



West Virginia Senate

Committee on Judiciary

Minutes for March 12, 2025, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on Judiciary met on March 12, 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.

H. B. 2222 - Relating to authorizing certain agencies of the Department of Administration to promulgate legislative rules.

Debra Graham, Counsel, explained the bill, and responded to questions.

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

S. B. 473 - Limiting medical monitoring damages.

J. A. Curia, Counsel, explained the bill, and responded to questions.

Senator Rucker moved to lay the bill on the table.

Senator Tarr raised an objection and demanded a roll call, which demand was sustained.

On the adoption of the motion to table, the yeas were Bartlett, Chapman, Charnock, Fuller, Garcia, Hart, Helton, Rose, Rucker, Taylor, and Willis – 11

The nays were: Deeds, Tarr, Weld, and Stuart (Mr. Chairman) – 4.

A majority of all the members present having voted in the affirmative, the Chairman declared the motion adopted.

H. B. 2129 - Creating the Parents Bill of Rights.

J. A. Curia, Counsel, explained the bill, and responded to questions.

With leave of the committee, Jim Butler, Delegate West Virginia House of Delegates, 18th District, and responded to questions.

With leave of the committee, Adam Kissel, visiting fellow for higher education reform at the Center for Education Policy, The Heritage Foundation, and Chair for West Virginia Professional Charter School Board, 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, Jordan Carpenter, Legal Counsel, Center for Public Policy, Alliance Defending Freedom, 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 amend the bill on page 1, section 3, lines 1 and 2, by striking the words “or any other institution”.

Senator Weld reformed his amendment on line 1, after the word “other”, by inserting the word “state”. The same was put and adopted.

Senator Chapman moved to amend page 1, section 2, sub (b) at the end of the sentence on line 7, by adding a proviso that the parent has not lost permanent legal custody pursuant to abuse and neglect laws.

Chapman reformed her amendment to include language if the child is not in danger, and it is in the best interest of the child.

Senator Chapman again reformed her amendment to state that only if the parent or legal guardian has not lost legal custody of the child permanently, rights haven’t been terminated, and as long as the child is not in danger.

Senator Chapman withdrew the reformed amendment.

Senator Chapman moved to amend the bill on page 1, section 3, line 2, after the word “institution” and inserting “or any other entity receiving state funds”.

The same was put, Chairman Stuart was in doubt.

Senator Tarr demanded division, which demand was sustained.

The vote being 9 in favor and 7 opposed, the amendment was adopted.

Senator Willis moved to amend the bill on page 2, subsection (c) on line 17, after the word “for” and on line 19 after the word “grant”, by inserting “monetary damages, reasonable attorneys’ fees, court costs, and”; and, on line 18, after the word “against” by inserting “the state, any of its political subdivision, any other governmental entity, any other state institution, any other entity receiving state funds, or”.

Chairman Stuart moved the bill to a sub-committee. The members are Senators Charnock (Chair), Chapman, Weld, Deeds, Willis, and Garcia. Chairman Stuart request a report by March 17, 2025.

On Motion of Senator Willis the committee adjourned.



Michael B. Stuart
Chair



Beverly Douglas
Clerk/Analyst

The Senate of West Virginia



Testimony taken this 12th 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.”

ADAM KISSEL

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

Remote/Virtual Testimony

Testimony taken this 12th 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."

Jordan Carpenter

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

ROLL CALL

COMMITTEE ON THE JUDICIARY

Mike Stuart, Chair

DATE March 12, 2025 TIME 3 pm

QUESTION Senator Rucker motion to table SB 473

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			11	4

Not present
for vote