



West Virginia Senate

Committee on Judiciary

Minutes for February 25, 2025, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on Judiciary met on February 25, 2025, 3:00 PM in Room 208-W.

Members present: Senators Stuart, Willis, Azinger, Bartlett, Chapman, Charnock, Deeds, Fuller, Hart, Helton, Rose, Rucker, Tarr, Taylor, Weld, Garcia

Members absent: Senator Martin

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

On motion of Senator Willis, the minutes of the previous meeting were approved.

Chairman Stuart moved **S. B. 198** to the foot of the agenda.

S. B. 124 - Reducing statute of limitations on actions to recover on oral and written contracts.

Chris Etheredge, Counsel, explained the bill, and responded to questions.

With leave of the committee, David McMahon, Surface Owners Rights Organization, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, J. Mark Adkins, Community Bankers of West Virginia, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

Senator Chapman moved to amend the bill to exempt oil & gas lease agreements. The same was put and rejected.

Senator Chapman moved to amend the bill to insert the discovery rule at the end of the three sections stating that the statute of limitations should apply when a person knows or reasonably should have known when a breach occurred.

A division of the body was demanded by Senator Azinger, such demand was sustained
The vote being 12 in favor and 3 opposed, the amendment was adopted.

On motion of Senator Willis, the committee recommended the bill for passage as amended.

S. B. 31 - Relating to DNA data maintained for law-enforcement purposes.

J. A. Curia, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Melissa Runyon, West Virginia State CODIS Administrator, Forensic Science Supervisor Biology/Databasing, West Virginia State Police Department, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Ashley Spence, Founder, DNA Justice Project, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

Senator Garcia moved to amend the bill by inserting a requirement that every member of the legislature give a DNA swab to be entered into CODIS.

Senator Willis raised a point of order that the amendment of Senator Garcia was not in order, because it was not germane to the bill.

Chairman Stuart ruled that the point was well taken and that the amendment was not in order due to the narrow scope of the title of the bill.

The question being on agreeing to the committee substitute.

The same was put and a division was called, said division was sustained.

The vote being 11 in favor and 5 in opposed, the committee substitute was agreed to.

Senator Willis moved to report the committee substitute to the full Senate with the recommendation that it do pass, but first be referred to the Committee on Finance.

The same was put and a division of the body was called, said division was sustained.

The vote being 10 in favor and 6 opposed, the committee substitute will be reported.

On motion of Senator Willis, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

S. B. 456 - Defining "men" and "women".

J. A. Curia, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Kim Russell, Ambassador at Independent Women, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Curtis R. A. Capehart, Director of Policy, Office of Governor Patrick Morrissey, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Julie Britton, Executive Director, YWCA Resolve Family Abuse Program, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Beth Parlato, Senior Legal Advisor, Independent Women, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

The question being on agreeing to the committee substitute, the same was put, and the committee substitute was agreed to.

On motion of Senator Willis, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

S. B. 198 - Prohibiting creation, production, distribution, or possession of artificially generated child pornography.

Joni Nichols, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

The question being on agreeing to the committee substitute, the same was put, and the committee substitute was agreed to.

On motion of Senator Willis, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

On Motion of Senator Willis the committee adjourned.



Micheal B. Stuart
Chair



Beverly Douglas
Clerk/Analyst

The Senate of West Virginia



Testimony taken this 25th day of February, 2025, in
the Senate Committee on the Judiciary.

"I swear to tell the truth, nothing but the truth, under penalty of
false swearing in a legislative proceeding, so help me God."

David M. Moke

Print Witness Name

[Signature]

Sign Witness Name

Oath was administered by:

Michael B. Stuart

Print Member Name

Michael B. Stuart

Sign Member Name

The Senate of West Virginia



Testimony taken this 25th day of February, 20 25, in
the Senate Committee on the Judiciary.

"I swear to tell the truth, nothing but the truth, under penalty of
false swearing in a legislative proceeding, so help me God."

J. Mark Adkins

Print Witness Name

[Handwritten Signature]

Sign Witness Name

Oath was administered by:

Michael B. Stuart

Print Member Name

Michael B. Stuart

Sign Member Name

The Senate of West Virginia



Testimony taken this 25th day of February, 2025, in
the Senate Committee on the Judiciary.

"I swear to tell the truth, nothing but the truth, under penalty of
false swearing in a legislative proceeding, so help me God."

Melissa Runyan
Print Witness Name

Melissa Runyan
Sign Witness Name

Oath was administered by:

Michael B. Stuart
Print Member Name

Michael B. Stuart
Sign Member Name



The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 25th day of February, 2025, in
the Senate Committee on the Judiciary.

"I swear to tell the truth, nothing but the truth, under penalty of
false swearing in a legislative proceeding, so help me God."

Ashley Spence
Print Witness Name

Beryl Douglas
Testimony Attested to
By Committee Clerk

Oath was administered by:

Michael B. Stuart
Print Member Name

Michael B. Stuart
Sign Member Name



The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 25th day of February, 20 25, in
the Senate Committee on the Judiciary.

“I swear to tell the truth, nothing but the truth, under penalty of
false swearing in a legislative proceeding, so help me God.”

Kim Russell

Print Witness Name

Beverly Douglas

Testimony Attested to

By Committee Clerk

Oath was administered by:

Michael B. Stuart

Print Member Name

Michael B. Stuart

Sign Member Name

The Senate of West Virginia



Testimony taken this 25th day of February, 20 25, in
the Senate Committee on the Judiciary.

"I swear to tell the truth, nothing but the truth, under penalty of
false swearing in a legislative proceeding, so help me God."

Curtis R. A. Capehart

Print Witness Name

Curt A Capehart

Sign Witness Name

Oath was administered by:

Michael B. Stuart

Print Member Name

Michael B Stuart

Sign Member Name

The Senate of West Virginia



Testimony taken this 25th day of February, 20 25, in
the Senate Committee on the Judiciary.

"I swear to tell the truth, nothing but the truth, under penalty of
false swearing in a legislative proceeding, so help me God."

Jolie Britton

Print Witness Name

Jolie Britton

Sign Witness Name

Oath was administered by:

Michael B. Stuart

Print Member Name

Michael B. Stuart

Sign Member Name



The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 25th day of February, 2025, in
the Senate Committee on the Judiciary.

“I swear to tell the truth, nothing but the truth, under penalty of
false swearing in a legislative proceeding, so help me God.”

Beth Parlato

Print Witness Name

Beverly Douglas

Testimony Attested to

By Committee Clerk

Oath was administered by:

Michael B. Stuart

Print Member Name

Michael B. Stuart

Sign Member Name