



West Virginia House of Delegates

Standing Committee on the Judiciary

Minutes for April 08, 2025, 9:00 AM

Pursuant to the call of the Chair, the Standing Committee on the Judiciary met on Tuesday, April 08, 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, 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 Vice-Chairman Maynor, the minutes of the previous meeting were approved.

Committee Substitute for Committee substitute for Senate Bill 474, Ending diversity, equity, and inclusion programs

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. On motion from the Committee on Education, an amendment to the bill was offered.

Without objection, Chairman Akers recognized counsel to explain the proposed amendment. Chairman Akers called for questions regarding the amendment to the bill. Chairman Akers called for amendments to the proposed amendment. Hearing none, Chairman Akers called for discussion on the motion to amend the bill. Chairman Akers put the question before the committee on adoption of the motion to amend the bill. The motion was lost and the proposed amendment was rejected. Chairman Akers called for further amendments to 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 Committee Substitute for Senate Bill 474 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 bill to be reported as moved.

Committee Substitute for Senate Bill 586, Relating to requirements for filling vacancies in certain elected federal, state, and county offices

Chairman Akers recognized Vice-Chairman Maynor for purposes of making a motion. Vice-Chairman Maynor moved for the committee to consider the proposed committee amendment to 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 amendment.

Chairman Akers recognized counsel for purposes of explaining the proposed committee amendment. Chairman Akers called for questions of counsel. Chairman Akers called for amendments to the proposed committee amendment. Hearing none, Chairman Akers called for discussion on the motion. Chairman Akers put the question before the committee on adoption of the motion to amend the bill. The motion was adopted and the amendment was approved. Chairman Akers recognized Vice-Chairman Maynor for purposes of making a motion.

Vice-Chairman Maynor moved to report Committee Substitute for Senate Bill 586 to the floor, with amendment, with the recommendation that it do pass as amended. 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 Senate Bill 124, Reducing statute of limitations on actions to recover on oral and written contracts

Chairman Akers recognized counsel for purposes of explaining the bill. Chairman Akers called for questions of counsel regarding the bill. Without objection and having been placed under oath by Chairman Akers, Mr. Dave McMahon answered questions from the committee members. Without objection and having been placed under oath by Chairman Akers, Mr. Mark Atkins answered questions from the committee members. Without objection and having been placed under oath by Chairman Akers, Mr. Scott Windom answered questions from the committee members. Chairman Akers advanced the bill to markup and discussion.

Senate Bill 280, Displaying official US motto in public schools

Chairman Akers recognized counsel for purposes of explaining the bill. Chairman Akers called for questions of counsel regarding the bill. Without objection, Senator Azinger answered questions from the committee members. Chairman Akers advanced the bill to markup and discussion.

Committee Substitute for Senate Bill 488, Clarifying definition of electioneering

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 Cook, Counsel, West Virginia Secretary of State's Office, answered questions from the committee members. Chairman Akers advanced the bill to markup and discussion.

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

Committee Substitute for Committee Substitute for Senate Bill 531, Relating to offenses of assault and battery on athletic officials

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.

Committee Substitute for Senate Bill 864, Clarifying inference of criminal intent in burglary prosecution

Chairman Maynor recognized counsel for purposes of explaining the bill. Chairman Maynor called for questions of counsel regarding the bill. Questions from the committee members followed. Chairman Maynor advanced the bill to markup and discussion.

On Motion of Delegate Mallow, the committee adjourned.

Delegate JB Akers
Committee Chair

Mr. Daniel Osborne
Senior Clerk