



West Virginia Senate

Committee on Judiciary

Minutes for March 11, 2025, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on Judiciary met on March 11, 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. 586 - Relating to requirements for filling vacancies in certain elected federal, state, and county offices.

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

On motion of Senator Weld, the committee amended the committee substitute for committee substitute on page 2, line 19, after the word "official", by inserting "who may or may not meet the requirements of this section".

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 as amended.

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. 102 - Modifying form of certain deeds.

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

With leave of the committee, John Butterworth, Chair, Abandoned Property Coalition, 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. 543 - Clarifying oversight by Attorney General of political subdivision's hiring of private attorney under contingency fee or contract to sue.

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

With leave of the committee, Steven Broadwater, Jr. President, West Virginia Association for Justice, 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, Roger Gibboni, U.S. Chamber of Commerce, Institute for Legal Reform, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

Senator Weld raised a point of order that the questions Senator Chapman is asking the witness is not germane. Which point of order Chairman Stuart ruled was well taken.

With leave of the committee, Cary Silverman, American Tort Reform 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, J. R. Carter, Charleston attorney, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

Senator Hart raised a point of order that the discussion between Senators Weld and Fuller is not germane. Which point of order Chairman Stuart ruled was not well taken.

The question being on agreeing to the committee substitute, the same was put, and 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. The same was put and Senator Weld demanded a roll call, which demand was sustained.

On adoption of the motion to report, the yeas were: Charnock, Deeds, Tarr, Weld, and Stuart (Mr. Chairman) – 5

The nays were: Azinger, Bartlett, Chapman, Fuller, Garcia, Hart, Helton, Rose, Rucker, Taylor, and Willis – 11

A majority of the members present not having voting in the affirmative, the Chairman declared the motion rejected. The committee substitute will not be reported.

S. JR. 6 - Elimination of Business Inventory Tax Amendment.

Kyler Carlisle, Extern Law Clerk, explained the resolution, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, William D. Bissett, President, West Virginia Manufacturers Association, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

Senator Willis moved to amend the resolution on page 1, line 21, at the end of the sentence by inserting language that once eliminated, this tax may not be reinstated.

Senator Willis reformed his amendment to state, "If reduced to zero or eliminated, this tax shall not return."

Senator Willis further reformed the amendment to state "When all ad valorem taxes in the state are reduced to zero there shall not be authority to be raised again."

The same was put and the amendment was rejected.

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 be adopted, but first be referred to Finance.

On Motion of Senator Willis the committee adjourned.



Michael B. Stuart
Chair



Beverly Douglas
Clerk/Analyst

The Senate of West Virginia



Testimony taken this 11th day of March, 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."

John Buterworth

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 11th day of March, 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.”

Steven A Brantner Jr

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 11TH day of MARCH, 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."

ROGER GIBSON

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

Remote/Virtual Testimony

Testimony taken this 11th day of March, 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."

Cary Silverman

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 11th day of March, 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.”

JR Carter

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 11th day of March, 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.”

William D. Bissett

Print Witness Name

[Signature]
Sign Witness Name

Oath was administered by:

Michael B. Stuart

Print Member Name

Michael B. Stuart

Sign Member Name

ROLL CALL

COMMITTEE ON THE JUDICIARY

Mike Stuart, Chair

DATE March 11, 2025 TIME 3:00 pm

QUESTION Motion to report SB 543

| NAME | ATTENDANCE | | ROLL CALL VOTES | |
|----------|------------|--------|-----------------|-----|
| | PRESENT | ABSENT | YEA | NAY |
| Azinger | ✓ | | | ✓ |
| Bartlett | ✓ | | | ✓ |
| Chapman | ✓ | | | ✓ |
| Charnock | ✓ | | ✓ | |
| Deeds | ✓ | | ✓ | |
| Fuller | ✓ | | | ✓ |
| Garcia | ✓ | | | ✓ |
| Hart | ✓ | | | ✓ |
| Helton | ✓ | | | ✓ |
| Martin | | | | |
| Rose | ✓ | | | ✓ |
| Rucker | ✓ | | | ✓ |
| Tarr | ✓ | | ✓ | |
| Taylor | ✓ | | | ✓ |
| Weld | ✓ | | ✓ | |
| Willis | ✓ | | | ✓ |
| Stuart | ✓ | | ✓ | |
| TOTALS | | | 5 | 11 |