments to the 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 2056 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.

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

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. 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 2397 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.

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

Chairman Akers recognized counsel for purposes of explaining the committee substitute. Chairman Akers called for questions of counsel. Chairman Akers called for amendments to the 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 2679 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.

**Committee Substitute for House Bill 3089, Mandate the use of WV DMV electronic lien and title system for certain entities and persons**

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 committee substitute for the bill. Chairman Akers put the question before the committee on adoption of the motion. 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 further 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 the Committee Substitute for Committee Substitute for House Bill 3089 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 committee substitute for the bill. The motion was adopted and Chairman Akers ordered the committee substitute for the committee substitute for the bill to be reported as moved.

**House Bill 3190, Controlled Substances and arrestable offences**

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.

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

Chairman Maynor recognized counsel for purposes of explaining the proposed committee substitute. Chairman Maynor called for questions of counsel. Questions from the committee members followed. Chairman Maynor called for amendments to the proposed committee substitute. Hearing none, Chairman Maynor recognized Delegate Mallow for purposes of making a motion.

Delegate Mallow moved to report Committee Substitute for House Bill 3190 to the floor with the recommendation that it do pass. Chairman Maynor called for discussion on the motion. Discussion from

the committee members followed. Chairman Maynor 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 Maynor ordered the committee substitute for the bill to be reported as moved.

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

Chairman Maynor recognized counsel for purposes of explaining the committee substitute. Chairman Maynor called for questions of counsel. Questions from the committee members followed. Without objection and having been placed under oath by Chairman Maynor, Mr. David Wayne Miller answered questions from the committee members. Chairman Maynor called for amendments to the committee substitute. Hearing none, Chairman Maynor recognized Delegate Mallow for purposes of making a motion.

Delegate Mallow moved to report Committee Substitute for Senate Bill 336 to the floor with the recommendation that it do pass. Chairman Maynor called for discussion on the motion. Chairman Maynor put the question before the committee on adoption of the motion to report the bill. The motion was adopted and Chairman Maynor ordered the bill to be reported as moved.

On Motion of Delegate Mallow, the committee adjourned.

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Delegate JB Akers  
Committee Chair

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Mr. Daniel Osborne  
Senior Clerk