



West Virginia House of Delegates

Standing Committee on the Judiciary

Minutes for March 20, 2025, 9:00 AM

Pursuant to the call of the Chair, the Standing Committee on the Judiciary met on Thursday, March 20, 2025, at 9:00 AM, in the House Judiciary Committee Room with Delegate Maynor in the Chair.

Members present: Delegates Butler, Ferrell, Flanigan, Fluharty, 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: None.

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

On motion of Delegate Mallow, the minutes of the previous meeting were approved.

Committee Substitute for Senate Bill 22, Applying penalties for nonpayment of royalties under terms of oil and natural gas leases

Chairman Maynor recognized counsel for purposes of explaining the bill. Chairman Maynor called for questions of counsel 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 3289, Relating to expungement of certain criminal convictions

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 3289 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 3433, Modifying language in the statute to make it consistent with W.Va. Code §5H-1-2(b) for survivor's benefit payment for first responders for purposes of payment for funeral expenses of law enforcement, safety, and emergency workers

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 3433 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 3439, Relating to registration of voters and voluntary registration of organ donors

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 3439 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 3164, Requiring registered sex offenders pay annual fee

Chairman Akers recognized Delegate Flanigan as the lead sponsor for purposes of explaining the bill. Chairman Akers called for questions of Delegate Flanigan regarding the bill. Questions from the committee members followed. Without objection and having been placed under oath by Chairman Akers, Mr. Jeff Chumley, President, West Virginia State Troopers Association, answered questions from the committee members. Chairman Akers advanced the bill to markup and discussion.

House Bill 3167, To require hair follicle drug testing of parents or guardians in cases of substantiated child abuse or neglect of a minor

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

House Bill 3434, Relating to the controlled substance schedules and to clean-up errors identified in the code sections

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

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

House Bill 3456, Relating to the powers and duties of the Commissioner of the Division of Corrections and Rehabilitation regarding Stevens Correctional Center

Chairman Maynor recognized Delegate Akers purposes of explaining the bill.

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

Chairman Akers called for questions of regarding the bill. Questions from the committee members followed. Without objection and having been placed under oath by Chairman Akers, Commissioner William Marshall, West Virginia Division of Corrections, answered questions from the committee members. Without objection and having been placed under oath by Chairman Akers, Ms. Betty Slack, West Virginia Division of Corrections, 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