



West Virginia Senate

Committee on Judiciary

Minutes for February 27, 2025, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on Judiciary met on February 27, 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.

S. B. 154 - Prohibiting sexual orientation instruction in public schools.

Chris Etheridge, Counsel, explained the bill, the purpose of the proposed committee substitute for committee substitute, and responded to questions.

With leave of the committee, Kevin Adam Wolfe, Nitro High School teacher and Milken Educator Award winner, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

Senator Weld moved to amend the committee substitute for committee substitute on page 6, subsection (m), by inserting the following proviso: "Provided further, any teacher or employee harmed by a school or board of education's action in violation of this section may avail themselves of any remedy available at law".

Senator Weld withdrew the amendment.

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

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

S. B. 299 - Modifying WV regulations on pubertal modulation, hormonal therapy, and gender reassignment.

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

With leave of the committee, Patrick L. Kerr, PhD, West Virginia Psychological Association, 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, Jamie Reed, 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, Simon Amaya Price, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

On motion of Senator Weld, the committee amended the committee substitute on page 7, article 3, section 20; on page 9, article 3E, section 20; page 12, article 7, section 15f; and, page 16, article 14, section 17 by inserting a new subsection (h), that states “If any provision of this section, or the application thereof to any provision or circumstance, shall be held unconstitutional or otherwise invalid, such invalidity or unconstitutionality shall not affect the provisions or application of this section which can be given effect without the unconstitutional or invalid provisions of application, and to this end the provisions of this section are declared to be severable.”

On motion of Senator Willis, the committee amended the committee substitute on page 6, line 78, subsection (e), by striking in its entirety and inserting the following in lieu thereof “If a physician provides either gender reassignment surgery or gender altering medication to a person who is under 18 years of age, the appropriate licensing board shall find the physician in violation of this section and shall immediately revoke the license of the physician.”; on page 9, line 45, subsection (e), by striking in its entirety and inserting the following in lieu thereof “If a physician

assistant provides either gender reassignment surgery or gender altering medication to a person who is under 18 years of age, the appropriate licensing board shall find the physician assistant in violation of this section and shall immediately revoke the license of the physician assistant.”; on page 11, line 46, subsection (e), by striking in its entirety and inserting the following in lieu thereof “If an advanced practice registered nurse provides either gender reassignment surgery or gender altering medication to a person who is under 18 years of age, the appropriate licensing board shall find the advanced practice registered nurse in violation of this section and shall immediately revoke the license of the advanced practice registered nurse.”; and, on page 15, line 80, subsection (e), by striking in its entirety and inserting the following in lieu thereof “If a physician provides either gender reassignment surgery or gender altering medication to a person who is under 18 years of age, the appropriate licensing board shall find the physician in violation of this section and shall immediately revoke the license of the physician.”

On motion of Senator Tarr, the committee amended the committee substitute on page 7, line 88, by striking the sentence “This section is exempt from compliance with §55-7B-6 of this code.” and inserting the following sentence “Inasmuch as the Legislature intends to make unlawful the provision of gender reassignment surgery or gender altering medication to a minor, it is the intent of the Legislature that this section be exempt from compliance with §55-7B-6 of this code.”; on page 9, line 55, by striking the sentence “This section is exempt from compliance with §55-7B-6 of this code.” and inserting the following sentence “Inasmuch as the Legislature intends to make unlawful the provision of gender reassignment surgery or gender altering medication to a minor, it is the intent of the Legislature that this section be exempt from compliance with §55-7B-6 of this code.”; on page 12, line 56, by striking the sentence “This section is exempt from compliance with §55-7B-6 of this code.” and inserting the following sentence “Inasmuch as the Legislature intends to make unlawful the provision of gender reassignment surgery or gender altering medication to a minor, it is the intent of the Legislature that this section be exempt from compliance with §55-7B-6 of this code.”; and, on page 16, line 90, by striking the sentence “This section is exempt from

compliance with §55-7B-6 of this code.” And inserting the following sentence “Inasmuch as the Legislature intends to make unlawful the provision of gender reassignment surgery or gender altering medication to a minor, it is the intent of the Legislature that this section be exempt from compliance with §55-7B-6 of this code.”

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

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

On Motion of Senator Willis the committee adjourned.



Michael B. Stuart

Chair



Beverly Douglas

Clerk/Analyst

The Senate of West Virginia



Testimony taken this 27th 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."

KEVIN ADAM WOLFE

Print Witness Name

[Handwritten Signature]

Sign Witness Name

Oath was administered by:

Michael B. Stuart

Print Member Name

[Handwritten Signature]

Sign Member Name

The Senate of West Virginia



Testimony taken this 27th 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.”

Patrick L. Kerr, PhD

Print Witness Name

Patrick L. Kerr, PhD

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 27th 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.”

Jamie Reed

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



Remote/Virtual Testimony

Testimony taken this 27th 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."

Simon Amaya Prico

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