



West Virginia Senate

Committee on Judiciary

Minutes for April 07, 2025, 3:30 PM

Pursuant to the call of the Chair, the Senate Committee on Judiciary met on April 07, 2025, 3:30 PM in Room 208-W.

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

Members absent: Senators Hart, 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. 3434 - Relating to the controlled substance schedules and to clean-up errors identified in the code sections.

Joni Nichols, Counsel, explained the bill, and responded to questions.

Senator Helton moved to amend the bill by adding #1 and #2 from the attached list to Schedule 1 substances.

With leave of the committee, Rebecca Harrison, Forensic Lab, Drug Identification West Virginia State Police, 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, Michael Goff, Executive Director, West Virginia Board of Pharmacy, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

Senator Helton withdrew the amendment.

Senator Rucker moved to amend the bill to insert the following: Notwithstanding §60A-2-204(d) of this code, if an organic psilocybin substance or drug that contains the pharmaceutical composition of crystalline polymorph psilocybin, known as COMP360 or any such trade name

approved by the United States Food and Drug Administration, is approved by the United States Food and Drug Administration and scheduled by the Drug Enforcement Administration, it shall be lawful to prescribe, distribute, and market based upon the recommendations of the United States Food and Drug Administration and the United States Drug Enforcement Administration.

With leave of the committee, Jason Webb, Compass Pathways, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

Chairman Stuart laid over **H. B. 3434**.

H. B. 2755 - To provide that the West Virginia Board of Education may promulgate rules or policies to be submitted to the Legislature for review.

Kyler Carlisle, Counsel, explained the bill and proposed strike and insert amendment, and responded to questions.

With leave of the committee, Kelli D. Talbott, General Counsel, West Virginia Department of Education, 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 Willis, the committee adopted the strike and insert amendment.

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

H. B. 3272 - Relating to eviction proceedings.

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

Senator Garcia moved to amend the bill on page 2, line 19 by striking “shall” and inserting in lieu thereof the word “may”, and striking to state “The notice shall inform the tenant that any written defense may be filed and served upon the petitioner.

Senator Garcia reformed the amendment, that on line 19 the sentence will state the following: “The notice shall inform the tenant that any written defense to the petition may be filed

and served upon the petitioner within 5 days of receipt by the tenant of the notice.” and striking the remainder of the sentence.

The same was put and adopted.

Senator Garcia moved to amend the bill on page 2, line 21, before the word “Upon” by inserting the following: “The notice shall also inform the tenant that he or she may request a continuance for good cause. Provided, that any hearing scheduled as a result of a continuance shall be scheduled withing 10 days following the continuance.”

The same was amendment was put and the Chair being in doubt, a division of the body was demanded by Chairman Stuart.

The vote being 4 in favor and 10 opposed, the amendment was rejected.

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

On Motion of Senator Willis the committee adjourned.



Michael B. Stuart
Chair



Beverly Douglas
Clerk/Analyst

Adding the following substance to the Uniform Controlled Substance Act:

§60A-2-204. Schedule I.

1. 7-Hydroxymitragynine;
2. Mitragynine pseudoindoxyl;
3. *para*-chlorofentanyl (*N* -(4-chlorophenyl)- *N* -(1-phenethylpiperidin-4-yl)propionamide);
4. *ortho*-chlorofentanyl (*N* -(2-chlorophenyl)- *N* -(1-phenethylpiperidin-4-yl)propionamide);
5. *meta*-fluorofentanyl (*N* -(3-fluorophenyl)- *N* -(1-phenethylpiperidin-4-yl)furan-2-carboxamide);
6. *ortho*-methylcyclopropyl fentanyl (*N* -(2-methylphenyl)- *N* -(1-phenethylpiperidin-4-yl)cyclopropanecarboxamide);
7. *beta*-methylacetyl fentanyl (*N* -phenyl- *N* -(1-(2-phenylpropyl)piperidin-4-yl)acetamide);
8. tetrahydrothiofuranyl fentanyl (*N* -(1-phenethylpiperidin-4-yl)- *N* -phenyltetrahydrothiophene-2-carboxamide);
9. *para*-fluoro valeryl fentanyl (*N* -(4-fluorophenyl)- *N* -(1-phenethylpiperidin-4-yl)pentanamide);

Already
Included

Approved




The Senate of West Virginia

Testimony taken this 7th day of April, 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.”

Rebecca Harrison

Print Witness Name

Rebecca Harrison

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 7th day of April, 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."

Michael Goff

Print Witness Name

Michael Goff

Sign Witness Name

Oath was administered by:

Michael B. Stuart

Print Member Name

Michael B. Stuart

Sign Member Name

The amendment would be:

(i) Notwithstanding §60A-2-204(d) of this code, if a drug that contains the pharmaceutical composition of crystalline polymorph psilocybin, known as COMP360 or any such trade name approved by the United States Food and Drug Administration, is approved by the United States Food and Drug Administration and scheduled by the Drug Enforcement Administration, it shall be lawful to prescribe, distribute, and market based upon the recommendations of the United States Food and Drug Administration and the United States Drug Enforcement Administration.

The Senate of West Virginia



Testimony taken this 7th day of April, 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."

Jason Webb

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 7th day of April, 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.”

Kelli D. Talbott

Print Witness Name

Kelli D. Talbott

Sign Witness Name

Oath was administered by:

Michael B. Stuart

Print Member Name

Michael B. Stuart

Sign Member Name