



# West Virginia Senate

## Committee on Judiciary

Minutes for March 26, 2025, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on Judiciary met on March 26, 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. 761** to the top of the agenda.

### **S. B. 761 - Creating Joel Archer Substance Abuse Intervention Act.**

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

With leave of the committee, Stacie Archer, Mother of Joel Archer, addressed the committee, and responded to questions.

With leave of the committee, Lisa Tackett, Director, Division of Circuit and Family Court Services, Supreme Court of Appeals 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.)

The committee recessed until 15 minutes after the conclusion of floor session.

The committee reconvened.

On motion of Senator Weld the committee amended the committee substitute on page 9, after line 201, by inserting a new subsection (m), and on page 21, after line 324, by inserting a new subsection (u), both stating the following: "The Supreme Court of Appeals is requested to

promulgate rules to implement the amendments made to this section during the 2025 regular session of the Legislature.”

The question being on agreeing to the committee substitute for committee substitute as amended, 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, as amended.

Chairman Stuart moved **S. B 727** next on the agenda.

**S. B. 727 - Directing study of child welfare system be conducted by independent third party.**

Kyler Carlisle, Law Clerk Extern, and J. A. Curia, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Lynn Johnson, Former Assistant Secretary at Health and Human Services for Family Support, 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, Dr. John DeGarmo, Founder/Director, The Foster Care Institute, 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 committee substitute on page 2, after line 24, by inserting a new subdivision (9), stating “An assessment of treatment facilities, placements, and services currently used outside the state.”

Senator Garcia reformed his amendment to include at the end of the sentence “, including evaluation of pilot programs in related areas of the child welfare system.”

The same was put, and the amendment was adopted.

Senator Helton moved to amend the committee substitute on page 2, after new subdivision (9), by inserting a new subdivision (10), stating “Analyzing current and future opportunities to engage with private sector parties and private sector solutions for improving child welfare system.”

Senator Helton reformed the amendment to include at the end of the sentence “, along with faith-based solutions or programs relating to improving the child welfare system.”

The same was put, and the amendment was adopted.

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, as amended.

Chairman Stuart demanded a roll call, which demand was sustained.

On motion of the motion to report, the yeas were: Azinger, Hart, Rose, Taylor, Willis, and Stuart (Mr. Chairman)-6.

The nays were Chapman, Charnock, Deeds, Fuller, Garcia, Helton, Tarr, and Weld-8.

A majority of all members present not having voted in the affirmative, the Chairman declared the motion to report rejected.

The committee recessed for five minutes.

The committee reconvened.

**S. B. 663 - Creating Fair Access to Financial Services Act.**

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

With leave of the committee, Brian Knight, Senior Counsel, 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.)

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. 728 - Relating generally to transfer on death deed.**

Luke Bechtel, Committee Assistant, and Chris Etheredge, 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.

On Motion of Senator Willis the committee adjourned.



Michael B. Stuart  
Chair



Beverly Douglas  
Clerk/Analyst

The Senate of West Virginia



Testimony taken this 26<sup>th</sup> 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."

Lisa Tackett

Print Witness Name

[Signature]

Sign Witness Name

Oath was administered by:

Michael B. Stuart

Print Member Name

[Signature]

Sign Member Name



The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 26<sup>th</sup> 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."

Lynn Johnson

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 26<sup>th</sup> 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."

Dr. John DeGarmo

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 26<sup>th</sup> 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.”

Brin Knight

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 26, 2025 TIME 3pm

QUESTION Motion to Report SB727

| 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   |            |        | 4               | 8   |

Not present for vote.

Not present for vote.