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WEST VIRGINIA

VOLUME III

REGULAR SESSION, 2023

FIRST EXTRAORDINARY SESSION, 2023

WEST VIRGINIA HOUSE OF DELEGATES

HONORABLE ROGER HANSHAW

SPEAKER OF THE HOUSE

* *

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UNDER THE DIRECTION
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Saturday, March 11, 2023

SIXTIETH DAY

[DELEGATE HANSHAW, MR. SPEAKER, IN THE CHAIR]

The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

The Clerk proceeded to read the Journal of Friday, March 10, 2023, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Mr. Speaker (Mr. Hanshaw), Chair of the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration:

H. C. R. 70, Requesting a study to assess on selective regulation of short-term rental properties,

H. C. R. 71, November 7th to be designated as "Pastor Appreciation Day" in West Virginia,

H. C. R. 72, To study the effect of the establishment Whole-Homes Repair Act of 2023,

H. C. R. 73, Requesting a study to assess whether amending the tax code to provide tax incentives upon manufacturing,

H. C. R. 74, Requesting a study to assess whether the code contains outdated excessive or unnecessary provisions,

H. C. R. 75, Requesting a study concerning the construction of welcome centers,

H. C. R. 76, Requesting a study of creating regional intra-state tourism districts,

H. C. R. 77, Requesting a study concerning tourism related infrastructure issues post covid-19,

H. C. R. 79, Requesting the Department of Economic Development to create a plan of incentives to encourage small businesses based in agri-tourism, craft breweries, distilleries, vineyards, wineries and other specialized agriculture of tourism interest to locate or relocate to West Virginia,

H. C. R. 80, To study pediatric cancer in Appalachia and to provide directive language asking for a report on this issue in the Appalachian region,

H. C. R. 81, Requesting Joint Committee on Government and Finance study on the problem of tire disposal and finding solutions to rid our landscape of waste tires,

H. C. R. 82, February to be designated annually as West Virginia Cancer Prevention Month,

Com. Sub. for S. C. R. 11, US Army SGT Brian Christopher Karim Memorial Road,

S. C. R. 14, Supporting Medal of Valor nominees recommended by First Responders Honor Board,

And,

S. C. R. 24, Renaming Mount Olive Correctional Complex and Jail as Mike V. Coleman Maximum Security Complex,

And reports the same back with the recommendation that they each be adopted.

Delegate Householder asked unanimous consent that all the resolutions in the committee report be taken up for immediate consideration, and put upon their adoption.

Delegate Fast objected and obtained unanimous consent that S. C. R. 24 be taken up for separate consideration.

In the absence of objection H. C. R. 70, H. C. R. 71, H. C. R. 72, H. C. R. 73, H. C. R. 74, H. C. R. 75, H. C. R. 76, H. C. R. 77, H. C. R. 79, H. C. R. 80, H. C. R. 81, H. C. R. 82, S. C. R 11 and S. C. R. 14 were taken up for immediate consideration and adopted in one voice vote.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence on those requiring the same.

The House then proceeded to consideration of S. C. R. 24 and it was read by the Clerk.

On motion of Delegate Summers, action on S. C. R. 24 was then postponed until 2:00 p.m.

Messages from the Senate

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2218, Distracted Driving Act.

On motion of Delegate Householder, the House concurred in the following amendment of the bill by the Senate:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 14. MISCELLANEOUS RULES.**

§17C-14-15. ~~Prohibited use of an electronic communications device driving without handheld features; definitions; exceptions; penalties~~ Electronically Distracted Driving Act.

~~(a) Except as provided in subsection (c) of this section, a person may not drive or operate a motor vehicle on a public street or highway while:~~

~~(1) Texting; or~~

~~(2) Using a cell phone or other electronic communications device, unless the use is accomplished by hands-free equipment.~~

~~(b) For purposes of this section, the following terms shall mean:~~

~~(1) 'Cell phone' shall mean a cellular, analog, wireless or digital telephone.~~

~~(2) 'Driving' or 'operating a motor vehicle' means operating a motor vehicle, with the motor running, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays, but does not include operating a motor vehicle after the driver has moved the vehicle to the side of, or off, a highway and halted in a location where the vehicle can safely remain stationary.~~

~~(3) 'Electronic communication device' means a cell telephone, personal digital assistant, electronic device with mobile data access, laptop computer, pager, broadband personal communication device, two-way messaging device, electronic game, or portable computing device. For the purposes of this section, an 'electronic communication device' does not include:~~

~~(A) Voice radios, mobile radios, land mobile radios, commercial mobile radios or two-way radios with the capability to transmit and receive voice transmissions utilizing a push-to-talk or press-to-transmit function; or~~

~~(B) Other voice radios used by a law-enforcement officer, an emergency services provider, an employee or agent of public safety organizations, first responders, Amateur Radio Operators (HAM) licensed by the Federal Communications Commission and school bus operators.~~

~~(4) 'Engaging in a call' means when a person talks into or listens on an electronic communication device, but shall not include when a person dials or enters a phone number on a pushpad or screen to initiate the call.~~

~~(5) 'Hands-free electronic communication device' means an electronic communication device that has an internal feature or function, or that is equipped with an attachment or addition, whether or not permanently part of such electronic communication device, by which a user engages in a call without the use of either hand or both hands.~~

~~(6) 'Hands-free equipment' means the internal feature or function of a hands-free electronic communication device or the attachment or addition to a hands-free electronic communication device by which a user may engage in a call or text without the use of either hand or both hands.~~

~~(7) 'Texting' means manually entering alphanumeric text into, or reading text from, an electronic communication device, and includes, but is not limited to, short message service, e-mailing, instant messaging, a command or request to access a World Wide Web page or engaging in any other form of electronic text retrieval or entry, for present or future communication. For purposes of this section, 'texting' does not include the following actions:~~

~~(A) Reading, selecting or entering a telephone number, an extension number, or voicemail retrieval codes and commands into an electronic device by the pressing the device in order to initiate or receive a phone call or using voice commands to initiate or receive a telephone call;~~

~~(B) Inputting, selecting or reading information on a global positioning system or navigation system; or~~

~~(C) Using a device capable of performing multiple functions, including fleet management systems, dispatching devices, smart phones, citizens band radios or music players, for a purpose that is not otherwise prohibited in this section.~~

~~(8) 'Using a cell phone or other electronic communication device' means holding in a person's hand or hands an electronic communication device while:~~

~~(A) Viewing or transmitting images or data;~~

~~(B) Playing games;~~

~~(C) Composing, sending, reading, viewing, accessing, browsing, transmitting, saving or retrieving e-mail, text messages or other electronic data; or~~

~~(D) Engaging in a call.~~

~~(c) Subsection (a) of this section shall not apply to:~~

~~(1) A law-enforcement officer, a firefighter, an emergency medical technician, a paramedic or the operator of an authorized emergency vehicle in the performance of their official duties;~~

~~(2) A person using an electronic communication device to report to appropriate authorities a fire, a traffic accident, a serious road hazard, or a medical or hazardous materials emergencies.~~

~~(3) The activation or deactivation of hands-free equipment or a function of hands-free equipment.~~

~~(d) This section does not supersede the provisions of section three-a, article two, chapter seventeen-b of this code or any more restrictive provisions for drivers of commercial motor vehicles prescribed by the provisions of chapter seventeen-e of this code or federal law or rule.~~

~~(e) Any person who violates the provisions of subsection (a) of this section is guilty of a traffic offense and, upon conviction thereof, shall for a first offense be fined $100; for a second offense be fined $200; and for a third or subsequent offense be fined $300. No court costs or other fees shall be assessed for a violation of subsection (a) of this section.~~

~~(f) Notwithstanding any other provision of this code to the contrary, points may not be entered on any driver's record maintained by the Division of Motor Vehicles as a result of a violation of this section, except for the third and subsequent convictions of the offense, for which three points shall be entered on any driver's record maintained by the Division of Motor Vehicles.~~

~~(g) Driving or operating a motor vehicle on a public street or highway while texting shall be enforced as a primary offense. Driving or operating a motor vehicle on a public street or highway while using a cell phone or other electronic communication device without hands-free equipment shall be enforced as a secondary offense until July 1, 2013, when it shall be enforced as a primary offense for purposes of citation~~

(a) *Definitions* — As used in this section:

(1) 'Smartwatch' means a wearable computer that provides a local touchscreen for daily use, associated with applications, and connected to a cellular or Wi-Fi network;

(2) 'Stand-alone electronic device' means a portable device other than a wireless telecommunications device which stores audio or video data files to be retrieved on demand by a user;

(3) 'Utility services' means and includes electric, natural gas, water, wastewater, cable, telephone, or telecommunications services, or the repair, location, relocation, improvement, or maintenance of utility poles, transmission structures, pipes, wires, fibers, cables, easements, rights-of-way, or associated infrastructure;

(4) 'Wireless telecommunications device' means one of the following portable devices:

(A) A cellular telephone;

(B) A portable telephone;

(C) A text-messaging device;

(D) A personal digital assistant;

(E) A stand-alone computer including, but not limited to, a tablet, laptop, or notebook computer;

(F) A handheld global positioning system receiver;

(G) A device capable of displaying a video, movie, broadcast television image, or visual image;

(H) Any substantially similar portable wireless device that is used to initiate or receive communication, information, or data;

(I) 'Wireless telecommunications device' does not include a smartwatch, any type of radio including but not limited to, radios used by first responders or school bus operators; citizens band radio or radio hybrid; commercial two-way radio communication device or its functional equivalent; subscription-based emergency communication device; prescribed medical device; amateur or ham radio device, or any built-in vehicle equipment for security, navigation, communications, or remote diagnostics; and

(5) 'Voice-operated or hands-free feature or function' means a feature or function that allows a person to use a wireless telecommunications device without the use of either hand, except to activate, deactivate, or initiate the feature or function with a single touch or single swipe.

(b) The driver of a school bus shall not use or operate a wireless telecommunications device or two-way radio while loading or unloading passengers.

(c) The driver of a school bus shall not use or operate a wireless telecommunications device while the bus is in motion nor while stationary in traffic nor at a traffic control signal, unless that device is being used in a similar manner as a two-way radio to allow live communication between the driver and school officials or public safety officials.

(d) A driver shall exercise due care in operating a motor vehicle on the highways of this state and shall not engage in any actions involving any stand-alone electronic device or wireless telecommunications device that distracts such driver from the safe operation of the vehicle.

(e) While operating a motor vehicle on any street, highway, or property open to the public for vehicular traffic in this state, no driver may:

(1) Physically hold or support, with any part of his or her body, a wireless communication device or stand-alone electronic device: *Provided*, That such prohibition shall not apply to the wearing of a smartwatch;

(2) Write, send, or read any text-based communication including, but not limited to, a text message, instant message, e-mail, or social media interaction on a wireless telecommunications device or stand-alone electronic device: *Provided*, That such prohibition shall not apply to a voice-operated or hands-free communication feature which is automatically converted by such device to be sent as a message in a written form;

(3) Make any communication involving a wireless telecommunications device, including a phone call, voice message, or one-way voice communication: *Provided*, That such prohibition shall not apply to a voice operated or hands-free communication feature or function;

(4) Engage in any form of electronic data retrieval or electronic data communication on a wireless telecommunications device or stand-alone electronic device;

(5) Manually enter letters, numbers, or symbols into any website, search engine, or application on a wireless telecommunications device or stand-alone electronic device;

(6) Watch a video or movie on a wireless telecommunications device or standalone electronic device other than watching data related to the navigation of such vehicle;

(7) Record, post, send, or broadcast video, including a video conference on a wireless telecommunications device or stand-alone electronic device: *Provided*, That such prohibition does not apply to electronic devices used for the sole purpose of continuously recording or broadcasting video within or outside of the motor vehicle; or

(8) Actively play any game on a wireless telecommunications device or stand-alone electronic device.

(f) While operating a commercial motor vehicle on any highway of this state, no driver may:

(1) Use more than a single button on a wireless telecommunications device to initiate or terminate a voice communication; or

(2) Reach for a wireless telecommunications device or stand-alone electronic device in such a manner that requires the driver to:

(A) No longer be in a seated driving position; or

(B) No longer be properly restrained by a safety belt.

(g) Each violation of this section shall constitute a separate offense.

(h) It is a misdemeanor for any driver to violate any of the provisions of this section. Every driver convicted of a misdemeanor for a violation of any of the provisions of this section shall be punished as follows:

(1) For a first conviction with no prior conviction of and no plea of no contest accepted to a charge of violating this section within the previous 24-month period, as measured from the date of any prior conviction or plea, a fine of not more than $100;

(2) For a second conviction within a 24-month period, as measured from the date of any prior conviction or plea, a fine of not more than $200;

(3) For a third or subsequent conviction within a 24-month period, as measured from the date of any prior conviction or plea:

(A) A fine of not more than $350;

(B) Three points on the driver's record maintained by the Division of Motor Vehicles; and

(C) At the court's discretion, suspension of the driver's license for a period of 90 days;

(4) Any driver who causes physical harm to property as the proximate result of committing a violation of this section is guilty of a misdemeanor punishable up to 30 days in jail or a fine not less than $100 and not more than $500;

(5) Any driver who causes serious physical harm to another person as the proximate result of committing a violation of this section is guilty of a misdemeanor and shall be fined not less than $500 nor more than $1,000, or confined in jail up to 120 days, or both fined and confined, and such driver shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for a period of one year; and

(6) Any driver who causes the death of another as the proximate result of committing a violation of this section is guilty of negligent homicide and shall be punished in accordance with §17C-5-1 of this code.

~~(h)~~(i) ~~Within ninety days of the effective date of this section, the~~ The Department of Transportation shall cause to be erected signs upon any highway entering the state of West Virginia on which a welcome to West Virginia sign is posted, and any other highway where the Division of Highways deems appropriate, posted at a distance of not more than one mile from each border crossing, each sign to bear an inscription clearly communicating to motorists entering the state that texting, or the use of a wireless communication device without hands-free equipment, is illegal within this state.

~~(i)~~ (j) Nothing contained in this section shall be construed to authorize seizure of a cell phone or electronic device by any law-enforcement agency.

~~(i)~~ (k) No policy providing liability coverage for personal lines insurance shall contain a provision which may be used to deny coverage or exclude payment of any legal damages recoverable by law for injuries proximately caused by a violation of this section, as long as such amounts are within the coverage limits of the insured.

(l) This section shall not apply to:

(1) Drivers reporting to state, county, or local authorities a traffic accident, medical emergency, fire, an actual or potential criminal or delinquent act, or a road condition that causes an immediate and serious traffic or safety hazard;

(2) An employee or contractor of a utility services provider acting within the scope of his or her employment while responding to a utility emergency;

(3) A driver operating a commercial vehicle while using a mobile data terminal that transmits and receives data;

(4) A law-enforcement officer, firefighter, emergency medical services personnel, ambulance driver, or other similarly employed public safety first responder during the performance of his or her official duties; or

(5) While in a motor vehicle that is lawfully parked.

(m) This section does not supersede the provisions of §17B-2-3a of this code, or any more restrictive provisions for drivers of commercial motor vehicles prescribed either by the provisions of §17E-1-1 *et seq.* of this code or by federal law or rule.

(n) The amendments to this section adopted during the regular session of the Legislature in 2023, shall be known as the Robin W. Ames Memorial Act."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 2218 – "A Bill to amend and reenact §17C-14-15 of the Code of West Virginia, 1931, as amended, relating to distracted driving; modifying the scope of prohibitions on distracted driving by establishing the Electronically Distracted Driving Act; defining terms; providing limitations for the use of wireless telecommunications devices and stand-alone electronic devices; prohibiting certain actions by all drivers; prohibiting

certain actions by school bus drivers and commercial motor vehicle drivers; providing that each violation constitutes a separate offense; providing for penalties for violations, including criminal penalties, fines, driver's license suspension and revocation, and points on the driver's record maintained by the Division of Motor Vehicles; providing exceptions; and providing a name for certain amendments."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 718)**, and there were—yeas 89, nays 8, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Butler, Crouse, Dean, Dillon, Foster, Gearheart, A. Hall and Maynor.

Absent and Not Voting: Mallow, Steele and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2218) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, without amendment, and changed the effective date to take effect July 1, 2023, a bill of the House of Delegates as follows:

Com. Sub. for H. B. 2346, Declaring a shortage of qualified bus operators and allowing retired bus operators to accept employment.

Delegate Householder moved that the House concur in the changed effective date by the Senate.

The motion was then reformed, for the bill to take effect July 1, 2023.

On this question, the yeas and nays were taken **(Roll No. 719)**, and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Mallow and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2346) takes effect July 1, 2023.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2865, To clarify that the PSC may enter an order requiring corrective measures up to and including an acquisition of a distressed or failing utility.

On motion of Delegate Householder, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 2H. POWER OF COMMISSION TO ORDER MEASURES UP TO AND INCLUDING THE ACQUISITION OF DISTRESSED AND FAILING WATER AND WASTEWATER UTILITIES.**

§24-2H-4. Preparation of list of potentially unstable water and wastewater utilities.

Annually, at least by November 1, the commission shall prepare a list of water and wastewater utilities that appear to be financially unstable by reviewing annual reports, rate case filings

and other financial data available to it. Commission staff shall contact each utility placed on the list and provide advice and assistance in resolving any financial instability or managerial or operational issues that are contributing to the utility's financial instability. The commission shall provide the list of potentially unstable water and wastewater utilities to the West Virginia Rural Water Association. Commission staff shall publish annually, by hyperlink, the list of potentially unstable water and wastewater utilities on the commission's homepage no later than November 1.

§24-2H-5. Determination of whether a utility qualifies as a 'distressed utility', 'failing utility', or a 'capable proximate utility'.

(a) In determining whether a utility is distressed or failing, the commission shall consider the following factors:

(1) The financial, managerial, and technical ability of the utility;

(2) The level of expenditures necessary to make improvements to the water or wastewater utility to assure compliance with applicable statutory and regulatory standards concerning the adequacy, efficiency, safety, or reasonableness of utility service and the impact of those expenditures on customer rates;

(3) The opinion and advice, if any, of the Department of Environmental Protection and the Bureau for Public Health as to steps that may be necessary to assure compliance with applicable statutory or regulatory standards concerning the adequacy, efficiency, safety, or reasonableness of utility service;

(4) The status of the utility's bond payments and other financial obligations;

(5) The status and result of any corrective measures previously put into place under §24-2H-7 of this code; and

(6) Any other relevant matter.

(b) In determining whether a utility is a capable proximate utility, the commission shall consider the following factors:

(1) The financial, managerial, and technical ability of all proximate public utilities providing the same type of service;

(2) Expansion of the franchise or operating area of the acquiring utility to include the service area of the distressed utility;

(3) The financial, managerial, operational, and rate demands that may result from the current proceeding and the cumulative impact of other demands where the utility has been identified as a capable proximate utility; and

(4) Eligibility of the capable proximate utility to receive state grant funding and federal grant funding in a similar manner as the distressed utility; and

~~(4)~~(5) Any other relevant matter.

§24-2H-6. Notice to distressed or failing utility and formal proceeding.

(a) A proceeding under this article may be initiated by the commission on its own motion, or by the staff of the commission, or any other person or entity having a legal interest in the financial, managerial, or operational condition of the utility, by filing a petition with the commission that includes all of the factual data supporting the justification for the utility to be considered as a distressed or failing utility that the petitioner has available to them at the time of filing: *Provided*, That high water loss or unaccounted for water shall not be considered the sole evidence of a distressed or failing utility. In any such petition, the utility shall be named as the respondent. The commission shall include, as additional parties, any capable proximate public and private utilities that may be able to acquire the utility.

(b) The commission shall hold ~~an~~ evidentiary and public hearing(s) in a location in or within 25 miles of the utility's service area. The commission shall give reasonable notice of the time, place, and subject matter of the hearing as follows:

(1) Issuance of a press release;

(2) Written notice by certified mail or registered mail to:

(A) The utility;

(B) The Consumer Advocate Division;

(C) Capable proximate public or private ~~utility(s)~~ utility or utilities that were made parties to the proceeding; and

(D) The county commission if the utility is a public service district; or

(E) The municipality if the utility is owned and operated by the municipality.

(3) The utility shall give notice to its customers of the time, place, and subject matter of the hearing either as a bill insert or printed on its monthly bill statement as ordered by the commission.

(c) The public hearing shall be conducted to receive public comments, including, but not limited to, comments regarding possible options available to bring the distressed or failing utility into compliance with appropriate statutory and regulatory standards concerning actual or imminent public health problems or unreasonable quality and reliability service standards. At the evidentiary hearing, the commission shall receive evidence to determine if the utility is a distressed or failing utility and whether a capable proximate utility should acquire the utility. If there is more than one capable proximate utility, then sufficient evidence should be presented to allow the commission to determine the appropriate capable proximate utility to acquire the distressed or failing utility.

§24-2H-8. Commission approval of operating agreement, acquisition price; rates for distressed and failing utilities; improvement plan; debt obligations; cost recovery.

(a) After an order has been entered pursuant to §24-2H-7 of this code, the distressed utility and ~~acquiring~~ another acquiring public

utility shall file a petition with the commission under §24-2-12 of this code to approve the necessary operating agreement if such alternative is directed by the commission. After an order has been entered pursuant to §24-2H-7 of this code, the failing utility and acquiring utility shall file a petition with the commission under §24-2-12 of this code, to approve the purchase price of the acquisition. Where the parties are unable to agree on an acquisition price, the filing may request that an evidentiary hearing be held so that the commission may determine the acquisition price and any other issues related to the acquisition. The acquisition price must, at a minimum, satisfy all outstanding loans, tax obligations, required grant repayment, liens, and indebtedness owed by the failing utility or the acquiring utility must agree to assume the indebtednesses if legally permitted. The acquiring utility shall consult with the lenders or lienholders regarding payment in full or the assumption, to the extent legally permissible, of any outstanding obligations of the failing utility.

(b) The parties to an acquisition may propose to the commission other methods of determining the acquisition price.

(c) As part of the proceeding, the acquiring utility may propose to the commission that it be permitted for a reasonable period of time after the date of acquisition, to charge and collect rates from the customers of the failing utility pursuant to a separate tariff, which may be higher or lower than the existing tariff of the distressed or failing utility, or may allow a surcharge on both the acquired and existing customers. A separate tariff or rate filing must be made by the acquiring utility before the commission will consider any increase in rates or allow a surcharge to be placed on the acquiring utility's acquired or existing ratepayers.

(d) As part of this proceeding, the acquiring utility shall submit to the commission for approval a plan, including a timetable for bringing the failing utility into compliance with applicable statutory and regulatory standards, including, but not limited to, plans for regionalization. The acquiring utility shall have previously obtained the approval of the plan from the Department of Environmental Protection and the Bureau for Public Health, as applicable, and those agencies are directed to use their full

discretion in working towards long-term solutions that will support compliance. The failing utility shall cooperate with the acquiring utility in negotiating agreements with state and federal agencies, including, but not limited to, negotiation of hold harmless agreements, consent orders or enforcement moratoria during any period of remediation. In addition, the failing utility shall cooperate with the acquiring utility in obtaining the consent of the failing utility's and the acquiring utility's bondholder(s) to the acquisition. The acquiring utility must present to the commission as part of its financing plan, documentation on how the failing utility's indebtedness will be paid or assumed.

(e) A nonprofit acquiring public utility may seek grant funding from the Distressed Utilities Account established pursuant to §31-15A-9(i) of this code to repair, maintain, and replace the distressed water and wastewater utilities facilities as needed. The reasonably and prudently incurred costs of the acquiring utility shall be recoverable in rates as provided in §24-2H-9 of this code.

(f) If the distressed or failing utility is a public service district, then the commission shall make a recommendation to the respective county commission(s) with regard to the acquisition of distressed or failing utilities as provided in §16-13A-2(a)(2) of this code. If the distressed or failing utility is a municipal corporation, then the commission shall make a recommendation to the respective municipal council with regard to the acquisition of distressed or failing utilities as provided in §8-12-17 of this code.

(g) The capable proximate utility may propose one or more of the cost recovery methods or incentives set forth in §24-2H-9 of this code as part of its petition for approval from the commission."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 2865 – "A Bill to amend and reenact §24-2H-4, §24-2H-5, §24-2H-6, and §24-2H-8 of the Code of West Virginia, 1931, as amended, all relating to clarifying that the Public Service Commission may enter an order in a distressed or failing

utility case requiring corrective measures up to and including an acquisition by an acquiring utility; providing the Commission shall provide the list of potentially unstable water and wastewater utilities to the West Virginia Rural Water Association; providing the Commission staff shall publish annually, by hyperlink, the list of potentially unstable water and wastewater utilities on the commission's homepage; providing that eligibility of a utility to receive state grant funding and federal grant funding in a similar manner as the distressed utility is a factor in determining whether a utility is a capable proximate utility; providing that petitions filed with the commission include factual data supporting the justification for the utility to be considered as a distressed or failing utility; providing that high water loss or unaccounted for water cannot be the sole evidence of a distressed or failing utility; and clarifying that an acquiring utility becomes such only after approval of the necessary operating agreement."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 720)**, and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Mallow and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2865) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2890, Modifying student discipline.

On motion of Delegate Gearheart, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 5. AUTHORITY; RIGHTS; RESPONSIBILITY.**

§18A-5-1. Authority of teachers and other school personnel; exclusion of students having infectious diseases; suspension or expulsion of disorderly students; corporal punishment abolished.

(a) The teacher shall stand in the place of the parent(s), guardian(s), or custodian(s) in exercising authority over the school and has control of all students enrolled in the school from the time they reach the school until they have returned to their respective homes, except ~~that~~ where transportation of students is provided, the driver in charge of the school bus or other mode of transportation shall exercise such authority and control over the students while they are in transit to and from the school.

(b) Subject to the rules of the state Board of Education, the teacher shall exclude from the school any student known to have, or who is suspected of having, any infectious disease, or any student who has been exposed to any infectious disease and shall immediately notify the proper health officer or medical inspector of the exclusion. Any student so excluded may not be readmitted to the school until he or she has complied with all the requirements of the rules governing those cases or has presented a certificate of health signed by the medical inspector or other proper health officer.

(c) ~~The~~ Any grade six through 12 teacher, excluding an elementary school teacher, may exclude from his or her classroom ~~or school bus~~ any student who is guilty of disorderly conduct; who in any manner interferes with an orderly educational process; who behaves in a manner that obstructs the teaching or learning process of others in the classroom; who threatens, abuses or otherwise intimidates or attempts to intimidate a school employee or a

student; who willfully disobeys a school employee; or who uses abusive or profane language directed at a school employee. Any student excluded shall be placed under the control of the principal of the school or a designee. The excluded student may be admitted to the classroom ~~or school bus~~ only when the principal, or a designee, provides written certification to the teacher that the student may be readmitted and specifies the specific type of disciplinary action, if any, that was taken. If the principal finds that disciplinary action is warranted, he or she shall provide written and, if possible, telephonic notice of the action to the parent(s), guardian(s), or custodian(s). When a student is excluded from a classroom ~~or a school bus~~ two times in one semester, and after exhausting all reasonable methods of classroom discipline provided in the school discipline plan, the student may be readmitted to the classroom ~~or the school bus~~ only after the principal, teacher and, if possible, the parent(s), guardian(s), or custodian(s) of the student have held a conference to discuss the student's disruptive behavior patterns, and the teacher and the principal agree on a course of discipline for the student and inform the parent(s), guardian(s), or custodian(s) of the course of action. Thereafter, if the student's disruptive behavior persists, upon the teacher's request, the principal may, to the extent feasible, transfer the student to another setting. The Legislature finds that isolating students or placing them in alternative learning centers may be the best setting for chronically disruptive students. The county board shall create more alternative learning centers or expand its capacity for alternative placements, subject to funding, to correct these students' behaviors so they can return to a regular classroom without engaging in further disruptive behavior.

(d) When a grade six through 12 teacher, excluding an elementary school teacher, determines that the behavior of the student is disorderly conduct, is interfering with an orderly educational process, or obstructs the teaching or learning process of others in the classroom:

(1) The student may be excluded from that teacher's classroom and if excluded may not re-enter that teacher's classroom for at least the remainder of the instructional day;

(2) If the student is excluded pursuant to subdivision (1) of this subsection;

(A) The principal shall communicate with the teacher within 24 hours of the student being excluded from the teacher's classroom about the exclusion;

(B) The teacher has 24 hours to create an electronic record and place the report of this action into the West Virginia Education Information System (WVEIS), without any repercussion to the teacher; and

(C) If the student is removed from a classroom a total of three times in one month for one or more of the behaviors set forth in this subsection, the student shall receive as determined by the principal an in-school suspension, an out-of-school suspension, or may be considered for placement in an alternative learning center if one is available within the school district.

~~(d)~~ (e) The Legislature finds that suspension from school is not appropriate solely for a student's failure to attend class. Therefore, a student may not be suspended from school solely for not attending class. Other methods of discipline may be used for the student which may include, but are not limited to, detention, extra class time, or alternative class settings.

~~(e)~~ (f) Corporal punishment of any student by a school employee is prohibited.

~~(f)~~ (g) Each county board is solely responsible for the administration of proper discipline in the public schools of the county and shall adopt policies consistent with the provisions of this section to govern disciplinary actions. These policies shall encourage the use of alternatives to ~~corporal punishment~~ discipline practices, ~~providing~~ provide for the training of school personnel in alternatives to ~~corporal punishment~~ discipline practices, and provide for encouraging the involvement of parent(s), guardian(s) or custodian(s) in the maintenance of school discipline. To promote a teaching and learning environment free from substantial classroom disturbances, each county board shall ensure that each

school implements a tier system policy, with teacher input, to provide a framework for student behaviors and punishments. The policy shall be clear and concise with specific guidelines and examples. The principal shall support the teacher in the discipline of the students if proper cause and documentation is provided following the schoolwide discipline policy. The teacher may not be reprimanded if their actions are legal and within the structure of the county board's policy for student behavior and punishment. The county board policies shall also include an appeal procedure whereby a teacher may appeal to the county superintendent if a school principal refuses to allow the exclusion of a student from the classroom or if a teacher believes the school principal has prematurely ended the exclusion of a student from the classroom. The county boards shall provide for the immediate incorporation and implementation in ~~the~~ schools of a preventive discipline program which may include the responsible student program and a student involvement program, which may include the peer mediation program, devised by the West Virginia Board of Education. Each county board may modify those programs to meet the particular needs of the county. The county boards shall provide in-service training for teachers and principals relating to assertive discipline procedures and conflict resolution. The county boards also may establish cooperatives with private entities to provide middle educational programs, which may include programs focusing on developing individual coping skills, conflict resolution, anger control, self-esteem issues, stress management and decision making for students, and any other program related to preventive discipline.

~~(g)~~ (h) For the purpose of this section:

(1) 'Student' includes any child, youth or adult who is enrolled in any instructional program or activity conducted under board authorization and within the facilities of, or in connection with, any program under public school direction: *Provided,* That, in the case of adults, the student–teacher relationship shall terminate when the student leaves the school or other place of instruction or activity;

(2) 'Teacher' means all professional educators as defined in section one, article one of this chapter; and ~~includes the driver of a school bus or other mode of transportation and~~

(3) 'Principal' means the principal, assistant principal, vice principal or the administrative head of the school, or a professional personnel designee of the principal or the administrative head of the school.

~~(h)~~ (i) Teachers shall exercise other authority and perform other duties prescribed for them by law or by the rules of the state board not inconsistent with the provisions of this chapter and chapter 18 of this code."

On page 1, section 1, line 14, by striking out the words "Any grade six through 12" and inserting in lieu thereof the word "The";

On page 1, section 1, line 14, by striking out the words "excluding an elementary school teacher,";

On page 1, section 1, line 15, after the word "classroom" by inserting the words "or school bus";

On page 2, section 1, line 21, after the word "classroom" by inserting the words "or school bus";

On page 2, section 1, line 26, after the word "classroom" by inserting the words "or a school bus";

On page 2, section 1, line 28, after the word "classroom" by inserting the words "or the school bus";

And,

On page 4, section 1, lines 91 and 92, by striking out all of subdivision (2) and inserting in lieu thereof a new subdivision (2) to read as follows:

(2) "Teacher" means all professional educators as defined in §18A-1-1 of this code and includes the driver of a school bus or other mode of transportation; and.

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 2890 – "A Bill to amend and reenact §18A-5-1 of the Code of West Virginia, 1931, as amended, relating to authority of teachers and other school personnel for discipline of students; allowing student that behaves in a manner that obstructs the teaching or learning process of others in the classroom to be excluded; limiting application of certain discipline provisions to grades six through 12 and excluding application to elementary schools; mandating minimum duration of exclusion for certain behaviors; requiring principal to communicate with teacher within 24 hours about exclusion for certain behaviors; establishing time limit for teacher to report exclusion for certain behaviors to the West Virginia Education Information System; providing consequences for student removed for certain behaviors three times in one month; requiring county board policies to encourage the use of alternatives to discipline practices; requiring each county school board to ensure that each school implements a tier system policy to provide a framework for student behaviors and punishments; requiring principal to support the teacher in discipline of the students under certain conditions; prohibiting teacher from being reprimanded under certain conditions; and requiring procedure for teachers to appeal certain exclusion related actions of principal."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 721)**, and there were—yeas 87, nays 10, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Fluharty, Garcia, Hansen, Hornbuckle, Nestor, Pushkin, Skaff, Vance, Walker and Williams.

Absent and Not Voting: Mallow, Westfall and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2890) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect July 1, 2023, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3084, Relating to revising provisions related to public charter schools.

On motion of Delegate Kimble, the House of Delegates concurred in the following amendment of the bill by the Senate, with further amendment.

On page 13, section 3, line 92, after the word "assessment" by inserting a comma and the words "if available,";

And,

On page 23, section 12, lines 5 through 7 by striking out the words "and may not initiate or execute the sale or otherwise transfer of the facility to another entity after the request for usage has been made by a public charter school: *Provided,* That the title is clear and there is no restrictive covenant".

And,

On page 6, section 1, line 29, by striking out all of subsection (f) and relettering the remaining subsections.

And,

With the further amendment, sponsored by Delegate Ellington, amending the title of the bill to read as follows:

Com. Sub. for H. B. 3084 – "A Bill to amend and reenact §18-5-48 of the Code of West Virginia, 1931, as amended; to amend

and reenact §18-5G-1, §18-5G-2, §18-5G-3, §18-5G-4, §18-5G-5, §18-5G-7, §18-5G-12 and §18-5G-15 of said code; and to amend and reenact §18-9A-15 of said code; all relating to revising provisions related to public charter schools; providing public charter school access to funding from School Safety Fund; modifying priorities for funds use; requiring rule on process for needs-based funding requests and requiring rules; removing prohibition on elected public official profiting from or receiving monetary consideration from public charter school; expressing legislative intent on comparable levels of funding for public charter school students; authorizing state institution of higher education as applicant; prohibiting imposition of requirements on public charter schools choosing to incorporate post-secondary, industry and workforce program that are not required of noncharter public schools; authorizing public charter schools to include before and after school programs in their education program; excluding public charter school programs from regulation as child care facility; authorizing public charter school students to participate on the same basis as other public school students in extracurricular athletic and academic interscholastic activities sponsored by noncharter public school serving attendance area if not sponsored by charter school; emphasizing that charter school determines certification and licensure for teachers and instructional staff employed by it; clarifying public charter schools are exempt from state board policies unless otherwise specifically provided; excluding requirement that charter school employees be certified or licensed as condition of employment and providing that charter school may require employees be certified or licensed as condition of employment but is not required to; requiring professional charter school board to consult with nationally recognized organizations along with the state board; providing for administering required state assessments in virtual setting; requiring state board to establish framework and procedures for interaction between public charter schools, public noncharter schools and county boards to facilitate cooperation and ensure prompt transfer of records; providing for invoicing of certain funding when student transfers from and to certain entities after the beginning of the school year; allowing member of charter school governing board to be employee of education service provider if services are provided by

state institution of higher education; providing conditions for charter school governing board to be administrative unit of state institution of higher education and authorizing contract; authorizing professional charter school board to receive and expend gifts, grants and donations to carry out purposes of act, to apply for federal funds to implement programs, and to make start-up grants to public charter schools; and requiring for state board rule on method for providing increased enrollment funding for public charter schools."

The bill, as amended by the Senate, and further amended by the House, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 722)**, and there were—yeas 72, nays 26, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Adkins, Bridges, Dean, Dillon, Fluharty, Garcia, A. Hall, Hansen, Hornbuckle, Kirby, E. Pritt, Pushkin, Reynolds, Riley, Rohrbach, Shamblin, Skaff, Storch, Street, Toney, Tully, Vance, Walker, Williams, Worrell and Young.

Absent and Not Voting: Mallow and Westfall.

So, a majority of the members elected having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3084) passed.

Delegate Kimble moved that the bill take effect July 1, 2023.

On this question, the yeas and nays were taken **(Roll No. 723)**, and there were—yeas 78, nays 19, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Bridges, Dean, Dillon, Fluharty, A. Hall, Hansen, Hornbuckle, Kirby, E. Pritt, Pushkin, Shamblin, Skaff, Storch, Toney, Vance, Walker, Williams, Worrell and Young.

Absent and Not Voting: Garcia, Mallow and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3084) takes effect July 1, 2023.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3110, Relating to funding the Office of Oil and Gas in the Department of Environmental Protection.

On motion of Delegate Kelly, the House concurred in the following amendment of the bill by the Senate:

On page 2, section 5a, line 9, after the word "code" by inserting a comma and the following: "not to exceed $1,200,000,".

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 3110 – "A Bill to amend and reenact §11-13A-5a of the Code of West Virginia, 1931, as amended; and to amend and reenact §22-6-2, §22-6-29, and §22-6A-7 of said code, all relating to funding the Office of Oil and Gas in the Department of Environmental Protection; providing for the apportionment of three fourths of one percent of oil and gas severance taxes not to exceed $1,200,000 to Office of Oil and Gas; establishing two tiers of annual oversight fees for wells producing more than 60,000 cubic feet of gas per day; increasing the expedited permit modification fee by $2500 over the current level; eliminating the one million dollar cap on deposits to the Oil and Gas Operating Permit and Processing Fund from collections of fees for expedited permits and expedited permit modifications; providing that those fees, if not used for other purposes, may be moved to the Oil and Gas Reclamation Fund; and making technical corrections."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 724)**, and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Fluharty, Garcia, Mallow and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3110) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3147, To create the Upper Ohio Valley Trail Network.

On motion of Delegate Kelly, the House concurred in the following amendment of the bill by the Senate:

On page 2, section 2, lines 16 and 17, after the words "connecting to the" by inserting the word "Upper";

On page 3, section 2, after line 18 by striking out the section caption and substituting thereafter a new section caption to read as follows:

"§20-17B-2. Creation of Upper Ohio Valley Trail Network Recreation Authority and establishment of recreation area.;

On page 3, section 2, line 1, by striking out the word "continued" and inserting in lieu thereof the word "created";

And,

On page 4, section 2, line 19, after the word "two" by inserting the word "trail".

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 3147 – "A Bill to amend and reenact §20-17A-1 and §20-17A-2 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §20-17B-1, §20-17B-2, §20-17B-3, §20-17B-4, and §20-17B-5, all relating to the expansion of the Mountaineer Trail Network Recreation Authority and the creation of the Upper Ohio Valley Trail Network Recreation Authority; providing for legislative findings and purposes; providing for interconnection of recreational trail networks; providing for the creation of the Upper Ohio Valley Trail Network Recreation Authority and the establishment of the recreation area; providing recreational purposes; providing for a governing body and expenses; and providing for protection for private landowners."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 725)**, and there were—yeas 94, nays 3, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Dillon, Kirby and Vance.

Absent and Not Voting: Garcia, Mallow and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3147) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

H. B. 3156, Raising the compensation rates of panel attorneys.

On motion of Delegate Jeffries, the House concurred in the following amendment of the bill by the Senate:

On page 6, section 13a, line 134, by striking out the word "$40" and inserting in lieu thereof the word "$30".

And,

By amending the title of the bill to read as follows:

H. B. 3156 – "A Bill to amend and reenact §29-21-13a of the Code of West Virginia, 1931, as amended, by raising the compensation rates of panel attorneys; and for dismissed or not guilty charge expungement only, providing the panel attorney to continue providing representation after the dismissal to achieve the expungement."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 726)**, and there were—yeas 86, nays 10, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Burkhammer, Chiarelli, Dillon, Foster, Gearheart, A. Hall, Hornby, Ridenour, Ross and Thorne.

Absent and Not Voting: Hornbuckle, Mallow, C. Pritt and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3156) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with a title amendment, a bill of the House of Delegates, as follows:

H. B. 3166, To permit a hospital to hold a patient experiencing a psychiatric emergency for up to 72 hours.

On motion of Delegate Jeffries, the House concurred in the following Senate title amendment:

H. B. 3166 – "A Bill to amend and reenact §27-5-2a of the Code of West Virginia, 1931, as amended, relating to clarifying that an authorized hospital staff physician may order the involuntary hospitalization of an emergency room patient or in-hospital patient for up to 72 hours if judicial officers are unavailable."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 727)**, and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Hornbuckle, Mallow and Westfall.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 3166) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3370, Creating loan program for certain properties and developments on U. S. Army Corps of Engineers land, state parks and resorts.

On motion of Delegate Kelly, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**CHAPTER 20. NATURAL RESOURCES.**

ARTICLE 5A. STATE PARKS AND RECREATION ENDOWMENT FUND.

§20-5A-1. Establishment of fund; deposits; expenditures; investments; use of fund for the State Parks Enhancement Loan Insurance Program.

(a) There is created in the office of the State Treasurer a special revenue account fund to be known as the West Virginia State Parks and Recreation Endowment Fund.

(b) The following shall be deposited into the fund:

(1) The royalties received from the leasing of state-owned gas, oil, and other mineral rights beneath the Ohio River and its tributaries; and

(2) The proceeds of any gifts, grants, contributions, or other moneys accruing to the state which are specifically designated for inclusion in the fund.

(c) Expenditures from the fund shall be for the purposes set forth in this section and are to be made in accordance with appropriation of the Legislature under the provisions of §12-3-1 *et seq.* of this code, and in compliance with the provisions of §11B-2-1 *et seq.* of this code: *Provided*, That income accruing from investments of the fund pursuant to this article shall be distributed or expended for either of the following purposes:

(1) Maintenance, repair, and improvement of any existing recreational facilities, including any supporting or related infrastructure and associated recreational features, all to provide uninterrupted enjoyment and public use of state parks, state forests, and state rail trails.

(2) Maintenance, repair, and procurement of any fixture, furnishing, and equipment necessary to provide uninterrupted enjoyment and public use of state parks, state forests, and state rail trails.

(d) The board of trustees established pursuant to this article shall invest the assets of the fund consistent with the provisions of §12-6-1 of this code. The board may accumulate investment income of the fund within the fund until the income, in the sole judgment of the board, can provide a significant supplement to the budget of the Division of Natural Resources. After that time, the board may direct expenditures from the income for the purposes set forth in this section.

(e) Notwithstanding any other provision of this article to the contrary, the assets of the fund may be used by the board of trustees to facilitate or provide collateral for the State Parks Enhancement Loan Insurance Program established in §20-5A-3 of this code: *Provided,* That no amount of the fund's income from investments may be used to provide loan insurance.

§20-5A-3. State Parks Enhancement Loan Insurance Program.

(a) Legislative findings and purpose.

(1) The Legislature finds that certain areas of the state currently have existing developments or attractions, including, but not limited to, developments in West Virginia State Parks and resorts that are constructed on U.S. Army Corps of Engineers property, wherein such attractions and developments are unable to serve as collateral for loans. Because of this, the expansion of tourism and development projects in these areas is severely restricted or significantly impeded.

(2) The purpose of this section is to establish the State Parks Enhancement Loan Insurance Program, which may provide for the guarantee of a loan made to an eligible entity to be used exclusively for further development on these properties to encourage economic development and tourism.

(b) *Terms defined.* – As used in this section, unless the context clearly indicates otherwise:

(1) Board of trustees means the board provided for in §20-5A-2 of this code.

(2) Development project means any new project, or any project at any existing development or attraction, being pursued by a private entity, which has established a partnership or agreement with the division to operate on U.S. Army Corps of Engineers property, State Parks and resorts property, any other property under the jurisdiction of the division, or on a hybrid tourism destination, for the purpose of increasing recreational opportunities, tourism, and economic development.

(3) Director means the director of the Division of Natural Resources.

(4) Division means the Division of Natural Resources.

(5) Eligible entity means any corporation, limited liability company, partnership, limited liability partnership, sole proprietorship, business trust, joint venture, or any other entity operating or intending to operate a development project, whether owned or leased, that receives the approval pursuant to this section to apply for an insurance agreement under the State Parks Enhancement Loan Insurance Program.

(6) Program means the State Parks Enhancement Loan Insurance Program.

(c) The State Parks Enhancement Loan Insurance Program is established. The program may insure the payment or repayment of all or any part of the principal of, prepayment premiums or penalties on, and interest on any form of debt instrument entered

into by an eligible entity with a financial institution, including, but not limited to, banks, insurance companies and other institutions in the business of lending money. Eligible entities shall submit applications for loan insurance to the board of trustees. By a majority vote, the board of trustees may approve or deny any application. If approved, the board of trustees shall enter into an insurance agreement with the eligible entity and any necessary financial institution.

(d) In order to effectuate the purposes of this section, the board of trustees shall cooperate with the West Virginia Economic Development Authority pursuant to §31-15-8b of this code. The board of trustees may utilize the staff and resources of the authority for guidance and assistance in administering the program.

(e) The board of trustees may, subject to a recommendation by the director, establish additional requirements and procedures for the issuance of loan insurance; including, but not limited to, setting the premiums and fees to be paid to it for providing financial assistance under this section. The premiums and fees set by the board of trustees shall be payable in the amounts, at the time, and in the manner that the board of trustees, in its sole and absolute discretion, requires. The premiums and fees need not be uniform among transactions and may vary in amount: (1) Among transactions; and (2) at different stages during the terms of transactions.

(f) The board of trustees may, in its sole and absolute discretion, require the security it believes sufficient in connection with its insuring of the payment or repayment of any bonds, notes, debt, or other instruments: *Provided,* That the board of trustees may not require a security interest in the real property or permanent improvements which are part of the development project when the eligible entity will not hold ownership on the real or personal property of the development project.

(g) The obligations of the board of trustees under any insurance agreement entered into pursuant to this article shall not constitute a debt or a pledge of the faith and credit or taxing powers of this state, the division, or of any county, municipality, or any political

subdivision of this state for the payment of any amount due thereunder or pursuant thereto, but the obligations evidenced by such insurance agreement shall be payable solely from the funds pledged for their payment.

(h) The board of trustees may not authorize any amount of loan insurance through the program that exceeds $10 million in the aggregate of the assets existing in the West Virginia State Parks and Recreation Endowment Fund: *Provided,* That no more than $5 million may be authorized for any project: *Provided, however,* That no amount of the fund's income from investments may be used to provide loan insurance. However, any amount of loan insurance issued by the board of trustees shall not require the encumbrance or otherwise segregation of funds within the West Virginia State Parks and Recreation Endowment Fund.

(i) The board of trustees may establish an application and additional procedures or guidelines for the program. Prior to submission of an application to the board of trustees, an eligible entity must receive approval in writing from the Secretary of the Department of Commerce, the Secretary of the Department of Economic Development, and the Secretary of the Department of Tourism.

(j) The West Virginia Department of Commerce shall maintain a list of approved projects using this loan insurance program and shall submit this list to the Joint Committee on Government and Finance in the form of an annual report for legislative review.

CHAPTER 31. CORPORATIONS.

ARTICLE 15. WEST VIRGINIA ECONOMIC DEVELOPMENT AUTHORITY.

§31-15-8b. Facilitation of the State Parks Enhancement Loan Insurance Program.

The authority shall cooperate with the Division of Natural Resources and the Board of Trustees of the West Virginia State Parks and Recreation Endowment Fund to facilitate the administration of the State Parks Enhancement Loan Insurance

Program established by §20-5A-3 of this code. The executive director shall make the authority's staff available to provide guidance and assistance for the administration of the program. Any requirement or restriction on the authority's loan insurance programs and other operations established by this article shall not be applicable to the administration of the State Parks Enhancement Loan Insurance Program."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 3370 - "A Bill to amend and reenact §20-5A-1 of the code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §20-5A-3; and to amend said code by adding thereto a new section, designated §31-15-8b, all relating to establishing the State Parks Enhancement Loan Insurance Program; authorizing the board of trustees of the West Virginia State Parks and Recreation Endowment Fund to use the fund to facilitate or provide collateral for the program; providing that the program will provide for the guarantee of a loan made to an eligible private entity to be used exclusively for new or existing projects, developments, or attractions on properties of West Virginia State Parks and resorts that are constructed on U.S. Army Corps of Engineers property, wherein such properties and developments have no collateral for loans, and on any other property under the jurisdiction of the Division of Natural Resources, or on a hybrid tourism destination, to encourage economic development and tourism and increasing recreational opportunities; providing legislative findings and purpose; defining terms; establishing the State Parks Enhancement Loan Insurance Program; providing for the establishment of requirements and procedures for the issuance of loan insurance; limiting the amount of loan insurance through the program to $10 million in the aggregate of the assets existing in the fund; providing that no more than $5 million may be authorized for any project; providing that no amount of the fund's income from investments may be used to provide loan insurance; providing for application and additional procedures or guidelines for the program; requiring approval in writing from secretary of the Department of Commerce, the

secretary of the Department of Economic Development, and the secretary of the Department of Tourism to apply for loan insurance; requiring the board of trustees to cooperate with the West Virginia Economic Development Authority and authorizing the board of trustees to utilize the staff and resources of the authority for guidance and assistance in administering the program; providing additional powers and duties to the board of trustees; requiring reporting; and requiring that the West Virginia Economic Development Authority to facilitate the administration of the program and that its executive director make the authority's staff available to provide guidance and assistance for the administration of the program."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 728)**, and there were—yeas 91, nays 6, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Coop-Gonzalez, Foster, Gearheart, A. Hall, Longanacre and Vance.

Absent and Not Voting: Mallow, McGeehan and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3370) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3398, Relating to the establishment of the West Virginia Memorial to Fallen Heroes of the Global War on Terrorism.

On motion of Delegate Ridenour, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 3B. THE WEST VIRGINIA MEMORIAL TO FALLEN HEROES OF THE GLOBAL WAR ON TERRORISM.**

§10-3B-1. Legislative findings, purposes, intent, and short title.

(a) In order to preserve the memory of West Virginia servicemembers killed in action in the conflicts in Iraq, Afghanistan, and other locations during the United States War on Terror a monument shall be constructed on the State Capitol grounds to recognize and honor those West Virginians who made the ultimate sacrifice while serving in these conflicts.

(b) This article may be cited as the "West Virginia Memorial to Fallen Heroes of the Global War on Terrorism."

§10-3B-2. Monument construction commission.

(a) A commission shall be established on or before July 1, 2023, to oversee construction of the monument. The commission shall be comprised of:

(1) The Curator of the Department of Arts, Culture, and History, who shall serve as chairperson ex officio;

(2) The Secretary of the Department of Administration;

(3) The Secretary of the Department of Veterans Assistance;

(4) A member of the West Virginia House of Delegates, who shall be appointed by the Speaker of the House of Delegates, with preference given to a member who is a veteran of the Armed Forces; and

(5) A member of the West Virginia Senate, who shall be appointed by the President of the Senate, with preference given to a member who is a veteran of the Armed Forces.

(b) A majority of the members of the commission must be present at a meeting in order to constitute a quorum, and a majority of those members present at a meeting must vote in the affirmative in order to pass a motion. A meeting called by the chair requires at least five days' written notice of the meeting be provided to the members. Additionally, the chair shall call a meeting upon written demand of at least three members.

§10-3B-3. Design, construction, and administration of the monument.

(a) The commission shall choose a design for the monument, to the greatest extent practicable, by December 31, 2023, that:

(1) Is in line with classical themes of veterans memorials throughout the nation while taking into account appropriate historical, religious, and philosophical themes as well as public comments submitted to the commission;

(2) Adheres to the principles described in §10-3B-1 of this code and is reflective of those West Virginians killed during the United State War on Terror;

(3) Is found to be aesthetically pleasing by the commission; and

(4) Is placed on the grounds of the West Virginia State Capitol.

(b) The commission shall solicit bids for construction of the monument and shall adhere to all state purchasing and payment processing laws and regulations in paying its vendors.

(c) The commission shall have a target date for the completion and dedication of the monument, to the greatest extent practicable, of December 31, 2024.

§10-3B-4. Funding for the monument; authority for obtaining additional funds to complete or enhance the monument.

The Division of Labor shall allocate funds in the amount up to $750,000 toward the completion of the monument from any available funds that are managed or utilized by the Division of Labor. The commission shall have the authority to obtain funding through grants, charitable donations, or other appropriate means for the completion or enhancement of the monument.

§10-3B-5. Memorial inscription or plaque.

There shall be inscribed or engraved upon the monument, or otherwise permanently affixed by means of a plaque the following text:

(1) The names of all West Virginia servicemembers killed in action during the United States War on Terror as described in §10-3B-1 of this code; and

(2) Any other text the commission deems appropriate in accordance with §10-3B-3(a)(1) of this code.

§10-3B-6. Conclusion of the commission's work.

(a) The commission shall be disbanded at such time that the monument has been completed and has been appropriately dedicated in accordance with the provisions of this article; *Provided, however,* If the monument is not completed or dedicated by December 31, 2024, the commission shall be continued until such time that the monument is completed and dedicated.

(b) Upon the commission's termination, ownership of the monument shall be transferred to the Department of Arts, Culture, and History, and any funds remaining in the commission's control at that time shall be granted to the Department of Arts, Culture, and History for the monument's enhancement and perpetual maintenance."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 3398 – "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §10-3B-1, §10-3B-2, §10-3B-3, §10-3B-4, §10-3B-5, and §10-3B-6, all relating to the establishment of the West Virginia Memorial to Fallen Heroes of the Global War on Terrorism; providing for legislative findings, purposes, intent, and short title; establishing a monument construction commission; defining membership and procedural rules of the monument construction commission; charging commission with construction of a monument to Fallen Heroes of the Global War on Terrorism; detailing guidelines for the commission; directing Division of Labor allocate funds for the monument; detailing guidelines for the affixation of an inscription or plaque to the monument; and terminating commission upon completion of the monument."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 729)**, and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Heckert, Mallow, McGeehan and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3398) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

Resolutions Introduced

Delegate Hanshaw (Mr. Speaker) on behalf of the entire membership offered the following resolution, which was reported by the Clerk:

H. R. 19, Medal of Valor nominee Firefighter John Dean Forbush, was reported by the Clerk.

At the request of Delegate Householder, and by unanimous consent, reference of the resolution (H. R. 19) to a committee was dispensed with, and it was taken up for immediate consideration.

The resolution was read by the Clerk.

On the question of the adoption of the resolution, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken **(Roll No. 730)**, and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Mallow and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the resolution adopted.

Delegate Hanshaw (Mr. Speaker) on behalf of the entire membership offered the following resolution, which was reported by the Clerk:

H. R. 20, Medal of Valor nomination of Deputy Thomas E. Baker, III, was reported by the Clerk.

At the request of Delegate Householder, and by unanimous consent, reference of the resolution (H. R. 20) to a committee was dispensed with, and it was taken up for immediate consideration.

The resolution was read by the Clerk.

On the question of the adoption of the resolution, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken **(Roll No. 731)**, and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Mallow and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the resolution adopted.

Delegate Hanshaw (Mr. Speaker) on behalf of the entire membership offered the following resolution, which was reported by the Clerk:

H. R. 21, Medal of Valor nominee, WV State Police Trooper Eric Michael Workman, was reported by the Clerk.

At the request of Delegate Householder, and by unanimous consent, reference of the resolution (H. R. 21) to a committee was dispensed with, and it was taken up for immediate consideration.

The resolution was read by the Clerk.

On the question of the adoption of the resolution, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken **(Roll No. 732)**, and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Mallow and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the resolution adopted.

Delegate Hanshaw (Mr. Speaker) on behalf of the entire membership offered the following resolution, which was reported by the Clerk:

H. R. 22, Medal of Valor nomination of WV State Police Corporal Marshall Lee Bailey, was reported by the Clerk.

At the request of Delegate Householder, and by unanimous consent, reference of the resolution (H. R. 22) to a committee was dispensed with, and it was taken up for immediate consideration.

The resolution was read by the Clerk.

On the question of the adoption of the resolution, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken **(Roll No. 733)**, and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Mallow and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the resolution adopted.

Delegate Hanshaw (Mr. Speaker) on behalf of the entire membership offered the following resolution, which was reported by the Clerk:

H. R. 23, Medal of Valor nomination of retired Roane County Sheriff's Deputy John Westfall, was reported by the Clerk.

At the request of Delegate Householder, and by unanimous consent, reference of the resolution (H. R. 23) to a committee was dispensed with, and it was taken up for immediate consideration.

The resolution was read by the Clerk.

On the question of the adoption of the resolution, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken **(Roll No. 734)**, and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Mallow and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the resolution adopted.

Delegate Hanshaw (Mr. Speaker) on behalf of the entire membership offered the following resolution, which was reported by the Clerk:

H. R. 24, Medal of Valor nominee, James W. Spencer of the Charleston Fire Department.

At the request of Delegate Householder, and by unanimous consent, reference of the resolution (H. R. 24) to a committee was dispensed with, and it was taken up for immediate consideration.

The resolution was read by the Clerk.

On the question of the adoption of the resolution, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken **(Roll No. 735)**, and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Mallow and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the resolution adopted.

Delegate Hanshaw (Mr. Speaker) on behalf of the entire membership offered the following resolution, which was reported by the Clerk:

H. R. 25, Medal of Valor nomination of Patrolman Cassie Marie Johnson, was reported by the Clerk.

At the request of Delegate Householder, and by unanimous consent, reference of the resolution (H. R. 25) to a committee was dispensed with, and it was taken up for immediate consideration.

The resolution was read by the Clerk.

On the question of the adoption of the resolution, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken **(Roll No. 736)**, and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Mallow and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the resolution adopted.

By Delegates Howell and Clark:

H. C. R. 83 – "Requesting that the Joint Committee on Government and Finance engage in a study concerning debt collection practices by nonprofit hospitals and/or health clinics who are funded, in whole or in part, by state funding appropriation in West Virginia and assess the propriety of such debt collection practices; to the Committee on Rules.

By Delegates Rohrbach and Ferrell:

H. C. R. 84 – "Requesting the Joint Committee on Government and Finance study state aid for students of veterinary medicine with relation to §18C-1-1 and §18-11-9a of the West Virginia Code; to the Committee on Rules.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3432, Relating to statutory construction.

On motion of Delegate Householder, the House concurred in the following amendment of

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"CHAPTER 2. COMMON LAW, STATUTES, LEGAL HOLIDAYS, DEFINITIONS AND LEGAL CAPACITY.

ARTICLE 2. LEGAL HOLIDAYS; SPECIAL MEMORIAL DAYS; CONSTRUCTION OF STATUTES; DEFINITIONS.

§2-2-10. Rules for construction of statutes.

(a) The following terms are defined for this code: ~~rules shall be observed in the construction of statutes, unless a different intent on the part of the Legislature is apparent from the context:~~

~~(a) A word importing the singular number only may be applied to several persons or things, as well as to one person or thing; a word importing the plural number only may be applied to one person or thing as well as to several; and a word importing the masculine gender only may be applied to females as well as males;~~

~~(b) Words purporting to give a joint authority to three or more persons confer the authority upon a majority of them, and not upon any less number;~~

~~(c) The words 'written' or 'in writing' include any representation of words, letters or figures, whether by printing, engraving, writing or otherwise. But when the signature of any person is required, it must be in his or her own proper handwriting, or his or her mark, attested, proved or acknowledged. *Provided,* That Unless a provision of this code specifically provides otherwise, an electronic signature satisfies this signature requirement if the electronic signature meets the requirements of §39A-1-2 of this code;~~

~~(d) The words 'preceding', 'succeeding' or 'following' used in reference to any section or sections of a chapter or statute, mean next preceding, next succeeding or next following that in which the reference is made, unless a different interpretation be required by the context;~~

~~(e) An officer has qualified when he or she has done all that is required by law to be done before proceeding to exercise the authority and discharge the duties of his or her office;~~

~~(f) The words 'the Governor' are equivalent to 'the executive of the state' or 'the person having the executive power';~~

~~(g) 'Justice' or 'justices' as used in article one, chapter fifty-one of this code and in other references to a member or members of the Supreme Court of Appeals means and applies to a judge or the judges of that court as provided in the Constitution of West Virginia. The word 'justice' in most any other context is equivalent to the word 'magistrate', except when used as an historical~~

~~reference to the words 'justice of the peace'. The word 'notary' is equivalent to 'notary public';~~

~~(h) The word 'state', when applied to a part of the United States and not restricted by the context, includes the District of Columbia and the several territories, and the words 'United States' also include the said district and territories;~~

~~(i) The word 'person' or 'whoever' includes corporations, societies, associations and partnerships, and other similar legal business organizations; authorized by the Legislature, if not restricted by the context;~~

~~(j) The words 'personal representative' include the executor of a will, the administrator of the estate of a deceased person, the administrator of such estate with the will annexed, the administrator de bonis non of such estate, whether there be a will or not, the sheriff or other officer lawfully charged with the administration of the estate of a deceased person, and every other curator or committee of a decedent's estate for or against whom suits may be brought for causes of action which accrued to or against such decedent;~~

~~(k) The word 'will' embraces a testament, a codicil, an appointment by will or writing in the nature of a will in exercise of a power, also any other testamentary disposition;~~

~~(l) The word 'judgment' includes decrees and orders for the payment of money or the conveyance or delivery of land or personal property, or some interest therein, or any undertaking, bond or recognizance which has the legal effect of a judgment;~~

~~(m) The words 'under disability' include persons under the age of eighteen years, insane persons and convicts while confined in a correctional facility;~~

~~(n) The words 'insane person' include everyone who has mental illness as defined in section two, article one, chapter twenty-seven of this code;~~

~~(o) The word 'convict' means a person confined in a penitentiary or correctional facility of this or any other state, or of the United States;~~

~~(p) The word 'land' or 'lands' and the words 'real estate' or 'real property' include lands, tenements and hereditaments, all rights thereto and interests therein except chattel interests;~~

~~(q) The words 'personal estate' or 'personal property' include goods, chattels, real and personal, money, credits, investments and the evidences thereof;~~

~~(r) The word 'property' or 'estate' embraces both real and personal estate;~~

~~(s) The word 'offense' includes every act or omission for which a fine, forfeiture or punishment is imposed by law;~~

~~(t) The expression 'laws of the state' includes the Constitution of West Virginia and the Constitution of the United States, and treaties and laws made in pursuance thereof;~~

~~(u) The word 'town' includes a city, village or town, and the word 'council', any body or board, whether composed of one or more branches, who are authorized to make ordinances for the government of a city, town or village;~~

~~(v) When a council of a town, city or village, or any board, number of persons or corporations, are authorized to make ordinances, bylaws, rules, regulations or orders, the same must be consistent with the laws of this state;~~

~~(w) The words 'county court' include any existing tribunal created in lieu of a county commission; the words 'commissioner of the county court' and 'county commissioner' mean, and have reference to, the commissioners, or one of them, composing a county commission in pursuance of section nine, article IX of the Constitution, as amended, or any existing tribunal created in lieu of a county commission;~~

~~(x) The word 'horse' embraces a stallion, a mare and a gelding;~~

~~(y) The words 'railroad' and 'railway' mean the same thing in law; and, in any proceeding in which a railroad company or a railway company is a party, it is not an error to call a railroad company a railway company or vice versa; nor may any demurrer, plea or any other defense be set up to a motion, pleading or indictment in consequence of the misdescription;~~

~~(z) The sectional headings or headlines of the several sections of this code printed in black faced type are intended as mere catchwords to indicate the contents of the section and are not titles of the sections, or any part of the statute, and, unless expressly so provided, they are not part of the statute when the sections, including the headlines, are amended or reenacted;~~

~~(aa) The words 'infant' and 'minor' mean persons under the age of eighteen years as used in this code or in rules promulgated by the Supreme Court of Appeals~~

(1) 'Convict' means a person confined in a penitentiary or correctional facility of this or any other state, or of the United States;

(2) 'County court' includes any existing tribunal created in lieu of a county commission; the words 'commissioner of the county court' and 'county commissioner' mean, and have reference to, the commissioners, or one of them, composing a county commission in pursuance of section nine, article IX of the Constitution, as amended, or any existing tribunal created in lieu of a county commission;

(3) 'The Governor' is equivalent to 'the executive of the state' or 'the person having the executive power';

(4) 'Judgment' includes decrees and orders for the payment of money, or the conveyance or delivery of land or personal property, or some interest therein, or any undertaking, bond or recognizance which has the legal effect of a judgment;

(5) 'Land' or 'lands' and the words 'real estate' or 'real property' include lands, tenements and hereditaments, all rights thereto and interests therein, except chattel interests;

(6) 'Laws of the state' includes the Constitution of the State of West Virginia and the Constitution of the United States, and treaties and laws made in pursuance thereof;

(7) 'Minor' mean persons under the age of 18 years;

(8) 'Offense' includes every act or omission for which a fine, forfeiture, or punishment is imposed by law;

(9) 'Person' or 'whoever' includes corporations, societies, associations and partnerships, and other similar legal business organizations;

(10) 'Personal estate' or 'personal property' includes goods, chattels, real and personal, money, credits, investments, and the evidences thereof;

(11) 'Property' or 'estate' embraces both real and personal estate;

(12) 'Railroad' and 'railway' mean the same thing in law; and, in any proceeding in which a railroad company or a railway company is a party, it is not an error to call a railroad company a railway company or vice versa; nor may any demurrer, plea or any other defense be set up to a motion, pleading, or indictment in consequence of the misdescription;

(13) 'State', when applied to a part of the United States and not restricted by the context, includes the District of Columbia and the several territories, and the words 'United States' also include the said district and territories;

(14) 'Town' includes a city, village or town, and the word 'council', any body or board, whether composed of one or more branches, which is authorized to make ordinances for the government of a city, town, or village;

(15) 'Written' or 'in writing' includes any representation of words, letters, or figures, whether by printing, engraving, writing, or otherwise. But when the signature of any person is required, it must be in his or her own proper handwriting, or his or her mark,

attested, proved, or acknowledged. Unless a provision of this code specifically provides otherwise, an electronic signature satisfies this signature requirement if the electronic signature meets the requirements of §39A-1-2 of this code;

(b) The following rules shall be observed in the construction of statutes unless a different intent on the part of the Legislature is expressed:

(1) A word importing the singular number only may be applied to several persons or things, as well as to one person or thing; a word importing the plural number only may be applied to one person or thing as well as to several; and a word importing the masculine gender only may be applied to females as well as males;

(2) Words purporting to give joint authority to three or more persons confers authority upon a majority of them, and not upon any less number;

(3) The sectional headings or headlines of the several sections of this code printed in black-faced type are intended as mere catchwords to indicate the contents of the section and are not titles of the sections, or any part of the statute, and, unless expressly so provided, they are not part of the statute when the sections, including the headlines, are amended or reenacted;

(4) When a council of a town, city, or village, or any board, number of persons, or corporations, are authorized to make ordinances, bylaws, rules, regulations, or orders, the same must be consistent with the laws of this state;

(5) An officer has qualified when he or she has done all that is required by law to be done before proceeding to exercise the authority and discharge the duties of his or her office;

~~(bb)~~ (6) A statute is presumed to be prospective in its operation unless expressly made retrospective;

~~(cc)~~ (7) Unless there is a provision in a section, article, or chapter of this code specifying that its provisions are not severable, the provisions of every section, article, or chapter of this code,

whether enacted before or subsequent to the effective date of this subdivision, are severable so that if any provision of any section, article, or chapter is held to be unconstitutional or void, the remaining provisions of the section, article, or chapter remain valid, unless the court finds the valid provisions are so essentially and inseparably connected with, and so dependent upon, the unconstitutional or void provision that the court cannot presume the Legislature would have enacted the remaining valid provisions without the unconstitutional or void one, or unless the court finds the remaining valid provisions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent. ~~*Provided,* That if any section, article or chapter of this code has its own severability clause, then that severability clause governs and controls with respect to that section, article or chapter in lieu of the provisions of this subdivision~~ The provisions of this subdivision are fully applicable to all future amendments or additions to this code, with like effect as if the provisions of this subdivision were set forth in extenso in every amendment or addition and were reenacted as a part thereof; ~~unless the amendment or addition contains its own severability clause~~

~~(dd)~~ (8) A reference to any section, article, or chapter of this code applies to all reenactments, revisions, or amendments thereof;

~~(ee)~~ (9) If a statute refers to a series of numbers or letters, the first and the last numbers or letters in the series are considered to be included;

~~(ff) The words 'board of regents', wherever they appear in the code, mean the Higher Education Policy Commission created in article one-b, chapter eighteen-b of this code or the West Virginia Council for Community and Technical College Education created in article two-b of said chapter unless the term is used in relation to activities conducted solely by an institution or institutions governed by article two-a of said chapter in which case it only means the board of governors of the specific institution or institutions; and~~

~~(gg)~~ (10) No legislative enactment of a regulatory, noncriminal nature may be construed to prohibit a lawful business or business

structure in existence and operating in this state prior to the effective date of the enactment of legislation prohibiting the operation of such business or business structure absent an express legislative declaration in the enactment that the existing business or business structure is prohibited from continuing after the effective date of the enactment.

(11) Statutes are construed to avoid absurd results;

(12) Statutes are to be read as a whole, in context, and, if possible, the court is to give effect to every word of the statute; and

(13) When two or more bills amending the same statute are passed during the same session of the Legislature, the form of the statute in the enrolled bill passed latest in time shall control.

§2-2-12. Headlines, etc., not part of act; notes, etc., attached to bills not to be construed as expressing legislative intent.

Chapter, article, or section headings, headlines or headnotes of any act of the Legislature, whether in the act at the time of passage or inserted by the Clerk of the House of Delegates in editing, compiling and publishing the acts of the Legislature, are ~~hereby declared to be~~ mere catchwords and shall not be deemed or construed to be titles of such chapters, articles, or sections, or as any part thereof, or as indicating or expressing legislative intent or purpose.

Abstracts of bills or of changes proposed in existing statutes, explanatory notes, and declarations of purpose accompanying bills at the time of introduction in the Legislature or appended or attached thereto after introduction, and included with copies of such bills printed or otherwise reproduced by the Legislature or either house thereof, are ~~hereby declared~~ not to be a part of such bills or of reports of committees thereon, and shall not be construed or interpreted as indicating or expressing legislative intent.

CHAPTER 4. THE LEGISLATURE.

ARTICLE 1. OFFICERS, MEMBERS, AND EMPLOYEES; APPROPRIATIONS; INVESTIGATIONS; DISPLAY OF

FLAGS; RECORDS; USE OF CAPITOL BUILDING; PREFILING OF BILLS AND RESOLUTIONS; STANDING COMMITTEES; INTERIM MEETINGS; NEXT MEETING OF THE SENATE.

§4-1-13. Clerk of house to be keeper of rolls; compensation; duties as to acts; copies; fees; printing.

(a) The Clerk of the House of Delegates shall be the keeper of the rolls, and for his or her duties as such, ~~he~~ the clerk shall receive $300 in addition to his salary as clerk. After a bill or joint resolution has passed both houses, ~~he~~ the clerk shall cause the same to be correctly recorded, in a legible manner, in a well-bound book, to be kept for that purpose exclusively, which recording shall be equivalent to enrollment. ~~He~~ The clerk shall have custody of the acts and joint resolutions of the Legislature and shall make a certified copy of them for any person requiring the same. For a copy of an act or joint resolution, ~~he~~ the clerk may demand of the person at whose request it was made, 50 cents, or, at ~~his~~ the clerk's option, 3 cents for every 30 words contained therein. As soon as possible after the close of each session, ~~he~~ the clerk shall prepare a well-arranged index to the acts and joint resolutions passed at such session, and shall furnish to the printer who has the contract for such printing the manuscript of such acts, resolutions, and index and all matter directed by law to be printed therewith, properly prepared and arranged for publication, and shall superintend the printing thereof.

(b) When two or more bills amending the same statute are passed during the same session of the Legislature, the form of the statute in the enrolled bill passed latest in time shall control."

And,

By amending the title of the bill to read as follows:

H. B. 3432 – "A Bill to amend and reenact §2-2-10 and §2-2-12 of the Code of West Virginia, 1931, as amended; and to amend and reenact §4-1-13 of said code, all relating to statutory construction generally; defining terms; clarifying that where two

bills affecting the same section of code pass the Legislature in the same session, the later passed version controls; and clarifying the authority of the legislative clerks."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 737)**, and there were—yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Ferrell, Fluharty, W. Hall, Linville, Longanacre, Mallow and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3432) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 738)**, and there were—yeas 93, nays 1, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Rowe.

Absent and Not Voting: Clark, W. Hall, Linville, Longanacre, Mallow and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3432) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

H. B. 3555, Relating to student purchase and refunds of course material.

On motion of Delegate Kimble, the House concurred in the following amendment of the bill by the Senate:

On page 8, section 14, line 179, by striking out "(n)" and inserting in lieu thereof "(m)";

And,

By relettering the remaining subsections.

And,

By amending the title of the bill to read as follows:

H. B. 3555 – "A Bill to amend and reenact §18B-10-14 of the Code of West Virginia, 1931, as amended, relating to allowing higher education institutions to offer a courseware and book fee at a lump sum or per credit hour amount if an opt out option is offered for students in advance of the start of each academic term; amending provisions pertaining to requirements imposed on institutions when there are new or increased charges for course materials or digital courseware for certain reasons; adding to exclusions from the requirement that the agreement between an institution and an entity under which the institution assesses on the entity's behalf or allows the entity to assess a charge to students enrolled at the institution include a prohibition against the entity engaging in, or authorizing third parties to engage in, the sale, disclosure, licensing, use, retention, or other exploitation of any data collected under the agreement; and removing prohibition against denial of a student access to educational materials for which the student has been, or would otherwise be, automatically charged on the student's refusal or failure to agree to the sale, disclosure, licensing, use, retention, or other exploitation of any data pertaining to the student that would be obtained through the use of the student's educational materials."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 739)**, and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Clark, Longanacre, Mallow and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3555) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

H. B. 3559, Relating to defining a newborn safety device.

On motion of Delegate Kimble, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 4. COURT ACTIONS.**

§49-4-201. Accepting possession of certain relinquished children.

(a) A hospital or health care facility operating in this state, or a fire department that has been designated a safe-surrender site under §49-4-206 of this code, shall, without a court order, take possession of a child if the child is voluntarily delivered to the hospital, health care facility, or fire department by the child's parent within 30 days of the child's birth, and the parent did not express an intent to return for the child.

(b) A hospital, health care facility, or fire department that takes possession of a child under this article shall perform any act

necessary to protect the physical health or safety of the child. In accepting possession of the child, the hospital, health care facility, or fire department may not require the person to identify himself or herself and shall otherwise respect the person's desire to remain anonymous.

(c) Hospitals, health care facilities, and fire departments designated as safe-surrender sites under §49-4-206, of this code may install and operate newborn safety devices as defined in this section.

(d) 'Newborn safety device' means a device:

(1) Designed to permit a person to anonymously place a child under 30 days of age in the device with the intent to leave the child, and for a licensed emergency medical services provider to remove the child from the device and take custody of him or her;

(2) Equipped with an adequate dual alarm system connected to the physical location where the device is physically installed. The dual alarm system shall:

(A) Be tested at least one time per week to ensure the alarm system is in working order; and

(B) Be visually checked at least two times per day to ensure the alarm system is in working order;

(C) Notify a centralized location in the facility within 30 seconds of a child being placed in the device;

(D) Trigger a 911 call if staff at the facility do not respond within 15 minutes after a child is placed in the device.

(3) Be approved by and physically located, with outside access, at a participating hospital or medical facility, or a fire department that has been designated a safe-surrender site under §49-4-206 of this code, that:

(A) Is licensed or otherwise legally operating in this state; and

(B) Is staffed continuously on a 24-hour basis every day by a licensed emergency medical services provider; and

(4) Is located in an area that is conspicuous and visible to a hospital, a medical facility, or a fire department.

(d) A person who relinquishes a child in a newborn safety device may remain anonymous and shall not be pursued, and the relinquishment of a child pursuant to the provisions of this section shall not, in and of itself, be considered child abuse and neglect as that term is defined in §49-1-201 of this code.

(e) Any emergency medical services provider who physically retrieves a child from a newborn safety device shall immediately arrange for the child to be taken to the nearest hospital emergency room and shall have implied consent to any and all appropriate medical treatment.

(f) By placing a child in a newborn safety device, the person:

(1) Waives the right to notification required by subsequent court proceedings; and

(2) Waives legal standing to make a claim of action against any person who accepts physical custody of the child.

(g) An emergency medical services provider with the duty granted in this article whose actions are taken in good faith is immune from criminal or civil liability, unless his or her actions were the result of gross negligence or willful misconduct. The grant of immunity in this section extends to all employees and administrators of the emergency medical services provider.

(h) The provisions of subsection (d) of this section shall not apply when indicators of child physical abuse or child neglect are present."

And,

By amending the title of the bill to read as follows:

H. B. 3559 – "A Bill to amend and reenact §49-4-201 of the Code of West Virginia, 1931, as amended, relating to newborn safety devices; authorizing the use of newborn safety devices; describing the installation and location of a newborn safety device; granting anonymity to the person placing a child in a newborn safety device; outlining the monitoring of a newborn safety device; requiring the transportation of a child found in a newborn safety device to a hospital or medical facility; waiving rights of notification and standing by the person placing a child in a newborn safety device; granting immunity to the emergency service medical provider who removes the child from the newborn safety device; and removing the anonymity provision if child abuse or neglect are evident."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 740)**, and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Mallow and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3559) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates, with further title amendment, and the passage, as amended, of

Com. Sub. for S. B. 191, Relating to liability for payment of court costs as condition of pretrial diversion agreement.

On motion of Delegate Kimble, the House concurred in the following Senate title amendment:

Com. Sub. for S. B. 191 - "A Bill to amend and reenact §62-11C-9 of the Code of West Virginia, 1931, as amended, relating to community corrections generally; making participation in a community corrections program a possible condition of deferred adjudication; clarifying conditions of deferred adjudication; clarifying terms of pretrial diversion agreements; clarifying that no contest pleas may be a part of a pretrial diversion or deferred adjudication agreement; setting forth offenses which require a defendant's actual appearance before a court in deferred adjudication matters; clarifying judicial options where a defendant does not successfully complete his or her program; and providing that inability to pay court costs or and restitution is not a basis for denying a person deferred adjudication."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 741)**, and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Mallow and Westfall.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 191) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

At 12:11 p.m., on motion of Delegate Householder, the House of Delegates recessed until 2:00 p.m.

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Afternoon Session

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The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

S. C. R. 24, Renaming Mount Olive Correctional Complex and Jail as Mike V. Coleman Maximum Security Complex; having been postponed in earlier proceedings, was reported by the Clerk.

Delegate Fast moved to amend the resolution on page 1, line 1, after the word, Jail, by striking, "the Mike V. Coleman Maximum Security Complex."; and inserting in lieu thereof the following: "the Mike V. Coleman Mount Olive Maximum Security Complex.";

And,

On page 3, line 13 by striking, "the Mike V. Coleman Maximum Security Complex;" and inserting in lieu thereof the following: "the Mike V. Coleman Mount Olive Maximum Security Complex."

On the adoption of the amendment, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken **(Roll No. 742)**, and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Dillon, Foster, Mallow, Skaff and Westfall.

So, a majority of the members present having voted in the affirmative, the amendment was adopted.

On the question of the adoption of the resolution, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken **(Roll No. 743)**, and there were—yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Dillon, Foster, Mallow, Skaff, Steele and Westfall.

So, a majority of the members present having voted in the affirmative, the Speaker declared the resolution (S. C. R. 24) adopted.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2436, Relating to the implementation of an acuity-based patient classification system.

On motion of Delegate Householder, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**CHAPTER 16. PUBLIC HEALTH.**

ARTICLE 5B. HOSPITALS AND SIMILAR INSTITUTIONS.

§16-5B-20. Patient safety and transparency.

(a) As used in this section:

'Acuity-based patient classification system' means a set of criteria based on scientific data that acts as a measurement instrument which predicts registered nursing care requirements for individual patients based on severity of patient illness, need for specialized equipment and technology, intensity of nursing interventions required, and the complexity of clinical nursing judgment needed to design, implement and evaluate the patient's nursing care plan consistent with professional standards of care. The acuity system criteria shall take into consideration the patient

care services provided by registered nurses, licensed practical nurses and other health care personnel.

'Competency' means those observable and measurable knowledge, skills, abilities and personal attributes, as determined by the facility, that demonstrate a nurse's ability to safely perform expected nursing duties of a unit.

'Direct-care registered nurse' means a registered nurse, who is a member of the facility's staff, has no management role or responsibility, and accepts direct responsibility and accountability to carry out medical regimens, nursing or other bedside care for patients.

'Facility' means a hospital, licensed pursuant to the provisions of this article, a licensed private or state-owned and operated general acute-care hospital, an acute psychiatric hospital, or any acute-care unit within a state operated facility.

'Nursing care' means care which falls within the scope of practice, as provided §30-7-1 *et seq.* of this code.

'Orientation' means the process that the facility develops to provide initial training and information to clinical staff relative to job responsibilities and the organization's mission and goals.

'Unit' means those areas of the hospital organization not considered departments which provide specialized patient care.

'Unit Nurse Staffing Committee' means a committee made up of facility employees which includes a minimum of 51 percent of direct-care registered nurses who regularly provide direct nursing care to patients on the unit of the facility for which the nurse staffing plan is developed.

(b) The Legislature finds that to better improve the quality and efficiency of health care and to better facilitate planning for future states of emergency in West Virginia, a comprehensive system for nurses should be established to create staffing plans to ensure facilities are adequately staffed to handle the daily workload that may accompany a state of emergency. Further, the Legislature

finds that nurses in West Virginia fall under the definition of 'critical infrastructure,' and by establishing a comprehensive staffing plan, West Virginia will be better equipped to deal with employment and staffing issues associated with higher acuity treatment in facilities. Additionally, the Legislature finds that based upon the nature of the acuity-based patient classification system it relies upon confidential patient information to generate a staffing plan model and therefore both the classification system and the staffing plan are considered confidential records as defined in §30-3C-3 of this code and are therefore not subject to discovery in any civil action or administrative proceeding.

(c) A facility shall:

(1) Develop, by July 1, 2024, an acuity-based patient classification system to be used to establish the staffing plan to be used for each unit;

(2) Direct each unit nurse staffing committee to annually review the facility's current acuity- based patient classification system and submit recommendations to the facility for changes based on current standards of practice; and

(3) Provide orientation, competency validation, education, and training programs in accordance with a nationally recognized accrediting body recognized by the Centers for Medicare and Medicaid Services or in accordance with the Office of Health Facility Licensure and Certification. The orientation shall include providing for orientation of registered nursing staff to assigned clinical practice areas.

CHAPTER 33. INSURANCE.

ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.

§33-15-23. Copayments for certain services.

(a) A policy, provision, contract, plan, or agreement subject to this article may not impose a copayment, coinsurance, or office visit deductible amount charged to the insured for services rendered for each date of service by a licensed occupational

therapist, licensed occupational therapist assistant, licensed speech-language pathologist, licensed speech-language pathologist assistant, licensed physical therapist, or a licensed physical therapist assistant that is greater than the copayment, coinsurance, or office visit deductible amount charged to the insured for the services of a primary care physician or an osteopathic physician.

(b) The policy, provision, contract, plan, or agreement shall clearly state the availability of occupational therapy, speech-language therapy, and physical therapy coverage and all related limitations, conditions, and exclusions.

ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.

§33-16-19. Copayments for certain services.

(a) A group health plan, health benefit plan or network plan subject to this article may not impose a copayment, coinsurance, or office visit deductible amount charged to the insured for services rendered for each date of service by a licensed occupational therapist, licensed occupational therapist assistant, licensed speech-language pathologist, licensed speech-language pathologist assistant, licensed physical therapist, or a licensed physical therapist assistant that is greater than the copayment, coinsurance, or office visit deductible amount charged to the insured for the services of a primary care physician or an osteopathic physician.

(b) The group health plan, health benefit plan or network plan shall clearly state the availability of occupational therapy, speech-language therapy, and physical therapy coverage and all related limitations, conditions, and exclusions.

ARTICLE 24. HOSPITAL SERVICE CORPORATIONS, MEDICAL SERVICE CORPORATIONS, DENTAL SERVICE CORPORATIONS AND HEALTH SERVICE CORPORATIONS.

§33-24-7x. Copayments for certain services.

(a) A policy, provision, contract, plan, or agreement subject to this article may not impose a copayment, coinsurance, or office visit deductible amount charged to a subscriber for services rendered for each date of service by a licensed occupational therapist, licensed occupational therapist assistant, licensed speech-language pathologist, licensed speech-language pathologist assistant, licensed physical therapist, or a licensed physical therapist assistant that is greater than the copayment, coinsurance, or office visit deductible amount charged to the subscriber for the services of a primary care physician or an osteopathic physician.

(b) The policy, provision, contract, plan, or agreement shall clearly state the availability of occupational therapy, speech-language therapy, and physical therapy coverage and all related limitations, conditions, and exclusions.

ARTICLE 25. HEALTH CARE CORPORATIONS.

§33-25-8u. Copayments for certain services.

(a) A policy, provision, contract, plan, or agreement subject to this article may not impose a copayment, coinsurance, or office visit deductible amount charged to a subscriber or member for services rendered for each date of service by a licensed occupational therapist, licensed occupational therapist assistant, licensed speech-language pathologist, licensed speech-language pathologist assistant, licensed physical therapist, or a licensed physical therapist assistant that is greater than the copayment, coinsurance, or office visit deductible amount charged to the subscriber or member for the services of a primary care physician or an osteopathic physician.

(b) The policy, provision, contract, plan, or agreement shall clearly state the availability of occupational therapy, speech-language therapy, and physical therapy coverage and all related limitations, conditions, and exclusions.

ARTICLE 25A. HEALTH MAINTENANCE ORGANIZATION ACT.

§33-25A-8x. Copayments for certain services.

(a) A health maintenance organization issuing coverage in this state pursuant to the provisions of this article may not impose a copayment, coinsurance, or office visit deductible amount charged to a subscriber or member for services rendered for each date of service by a licensed occupational therapist, licensed occupational therapist assistant, licensed speech-language pathologist, licensed speech-pathologist assistant, licensed physical therapist, or a licensed physical therapist assistant that is greater than the copayment, coinsurance, or office visit deductible amount charged to the subscriber or member for the services of a primary care physician or an osteopathic physician.

(b) The policy, provision, contract, plan, or agreement subject to this article shall clearly state the availability of occupational therapy, speech-language therapy, and physical therapy coverage and all related limitations, conditions, and exclusions."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 2436 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-5B-20; by adding thereto a new section, designated §33-15-23; by adding thereto a new section, designated §33-16-19; by adding thereto a new section, designated §33-24-7x; by adding thereto a new section, designated §33-25-8u; and by adding thereto a new section, designated §33-25A-8x, all relating to healthcare; defining terms; providing for legislative findings; providing certain information is not subject to discovery; establishing a process to develop a plan; providing for training; and prohibiting an insurer from imposing a copayment, for services rendered by a licensed occupational therapist, licensed occupational therapist assistant, licensed speech-language pathologist, licensed speech-language pathologist assistant, licensed physical therapist or a licensed physical therapist assistant, that is more than a copayment imposed for the services of a primary care physician or an osteopathic physician.

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 744)**, and there were—yeas 94, nays 2, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Dillon and Keaton.

Absent and Not Voting: Bridges, Mallow, Skaff and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2436) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

H. B. 2967, Expediting License Applications for active military members and veterans, and their spouses.

On motion of Delegate Kelly, the House concurred in the following amendment by the Senate, with further amendment:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 1B. PROVISIONS APPLICABLE TO MILITARY MEMBERS AND THEIR SPOUSES.**

§30-1B-1. Legislative findings and declarations.

The Legislature finds that:

(1) In recognition of the enormous sacrifices made by members of the Armed Forces of the United States of America and their families in voluntary service to this state and our nation, the

citizens of West Virginia must endeavor to find new and innovative ways to improve the lives of military families and support their personal and professional growth;

(2) Many current and former members of the United States Armed Forces have acquired extensive academic, professional and occupational training and experience in various professions and occupations while serving in the Armed Forces, comparable to or exceeding that required in this state to register for examination or qualify for licensure, certification, or registration for similar or related occupations and professions;

~~(3) Military families are ten times more likely to move from one state to another than their civilian counterparts, and 35% of military spouses work in professions that require state licenses, certifications or registrations~~

~~(4)~~ (3) Veterans of the ~~Armed~~ armed forces and the spouses of current members who return or relocate to this state ~~after being called to active duty service, and spouses accompanying armed forces members outside of this state or to this state for active duty~~ are frequently delayed in beginning employment as professionals because of issues with obtaining licenses, certifications or registrations upon arrival or return to West Virginia;

~~(5) The boards in this chapter have the particular expertise necessary to evaluate and determine the adequacy of military education, training and experience for licensure, certification or registration and to adopt procedures that ease the burden of transition for military families through waivers, temporary licensing, or otherwise, while ensuring competency of professionals and protecting the citizens of the state from harm.~~

(4) Because of the training and experiences these individuals have and the challenges they may face when seeking licensure, certification, or registration, it is in the best interests of this state to ease these burdens and ensure the boards in this chapter use the relevant experiences of these men and women to ensure they are able to find employment as quickly as possible.

§30-1B-2. ~~Consideration of military education, training and experience for licensure or registration, generally~~ Licensure for individuals with military training and experience.

(a) Except as provided in ~~section eight of this article, and notwithstanding any law to the contrary, all boards referred to in this chapter shall, upon presentation of satisfactory evidence by an applicant for licensure, certification or registration, consider the individual's education, training or experience as a member of the Armed Forces or Reserves of the United States, the National Guard of any state, or the military reserves of any state, as part of the evaluation process toward the qualifications to receive, or take examination for, that respective professional license, certification or registration.~~ subsection (c) of this section, and notwithstanding any other provision of this Code to the contrary, all boards referred to in this chapter shall issue a license, certification, or registration to a military-trained applicant to allow the applicant to lawfully practice the applicant's occupation in this state if, upon application to a board, the military-trained applicant satisfies the following conditions:

(1) Has been awarded a military occupational specialty and has done all of the following at a level that is substantially equivalent to or exceeds the requirements for licensure, certification, or registration of the board from which the applicant is seeking licensure, certification, or registration in this state:

(A) Completed a military program of training;

(B) Completed testing or equivalent training and experience; and

(C) Performed in the occupational specialty;

(2) Has engaged in the active practice of the occupation for which the person is seeking a license, certification, or permit from the board in this state for at least two of the five years preceding the date of the application under this section; and

(3) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license to practice that occupation in this state at the time the act was committed and has no pending complaints.

(b) No later than 15 days following receipt of an application from a military-trained applicant, the board shall either issue a license, certification, registration, or notify an applicant when the applicant's military training or experience does not satisfy the requirements for licensure, certification, or registration and specify the criteria or requirements that the board determined that the applicant failed to meet and the basis for that determination. If a military-trained applicant has a pending complaint under §30-1B-3(a)(3), the board shall notify the applicant no later than 15 days following the board receiving written notice of the disposition of the pending complaint.

(c) A board shall issue a license, certification, or registration to a military-trained applicant to allow the applicant to lawfully practice the applicant's occupation in this state if the military-trained applicant, upon application to the board, satisfies the following conditions:

(1) Presents official, notarized documentation, such as a U.S. Department of Defense Form 214 (DD-214), or similar substantiation, attesting to the applicant's military occupational specialty certification and experience in an occupational field within the board's purview; and

(2) Passes a proficiency examination offered by the board to military-trained applicants in lieu of satisfying the conditions set forth in subsection (a) of this section; However, if an applicant fails the proficiency examination, then the applicant may be required by the board to satisfy those conditions.

(d) In any case where a proficiency examination is not offered routinely by a board, the board shall design a fair proficiency examination for military-trained applicants to obtain licensure, certification, or registration under this section. If a proficiency

examination is offered routinely by a board, that examination shall satisfy the requirements of this section.

(e) All relevant experience of a military service member in the discharge of official shall be credited in the calculation of years of practice in an occupation as required under subsection (a) of this section.

(f) A nonresident licensed, certified, or registered under this section shall be entitled to the same rights and subject to the same obligations as required of a resident licensed, certified, or registered by all boards referred to in this chapter.

(g) Nothing in this section may be construed to apply to the practice of law under §30-2-1 *et seq.* of this code, the practice of medicine under article § 30-3-1 et. seq. of this code, or the practice of osteopathic medicine under article § 30-14-1 *et seq.* of this code.

(h) Nothing in this section may be construed to prohibit a military-trained applicant from proceeding under the existing licensure, certification, or registration requirements established by a board referred to in this chapter.

(i) A board may not charge a military-trained applicant an initial application fee for a license, certification, registration, or temporary practice permit issued pursuant to this section: *Provided*, That nothing in this subsection may be construed to prohibit a board from charging its ordinary fee for a renewal application or prohibit a third party from charging actual costs for a service such as a background check.

§30-1B-3. Licensure ~~certification or registration of persons on military active duty outside this state; extension of licenses or registration; waiver of certain license, certification or registration requirements~~ for military spouses.

~~(a) During periods when the licensee, certificate holder or registrant is on active duty as a member of the Armed Forces of the United States and deployed outside of this state, and for six months after discharge from active duty, his or her license, certification or registration shall continue in good standing and shall be renewed,~~

~~upon receipt of a waiver request pursuant to subsection (b) of this section:~~

~~(1) Without meeting continuing education requirements for the license, certification or registration when:~~

~~(A) Circumstances associated with the military duty prevent the obtaining of continuing education, or~~

~~(B) The licensee, certificate holder or registrant performs the profession or occupation as part of his or her military duties, as may be evidenced by annotation on Defense Department Form 214 (DD214), National Guard Bureau Form 22 (NGB22) or other official record; and~~

~~(2) Without payment of fees for the renewal of the license, certification or registration~~

~~(b)~~ (a) ~~The licensee, certificate holder or registrant shall submit a waiver request to the appropriate board, informing the board of circumstances which include, but are not limited to, being deployed outside of this state~~ Notwithstanding any other provision of this code to the contrary, all boards referred to in this chapter shall issue a license, certification, or registration to a military spouse to allow the spouse of an active duty military member who is a resident of this state who is assigned to state, or federal active duty in this state to lawfully practice the spouse's occupation in this state if, upon application to a board, the spouse satisfies the following conditions:

(1) Holds a current license, certification, or registration from another jurisdiction, and that jurisdiction's requirements for licensure, certification, or registration are substantially equivalent to or exceed the requirements for licensure, certification, or registration of the board for which the applicant is seeking licensure, certification, or registration in this state;

(2) Can demonstrate competency in the occupation through methods as determined by the board, such as having completed continuing education units or having had recent experience for at

least two of the five years preceding the date of the application under this section;

(3) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license to practice that occupation in this state at the time the act was committed; and

(4) Is in good standing; has not been disciplined by the agency that had jurisdiction to issue the license, certification, or permit; and has no pending complaints.

(b) No later than 15 days following receipt of an application from a spouse the board shall either issue a license, certification, registration, or notify an applicant when the applicant's training or experience does not satisfy the requirements for licensure, certification, or registration and specify the criteria or requirements that the board determined that the applicant failed to meet and the basis for that determination. If an applicant who is a military spouse has a pending complaint under §30-1B-(a)(4), the board shall notify the applicant no later than 15 days following the board receiving written notice of the disposition of the pending complaint.

(c) All relevant experience of a military spouse, including full-time and part-time experience, regardless of whether in a paid or volunteer capacity, shall be credited in the calculation of years of practice in an occupation as required under subsection (a) of this section.

(d) A nonresident licensed, certified, or registered under this section is entitled to the same rights and subject to the same obligations as required of a resident licensed, certified, or registered by all boards referred to in this chapter.

(e) Nothing in this section may be construed to apply to the practice of law under article §30-2-1 *et seq.* of this code, the practice of medicine under article § 30-3-1 *et. seq*. of this code, or the practice of osteopathic medicine under article § 30-14-1 *et seq.* of this code.

(f) Nothing in this section may be construed to prohibit a spouse from proceeding under the existing licensure, certification, or registration requirements established by a board referred to in this chapter.

(g) A board may not charge a military spouse an initial application fee for a license, certification, registration, or temporary practice permit issued pursuant to this section: *Provided*, That nothing in this subsection may be construed to prohibit a board from charging its ordinary fee for a renewal application or prohibit a third party from charging actual costs for a service such as a background check.

§30-1B-4. Temporary licensure ~~certification or registration of spouses of persons on military active duty outside this state; extension of licenses or registration; waiver of certain license, certification or registration requirements~~.

~~(a) During periods when the licensee, certificate holder or registrant is accompanying his or her spouse who is on active duty as a member of the Armed Forces of the United States and deployed outside of this state, and for six months after his or her spouse is discharged from active duty, his or her license, certification or registration shall continue in good standing and shall be renewed, upon receipt of a waiver request pursuant to subsection (b) of this section:~~

~~(1) Without meeting continuing education requirements for the license, certification or registration when:~~

~~(A) Circumstances associated with accompanying his or her spouse who is on active duty prevent the obtaining of continuing education, or~~

~~(B) The licensee, certificate holder or registrant presents evidence that he or she performs or performed the profession or occupation while accompanying his or her spouse on active duty; and~~

~~(2) Without payment of fees for the maintenance or renewal of the license, certification or registration.~~

~~(b) The licensee, certificate holder or registrant shall submit a waiver request to the appropriate board informing the board of circumstances which include, but are not limited to, accompanying a spouse who is deployed outside of this state~~

All boards referred to in this chapter shall issue a temporary practice permit to a military-trained applicant or military spouse licensed, certified, or registered in another jurisdiction while the military-trained applicant or military spouse is satisfying the requirements for licensure under sections three and four of this section no later than 15 days following receipt of an application; if that jurisdiction has licensure, certification, or registration standards substantially equivalent to the standards for licensure, certification, or registration of a board in this state. The temporary practice permit shall be issued using the same information as provided by the applicant in the licensure application and remain valid for the later of one year or the required renewal date for the occupation the temporary practice permit was issued for or until a license, certification, or registration is granted by the board. A temporary practice permit may be denied or revoked for a pending complaint after notice is provided to the military-trained applicant or military spouse as set forth under §30-1B-3(a)(3) and §30-1B-(a)(4), or §30-1B-4(a) of this article.

§30-1B-5. Temporary licensure, certification or registration of spouses of persons on military active duty; waiver of certain license, certification or registration fees.

[Repealed.]

§30-1B-7. Data Collection.

[Repealed.]"

And,

By amending the title of the bill to read as follows:

H. B. 2967 – "A Bill to amend and reenact §30-1-23 of the Code of West Virginia, 1931, as amended; and to repeal §30-1B-5 and §30-1B-7 of said code, all relating to professions and

occupations; licensure provisions for individuals with military training and experience applicable to military members and their spouses; and providing for the expedited processing of professional or trade license applications for service members, veterans, and their spouses, when the applicant is licensed and in good standing in another jurisdiction."

With the further amendments, sponsored by Delegate Phillips, being as follows:

On page 4, section 30-1B-2, line 77, by inserting the word "duties" immediately following the word "official";

And,

On page 8, section 30-1B-4, line 177, by striking the words "three and four" and inserting in lieu thereof "two and three";

And,

On page 8, section 30-1B-4, line 185, by striking "§30-1B-3(a)(3) and §30-1B-(a)(4), or §30-1B-4(a)" and inserting in lieu thereof "§30-1B-2(a)(3), §30-1B-3(a)(3), or §30-1B-3(a)(4)";

And,

With the further title amendment sponsored by Delegate Phillips, amending the title of the bill to read as follows:

H. B. 2967 - "A Bill to amend and reenact §30-1B-1, §30-1B-2, §30-1B-3, and §30-1B-4 of the Code of West Virginia, 1931, as amended; and to repeal §30-1B-5 and §30-1B-7 of said code, all relating to licensure to practice professions and occupations; stating findings; establishing standards for licensure of military-trained applicants; creating an exception for the practices of law, medicine, and osteopathic medicine; mandating boards act on applications from military-trained applicants not later than 15 days after receipt; providing for conditions for issuance of authorization to practice occupation or trade to military-trained applicants; prohibiting board from charging fee for initial authorization to practice; establishing standards for licensing spouses of current

military members; creating an exception for the practices of law, medicine, and osteopathic medicine; mandating boards act on applications from spouses not later than 15 days after receipt; prohibiting boards from charging fee to spouse of military member for initial authorization to practice; and providing for temporary authorization to practice while application is pending."

The bill, as amended by the Senate, and further amended by the House, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 745)**, and there were—yeas 96, nays 1, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Forsht.

Absent and Not Voting: Mallow, Skaff and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 2967) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3035, Relating generally to high-quality education programs and school operations.

On motion of Delegate Kimble, the House concurred in the following amendment by the Senate, with further amendment:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**§18-2E-10. Third Grade Success Act; ~~transformative~~ multi-tiered system of support for early literacy and numeracy in kindergarten through grade three; pre-service and in-**

service teacher training; notice to parent or guardian; third grade retention policy with exceptions; interventions continuing in fourth grade for students below proficient.

(a) This section shall be known and may be cited as the Third Grade Success Act.

~~(a)~~ (b) The Legislature finds that:

(1) In the early learning years, ensuring that each student masters the content and skills needed for mastery at the next grade level is critically important for student success;

(2) Students who do not demonstrate grade-level proficiency in reading by the end of third grade become increasingly less likely to succeed at each successive grade level and often drop out of school prior to graduation;

(3) State board policy requires every school to establish a process for ensuring the developmental and academic progress of all students. This process is to be coordinated by a school student assistance team that reviews student developmental and academic needs that have persisted despite being addressed through instruction, multi-tiered system of support for intervention, and as applicable, supports for personalized learning. Ensuring the developmental and academic success of all students requires every school to implement, in an equitable manner, programs during and after the instructional day at the appropriate instructional levels that contribute to the success of students; and

(4) To ensure that all students read and perform mathematics proficiently by the end of third grade, a statewide comprehensive approach to early literacy and numeracy is required. This approach shall focus on intensive supports during the early learning years which include schools and engaged communities mobilized to remove barriers, expand opportunities, and assist parents in fulfilling their roles and responsibilities to serve as full partners in the success of their children.

(c) 'Science of reading' means evidence-based reading instruction practices that address the acquisition of language,

phonological and phonemic awareness, phonics and spelling, fluency, vocabulary, oral language, comprehension, and writing that can be differentiated to meet the needs of individual students.

~~(b)~~ (d) The state board shall, in accordance with ~~the provisions of article three-b, chapter twenty-nine-a~~ §29A-3B-1 *et seq.* of this code, promulgate legislative rules as necessary to effectuate the provisions of this section. The rules shall provide for at least the following:

(1) Development of a statewide comprehensive, systemic approach to close the reading and mathematics achievement ~~gap~~ gaps by third grade, which targets school readiness, the attendance gap, science of reading instruction (phonics, phonemic awareness, vocabulary, fluency, comprehension, and writing), summer learning loss, the use of screeners and/or benchmark assessments in English language arts and mathematics for students in grades kindergarten through three, and a multi-tiered system of support for students exhibiting a substantial reading or mathematics deficiency; ~~transformative intervention framework for student and learning supports;~~

(2) Ensuring all West Virginia children have access to high-quality early learning experiences that focus on healthy learners as part of the school readiness model, resulting in increased populations of children on target for healthy development prior to entering first grade;

(3) Closing the attendance gap to certify West Virginia children attend school regularly and limit chronic absenteeism in the early grades;

(4) Providing assistance to county boards with the training and implementation of the science of reading training for all kindergarten through grade three educators, early childhood classroom assistant teachers, aides, and any interventionists that a county board may choose to employ instead of an early childhood classroom assistant teacher or aide pursuant to §18-5-18a(b) of this code;

(5) ~~(4)~~ Assisting county boards in establishing and operating targeted, sustained extended day and extended year reading and mathematics programs to ensure grade level proficiency and battle summer learning loss;

(6) Establishing an approved list of screeners and/or benchmark assessments in English language arts and mathematics for students in grades kindergarten through three for the purpose of identifying students with a significant reading and/or mathematics deficiency. The screener and/or benchmark assessments shall be given in the first 30 days of the school year and repeated at mid-year and at the end of the school year to determine student progression in reading and mathematics in kindergarten through third grade;

(7) Establishing an approved list of dyslexia screeners to be administered to students no less than twice per year in kindergarten through third grade and any time students with identified deficiencies are not responding to interventions;

(8) Any student in kindergarten or grades one through three who exhibits a deficiency in reading at any time, based upon the screeners and/or benchmark assessments, and/or the comprehensive statewide student assessment, and any fourth-grade student promoted for good cause shall receive an individual reading improvement plan no later than 30 days after the identification of the reading deficiency. The reading improvement plan shall be created by the teacher, principal, other pertinent school personnel, and the parent(s), and shall describe the research-based reading intervention services the student will receive to remedy the reading deficit. Each student shall receive intensive reading intervention until the student no longer has a deficiency in reading. Reading interventions may include evidence-based strategies frequently used to remediate reading deficiencies and includes, but is not limited to, individual instruction, small-group instruction, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities;

~~(5)~~ (9) Maximizing family engagement to result in the development of a culture of literacy and numeracy, ~~from birth through third grade~~ which shall at least include:

(A) Providing parents or guardians with regular updates to inform them of their child's progress toward proficiency in reading and mathematics;

(B) Ensuring parents or guardians are informed of and have access to resources which they may utilize to improve their child's literacy and numeracy skills;

(C) Ensuring the parent or guardian is informed of the importance of their child being able to demonstrate grade level reading and mathematics skills by the end of the third grade and the measures that will be employed pursuant to this section to improve the reading and mathematics skills of children who are not meeting the standards; and

(D) The parent or guardian of any student in kindergarten through grade three who exhibits a deficiency in reading or mathematics at any time during the school year must be notified in writing no later than 15 days after the identification of the deficiency, and the written notification must include the following:

(i) That the student has been identified as having a deficiency in reading and/or mathematics;

(ii) A description of the proposed research-based reading and/or mathematics interventions and/or supplemental instructional services and supports that will be provided to the child to address the identified area(s) of deficiency;

(iii) Strategies for the parent or guardian to use at home to help their child succeed in reading and/or mathematics; and

(iv) That if the child's reading deficiency is not corrected by the end of grade three, the child may not be promoted to grade four unless an exemption is met;

~~(6)~~ (10) Supporting high-quality schools and a workforce prepared to address early literacy and numeracy by the provision of professional development for administrators, kindergarten, first, second, and third grade teachers including, but not limited to, the following: ~~identification of interventions, and implementation of a system of intervention for children not reaching grade level proficiency~~

(A) The approved benchmark assessment and/or screener tools to ensure teachers have the knowledge and skill to administer the assessment and/or screener, analyze the data to inform instruction, and identify students exhibiting substantial deficiencies in reading or mathematics;

(B) Comprehensive training on the science of reading and numeracy instruction to ensure all kindergarten through grade three teachers, early childhood classroom assistant teachers, and aides, have the knowledge and skill to teach and/or support all students to read and perform mathematics at grade level. The rules also shall provide that any interventionist a county chooses to employ instead of an early childhood classroom assistant teacher or aid pursuant to §18-5-18a(b) receives this comprehensive training;

(C) Training and materials to inform classroom teachers of the characteristics of dyslexia and dyscalculia in students, components of benchmarks and screeners that may indicate dyslexia or dyscalculia, and strategies for instruction; and

(D) Job-embedded, on-site teacher training on evidence-based reading and mathematics instruction and data-driven decision-making that provides kindergarten through grade three teachers with immediate feedback for improving instruction;

~~(7)~~ (11) Ensuring the employment of qualified teachers and service personnel in accordance with ~~the provisions of section thirty-nine, article five of this chapter and section seven-c, article four, chapter eighteen a~~ §18-5-39 and §18A-4-7c of this code to provide instruction to students enrolled in early literacy and numeracy support programs including, but not limited to, ensuring

that educator preparation programs prepare candidates seeking licensure for elementary education with training and instruction to:

(A) Include instruction in state-adopted grade-level content standards, foundational reading and mathematics skills, and how to implement reading instruction using high-quality instructional materials;

(B) Provide effective instruction and intervention for students with reading and math deficiencies, including students with characteristics of dyslexia or dyscalculia; and

(C) Understand and use student data to make instructional decisions;

~~(8)~~ (12) Creating a formula or grant-based program for the distribution of funds appropriated specifically for the purposes of this section or otherwise available for the support of a targeted, multi-tiered system of support intervention ~~comprehensive system of support~~ for early literacy and numeracy;

~~(9)~~ (13) Providing support for transportation and healthy foods for students required to attend after-school and extended year early literacy and numeracy instructional support programs and supervision at the school that accommodates the typical work schedules of parents; and

~~(10)~~ (14) Receiving from county boards any applications and annual reports required by rule of the state board.

~~(c)~~ (e) A student in grades kindergarten through grade three ~~who is recommended by the student assistance team or the student's classroom teacher for additional assistance in one or more of the key standards of English Language Arts including reading, speaking and listening, writing or language may~~ shall be required to attend an extended year early literacy and numeracy instructional support program as a condition for promotion if:

(1) The student has been provided additional academic assistance ~~help~~ through interventions offered during the school day ~~in school~~ or after-school in early literacy and numeracy

~~instructional support program~~ and, prior to the end of the school year, the student assistance team or the student's classroom teacher recommends that further additional academic help is needed for the student to be successful at the next grade level; and

(2) The county board has established a~~n early~~ a literacy and numeracy instructional support program during the extended year for the student's grade level.

~~(d)~~ (f) County boards shall provide high-quality educational facilities, equipment, and services to support ~~early~~ literacy and numeracy instructional support programs established pursuant to this section. Extended year programs may be provided at a central location for kindergarten through third graders who qualify for the program.

(g) Each county board shall adopt high-quality instructional materials grounded in scientifically-based reading research and aligned to state standards to be used as the core curriculum. The instructional materials shall not include practices that are aligned with the Three-Cueing Systems Model of teaching reading.

~~(e)~~ (h) This section may not be construed to prohibit a classroom teacher from recommending the grade level retention of a student in any of the grades kindergarten through grade three based upon the student's lack of mastery of the subject matter and preparation for the subject matter at the next grade level. Benchmark and/or screener data shall be used to inform the classroom teacher's recommendation.

~~(f)~~ (i) This section may not be construed to affect the individualized education plans of exceptional students.

~~(g)~~ (j) This section may not be construed to limit the authority of the county board to establish an extended year program in accordance with ~~section thirty-nine, article five of this chapter~~ §18-5-39 of this code. County boards may not charge tuition for enrollment in early literacy and numeracy instructional support programs established pursuant to this section.

~~(h)~~ (k) Each county board shall ~~prepare to~~ implement the provisions of this section and the provisions of the state board rule required by subsection (b) of this section. ~~The preparations shall at least include planning, ensuring~~ The county board shall establish a process for ensuring the developmental and academic progress of all students through the auspices of student assistance teams as currently required by state board policy and ~~performing~~ perform a needs assessment to determine the potential capacity requirements for the multi-tiered system of support for early learners. Each county board also shall provide in-service training:

(1) For kindergarten through grade three early childhood classroom assistant teachers, and aides, specifically related to literacy, numeracy, and their responsibilities and appropriate measures for exercising authority and control over students. The county board shall also provide this training to any interventionists it chooses to employ instead of an early childhood classroom assistant teacher or aide pursuant to §18-5-18a(b) of this code; and

(2) For classroom teachers in grades kindergarten through three to help the classroom teachers gain a strong understanding of how to best utilize the early childhood classroom assistant teachers, aides, or interventionists during classroom instruction and during other periods of the day.

~~(i)~~ (l) The state board shall provide a report describing the proposed implementation of the ~~transformative~~ multi-tiered system of support for early literacy and numeracy to the Legislative Oversight Commission on Education Accountability on or before ~~July 1, 2014~~ July 1, 2023.

~~(j)~~ (m) The state board shall provide a comprehensive report regarding the status of the ~~transformative~~ multi-tiered system of support for literacy and numeracy to the Legislative Oversight Commission on Education Accountability, the Joint Committee on Government and Finance, and the Governor on or before ~~November 1, 2014~~ November 1, 2023, and annually on or before November 1 ~~on~~ of each year thereafter. The report shall address, at a minimum, the progress of the program throughout the state, its

effect on student achievement, and the sources of the funding both available to and used by the program.

~~(k)~~ (n) ~~The provisions of this section are subject to the availability of funds from legislative appropriation or other sources specifically designated for the purposes of this section. If a county board determines that adequate funds are not available for full implementation of a transformative system of support for early literacy in the county, the county board may implement its program in phases by first establishing early literacy instructional support programs in the early readiness grades (Kindergarten), then the primary grades (Grades 1-2), and then establishing an early literacy instructional support program for the third grade once~~ Legislative appropriations to the State Board of Education – State Department of Education Elementary Literacy and Numeracy Program shall be used for the implementation of the provisions of this section along with other funds available for providing a high-quality education.

~~(l)~~ (o) Effective for the school year beginning July 1, 2026, and thereafter, a public school student who generally demonstrates a minimal understanding of, and ability to apply, grade level English language arts knowledge, skills, and abilities, or both, as indicated on the West Virginia General Summative Assessment relative to the West Virginia College and Career Readiness Standards at the end of third grade, shall upon the recommendation of the teacher and the student assistance team, be retained in the third grade for the ensuing school year subject to the following exceptions:

(1) A student with disabilities whose Individual Education Plan indicates participation in the statewide alternate summative assessment;

(2) A student identified as an English language learner who has had less than three years instruction in English as a second language;

(3) A student with disabilities who participates in the statewide summative assessment, has an Individual Education Plan or Section 504 plan that reflects that the student has received intensive intervention for more than two years and still demonstrates a

deficiency or who was previously retained in any of the grades kindergarten through grade three;

(4) A student who is in the process of a special education referral or evaluation for placement in special education, has been diagnosed as having a significant impairment, including dyslexia or dyscalculia, or is a child with a disability if the student's individualized education program team and the student's parent or guardian agree that promotion is appropriate based on the student's Individualized Education Plan;

(5) A student who has received intensive intervention for two or more years, still demonstrates a deficiency, and who was previously retained in any of the grades kindergarten through grade three for a total of two years: *Provided,* That the student shall continue to receive intensive intervention in grade four;

(6) A student who demonstrates an acceptable level of performance on an alternative standardized assessment approved by the state board;

(7) A student who attends an extended year learning program following the third grade and has attained proficiency; and

(8) A student whose parent or guardian has requested a good cause exemption within the time period established by the county board and the superintendent, or his or her designee, determines that the good cause exemption is in the best interests of the child: *Provided,* That a good cause exemption may not prohibit the grade level retention of a student by a classroom teacher based upon the student's lack of mastery of the subject matter and preparation for the subject matter at the next grade level.

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-18a. Maximum teacher-pupil ratio.

(a) County boards of education shall provide sufficient personnel, equipment, and facilities as will ensure that each ~~first through sixth grade~~ classroom, or classrooms having two or more grades that include one or more of the ~~first~~ kindergarten through

sixth grades shall not have more ~~than 25~~ pupils for each teacher ~~of the grade or grades and shall not have more than 20 pupils for each kindergarten teacher per session~~ as follows, unless the state superintendent has excepted a specific classroom upon application therefor by a county board as provided in this section:

(1) For kindergarten, not more than 20 pupils for each teacher and one early childhood classroom assistant teacher or aide in classrooms with more than 10 pupils;

(2) For first, second, and third grades, not more than 25 pupils for each teacher and one early childhood classroom assistant teacher or aide in classrooms with more than 12 pupils: *Provided,* That the early childhood classroom assistant teacher/aide requirement for classrooms with more than 12 pupils shall not be effective until July 1, 2023, for first grade classrooms; July 1, 2024, for second grade classrooms; and July 1, 2025, for third grade classrooms; and

(3) For grades four, five, and six, not more than 25 pupils for each teacher.

(b) County boards may satisfy the requirements of subsection (a) of this section by employing a full-time interventionist instead of an early childhood assistant teacher or aide, subject to the following:

(1) If no full-time interventionist is available, a county board may satisfy the requirements of subsection (a) of this section by employing a part-time interventionist; and

(2) County boards are not required to employ an interventionist even if there are an insufficient number of early childhood assistant teachers and aides available to fill all the positions required by subsection (a) of this section.

~~(b)~~ (c) County school boards may not maintain a greater number of classrooms having two or more grades that include one or more of the grade levels referred to in this section than were in existence in said county as of January 1, 1983.

~~(c)~~ (d) The state superintendent is authorized, consistent with sound educational policy, to:

(1) Permit on a statewide basis, in grades four through six, more than 25 pupils per teacher in a classroom for the purposes of instruction in physical education; and

(2) Permit more than 20 pupils per teacher in a specific kindergarten classroom and 25 pupils per teacher in a specific classroom in grades four through six during a school year in the event of extraordinary circumstances as determined by the state superintendent after application by a county board of education.

~~(d)~~ (e) The state board shall establish guidelines for the exceptions authorized in this section, but in no event shall the superintendent except classrooms having more than three pupils above the pupil-teacher ratio as set forth in this section.

~~(e)~~ (f) The requirement for approval of an exception to exceed the 20 pupils per kindergarten teacher per session limit or the 25 pupils per teacher limit in grades ~~one~~ four through six is waived in schools where the schoolwide pupil-teacher ratio is 25 or less in grades ~~one~~ four through six: *Provided,* That a teacher shall not have more than three pupils above the teacher/pupil ratio as set forth in this section. Any kindergarten teacher who has more than 20 pupils per session and any classroom teacher of grades ~~one~~ four through six who has more than 25 pupils, shall be paid additional compensation based on the affected classroom teacher's average daily salary divided by 20 for kindergarten teachers, or 25 for teachers of grades ~~one~~ four through six, for every day times the number of additional pupils enrolled up to the maximum pupils permitted in the teacher's classroom. All such additional compensation shall be paid from county funds exclusively.

Notwithstanding any other provision of this section to the contrary, commencing with the school year beginning on ~~July 1, 1994~~ July 1, 1996, a teacher in grades one, two, or three, or classrooms having two or more such grade levels, ~~shall not have more than two pupils above the teacher/pupil ratio as set forth in this section: *Provided,* That commencing with the school year~~

~~beginning on July 1, 1995, such teacher shall not have more than one pupil above the teacher/pupil ratio as set forth in this section: *Provided, however,* That commencing with the school year beginning on July 1, 1996, such teacher~~ shall not have any pupils above the teacher/pupil ratio as set forth in this section.

~~(f)~~ (g) No provision of this section is intended to limit the number of pupils per teacher in a classroom for the purpose of instruction in choral, band, or orchestra music.

~~(g)~~ (h) Each school principal shall assign students equitably among the classroom teachers, taking into consideration reasonable differences due to subject areas and/or grade levels.

~~(h)~~ (i) The state board shall collect from each county board of education information on class size and the number of pupils per teacher for all classes in grades seven through 12. The state board shall report such information to the Legislative Oversight Commission on Education Accountability before January 1, of each year.

~~(i) The West Virginia Department of Education shall survey districts to determine those grade levels, content areas, and geographic locations where class overcrowding is impeding student achievement and report to the Legislature by July 1, 2020 a tailored plan for reducing class overcrowding in such areas.~~

~~The study shall include, but is not limited to, an examination of the following issues:~~

~~(1) The effect on student learning of limits on the number of pupils per teacher in a classroom in elementary classes and in a middle and high school format in which students have different teachers for different subject matter instruction;~~

~~(2) The effect on the equity among teachers in a middle school in which the number of pupils per teacher in a classroom is limited for some teachers and not for others, including the additional pay for certain teachers in whose classrooms the limits are exceeded; and~~

~~(3) The effect limits on the number of pupils per teacher in a classroom have on the ability of school systems to offer elective courses in secondary school~~

ARTICLE 9A. PUBLIC SCHOOL SUPPORT.

§18-9A-5. Foundation allowance for service personnel.

(a) The basic foundation allowance to the county for service personnel shall be the amount of money required to pay the annual state minimum salaries in accordance with the provisions of ~~article four, chapter eighteen-a~~ §18A-4-1 *et seq.* of this code to such service personnel employed, subject to the following:

(1) A county shall receive an allowance for state aid eligible service personnel positions per 1,000 students in net enrollment, as follows:

(A) For each high-density county, ~~forty-three and ninety-seven one hundredths~~ 43.97 service personnel per 1,000 students in net enrollment: *Provided*, That this ratio of service personnel per 1,000 students in net enrollment shall increase to 47.39 beginning July 1, 2023; 50.65 beginning July 1, 2024; and 53.79 beginning July 1, 2025;

(B) For each medium-density county, ~~forty-four and fifty-three one hundredths~~ 44.53 service personnel per 1,000 students in net enrollment: *Provided*, That this ratio of service personnel per 1,000 students in net enrollment shall increase to 47.95 beginning July 1, 2023; 51.21 beginning July 1, 2024; and 54.35 beginning July 1, 2025;

(C) For each low-density county, ~~forty-five and one tenth~~ 45.10 service personnel per 1,000 students in net enrollment: *Provided*, That this ratio of service personnel per 1,000 students in net enrollment shall increase to 48.52 beginning July 1, 2023; 51.78 beginning July 1, 2024; and 54.92 beginning July 1, 2025;

(D) For each sparse-density county, ~~forty-five and sixty-eight one hundredths~~ 45.68 service personnel per 1,000 students in net enrollment: *Provided*, That this ratio of service personnel per 1,000

students in net enrollment shall increase to 49.10 beginning July 1, 2023; 52.36 beginning July 1, 2024; and 55.50 beginning July 1, 2025; and

(E) For any service personnel positions, or fraction thereof, determined for a county pursuant to subdivision (1) of this subsection that exceed the number employed, the county's allowance for these positions shall be determined using the average state funded minimum salary of service personnel for the county;

(2) The number of and the allowance for personnel paid in part by state and county funds shall be prorated; and

(3) Where two or more counties join together in support of a vocational or comprehensive high school or any other program or service, the service personnel for the school or program may be prorated among the participating counties on the basis of each one's enrollment therein and that the personnel shall be considered within the above-stated limit.

ARTICLE 20. EDUCATION OF EXCEPTIONAL CHILDREN.

§18-20-10. Dyslexia and dyscalculia defined.

(a) The Legislature finds as follows:

(1) Reading difficulties are the most common cause of academic failure and underachievement;

(2) There are many students who demonstrate significant weaknesses with reading, writing and mathematics that are ~~the root causes of~~ influenced by specific learning disabilities, including dyslexia, dyscalculia, and related learning difficulties. Of those who are referred to special education services in public schools, the majority are referred because of problems with language, reading, writing, or a combination of each;

(3) Teaching reading effectively, especially to students experiencing difficulty, requires considerable knowledge and skill. Informed and effective classroom instruction, especially in the

early grades, can prevent and relieve the severity of language difficulties, and significantly improve literacy development;

(4) For those students with specific learning disabilities, including dyslexia and dyscalculia, who need specialized instruction, competent intervention can lessen the impact of the disorder and help the student overcome the most debilitating symptoms;

(5) While programs for specific learning disabilities, including dyslexia and dyscalculia, that certify or support teachers, clinicians or specialists differ in their preparation methodologies, teaching approaches and organizational purposes, they should ascribe to a common set of professional standards for the benefit of the students they serve. Compliance with such standards can assure the public that individuals who serve students with specific learning disabilities in public schools are prepared to implement scientifically based and clinically proven practices;

(6) ~~The American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5), and the federal Individuals with Disabilities Education and Improvement Act of 2004 (IDEA) offer~~ The International Dyslexia Association (IDA) offers widely-adopted and consistent standards to guide the preparation, certification, and professional development for teachers of reading and related literacy skills in classroom, remedial and clinical settings; and

(7) The basis of ascribing to common standards to benefit students with specific learning disabilities, including dyslexia and dyscalculia, requires recognizing common characteristics of the disabilities. The Legislature finds that the definitions of dyslexia and dyscalculia prescribed by ~~IDEA and DSM-5~~ the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, Text Revision (DSM-5-TR) are the appropriate ~~measure~~ measures for recognizing characteristics of dyslexia and dyscalculia in students.

(b) The Legislature recognizes the following regarding dyslexia and dyscalculia:

(1) Dyslexia and dyscalculia are conditions that may be considered under the specific learning disability category, and their definitions are consistent with IDEA and state board policy. State board policy provides that "specific learning disability" means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia;

(2) Dyslexia is an alternative term used to refer to a pattern of learning difficulties characterized by problems with accurate or fluent word recognition, poor decoding, and poor spelling abilities. If dyslexia is used to specify this particular pattern of difficulties, it is important also to specify any additional difficulties that are present, such as difficulties with reading comprehension or math reasoning; and

(3) Dyscalculia is an alternative term used to refer to a pattern of learning difficulties characterized by problems processing numerical information, learning arithmetic facts, and performing accurate or fluent calculations. If dyscalculia is used to specify this particular pattern of mathematic difficulties, it is important also to specify any additional difficulties that are present, such as difficulties with math reasoning or word reasoning accuracy.

~~(c) the state board is responsible for the following:~~

~~(1) Ensuring that all students receive the necessary and appropriate screenings, evaluations and early assessments for specific learning disabilities, including dyslexia and dyscalculia;~~

~~(2) Ensuring that any Individualized Education Program regarding specific learning disabilities, including dyslexia or dyscalculia, which is developed or implemented, is consistent with the provisions of this section; and~~

~~(3) Providing ongoing information and education to parents regarding specific learning disabilities, including dyslexia and~~

~~dyscalculia, and the services available to students with such disabilities.~~

(c) The state board shall:

(1) Develop a list of appropriate screeners, early assessments, and professional development that address and ensure that all students receive the necessary and appropriate screenings, evaluations, and early assessments for specific learning disabilities, including dyslexia and dyscalculia which contain information related to the following:

(A) Appropriate literacy and numeracy screening tools for identifying students who are at risk for academic difficulty in reading and/or math, including dyslexia and dyscalculia, and who require tiered intervention;

(B) Appropriate diagnostic assessment components that can be used to help identify and diagnose;

(C) Appropriate evidence-based instruction and intervention strategies for students who are at risk for academic difficulty in reading and/or mathematics, including students who exhibit possible indicators of risk for dyslexia and/or dyscalculia;

(D) Appropriate accommodations for students who exhibit possible indicators of risk for, or who have been diagnosed with, dyslexia, dyscalculia, and/or other specific learning disabilities;

(E) Connecting a multi-tiered system of support framework to specific learning disability identification; and

(F) The use of the terms "dyslexia" and "dyscalculia" in Individualized Education Programs, and in evaluation reports by professionals qualified to render these diagnoses; and

(2) Explore options to assist any LEA with acquiring approved literacy and/or numeracy screening tools: *Provided,* That the local educational agency is unable to acquire its own literacy and/or numeracy screening tools that are consistent with state educational agency recommendations;

(3) Adopt and make publicly available guidelines for including dyslexia diagnostic evaluation components in comprehensive assessments for special education and related services. These guidelines shall:

(A) Recommend at least one person on each multidisciplinary evaluation team be knowledgeable about dyslexia and be able to recognize when a dyslexia diagnostic component should be requested in the evaluation process;

(B) Recommend that a diagnosis of dyslexia be given when the data from the comprehensive evaluation components indicate such a diagnosis is appropriate;

(C) Include recommendations for how to document a dyslexia diagnosis in an IEP; and

(D) Include that a Section 504 Plan be considered if a student has a dyslexia diagnosis but does not qualify for special education services;

(4) Adopt and make publicly available a list of approved diagnostic assessment components that can be used to help identify and diagnose dyslexia during comprehensive multidisciplinary evaluations;

(5) Adopt and make publicly available guidelines and a list of resources for dyslexia intervention practices that are evidence-based, including practices consistent with the Science of Reading and Structured Literacy, that are explicit, direct, sequential, systematic, and multisensory;

(6) Adopt and make publicly available a list of recommended accommodations and instructional practices to be used with students who exhibit signs of dyslexia or have been diagnosed with dyslexia. These shall reflect contemporary research and guidelines of the Science of Reading related to dyslexia. These recommendations shall include, but are not limited to, structured literacy approaches that are explicit, direct, sequential, systematic, and multisensory;

(7) Adopt and make publicly available a list of available professional development resources that support evidence-based intervention for struggling readers, including the Science of Reading and Structured Literacy. This list shall be made publicly available and include resources endorsed or espoused by technical assistance centers, research organizations, and professional associations that support the Science of Reading and Structured Literacy regarding dyslexia, including the International Dyslexia Association; and

(8) Develop and make publicly available informational materials related to dyslexia for parents and guardians that include information about the multidisciplinary evaluation process, updated regularly.

(d) The local education agency shall:

(1) Develop a system for parents and guardians to annually receive digital and print informational materials related to dyslexia;

(2) Ensure at least one educator at each school is trained to administer, score, and interpret the data from the literacy screening instrument or instruments, and to recognize signs of dyslexia;

(3) Notify parents of the results of these literacy screeners while emphasizing that not all students who perform poorly on these screening instruments have dyslexia. Also, not all students with dyslexia will perform poorly on the screeners;

(4) Provide evidence-based reading intervention to students who exhibit academic risk in future reading performance, including indicators of dyslexia;

(5) Conduct comprehensive assessments to determine eligibility for special education services when a child does not respond or only minimally responds to intervention strategies and/or when there is a suspected disability of dyslexia. If a determination is made through the evaluation process that a student needs assessed for dyslexia, provide assessment and diagnosis as necessary per West Virginia Department of Education guidelines;

(6) Employ appropriate accommodations and instructional practices recommended by the West Virginia Department of Education based upon the students' needs. When those needs are related to dyslexia, these accommodations and instructional techniques or strategies shall also meet the West Virginia Department of Education-approved guidelines for dyslexia accommodations and instructional practices;

(7) Require all elementary educators, special educators, reading interventionists or specialists, and other personnel determined appropriate by the local education agency to receive professional development on the possible signs of dyslexia and the related classroom accommodations and instructional practices approved by the West Virginia Department of Education;

(8) Administer a literacy screening instrument or instruments to students in grades 3-5 who transfer from a local education agency where literacy screening instruments were not administered. If the literacy screening instrument indicates a deficit in reading, the school will provide intervention according to current policy. If a student does not respond or only minimally responds to intervention, a referral for multidisciplinary evaluation shall be made; and

(9) Require all appropriate personnel, as determined by the local education agency, to annually receive professional development relating to the possible indicators for dyslexia and dyscalculia, accommodations and modifications in the classroom environment, proper instructional practices for educating students who exhibit possible indicators of risk for, or who have been, diagnosed with dyslexia, dyscalculia, and/or other specific learning disabilities. Local education agencies may create more than one module to satisfy the requirements of this subdivision.

(e) The state board shall promulgate a rule pursuant to §29A-3B-1 *et seq.* of this code to implement this section. In addition to other provisions to implement this section, the rule shall at least include the following:

(1) If a student is reading substantially below grade level according to formal and/or informal assessments, including benchmark assessments, and has never been evaluated for special education, a request may be made by a school, parent, or teacher for the administration of an age- or grade-appropriate West Virginia Department of Education-approved literacy screening instrument or instruments. These points of data may be used to either start intervention and progress monitoring per West Virginia Department of Education guidance, or make a referral for a special education evaluation;

(2) Acknowledgement that each local education agency may have one certified Literacy and Numeracy Specialist in each local education agency, or another appropriate professional designated by relevant local education agency leadership, to be appropriately trained, or be seeking appropriate training, in intervention, accommodations, and instructional strategies for students with dyslexia or a related disorder. The trained individual(s) shall serve as an advisor and trainer for dyslexia and related disorders for the local education agency. The reading specialist(s) or other designated professional(s) shall have an understanding of the definition of dyslexia and a working knowledge of:

(A) Techniques to help a student on the continuum of skills with dyslexia;

(B) Dyslexia characteristics that may manifest at different ages and levels;

(C) The basic foundation of the keys to reading, including multisensory, explicit, systematic, and structured literacy instruction; and

(D) Appropriate interventions, accommodations, and assistive technology supports for students with dyslexia.

(f) *Legislative Oversight Commission on Education Accountability (LOCEA):*

(1) The final draft of the state board's literacy and numeracy rule shall be submitted to the Legislative Oversight Commission on Education Accountability (LOCEA) by August 1, 2023.

(2) The following shall be submitted to the Legislative Oversight Commission on Education Accountability (LOCEA) annually:

(A) Disaggregated data concerning literacy and numeracy patterns statewide;

(B) Statewide interventions implemented; and

(C) The statewide professional development plan.

(3) Progress monitoring regarding K-2 screening and 3-8 formative assessments shall be presented to the Legislative Oversight Commission on Education Accountability (LOCEA) after data is collected for the beginning, middle, and end of the school year."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 3035 - "A Bill to amend and reenact §18-2E-10 of the Code of West Virginia, 1931, as amended; to amend and reenact §18-5-18a of said code; to amend and reenact §18-9A-5 of said code; and to amend and reenact §18-20-10 of said code, all relating to enhancing academic achievement of students including those with learning disabilities; establishing the Third Grade Success Act; replacing transformative system of support for early literacy with multi-tiered system of support for early literacy and numeracy in kindergarten through grade three; revising findings; defining 'science of reading'; revising inclusions in West Virginia Board of Education rules required to effectuate Third Grade Success Act section; requiring each county board to adopt high-quality instructional materials; specifying data to be used to inform the classroom teacher's recommendation on grade level retention; requiring county boards of education to provide in-service training for early childhood classroom assistant teachers,

aides, classroom teachers, and in certain instances, interventionists in grades kindergarten through three; updating deadlines for West Virginia Board of Education multi-tiered system of support for early literacy and numeracy reports; modifying provisions pertaining to funding for Third Grade Success Act section; requiring retention in the third grade in certain circumstances; specifying exceptions to third grade retention requirement; adding maximum teacher-pupil ratio for pre-kindergarten; adding maximum early childhood classroom assistant teacher or aide-pupil ratio for kindergarten through grade three; phasing in early childhood classroom assistant teacher/aide requirement for grades one through three; allowing county boards to employ an interventionist instead of an early childhood assistant teacher or aide; removing requirement for survey of districts on class overcrowding and report to the Legislative Oversight Commission on Education Accountability a tailored plan for reducing class overcrowding; phasing in increased ratios of service personnel per 1,000 students for the purpose of determining the basic foundation allowance for service personnel; revising findings pertaining to standards to guide the preparation, certification, and professional development for teachers of reading and related literacy skills and appropriate measures for recognizing characteristics of dyslexia and dyscalculia; replacing responsibilities of the West Virginia Board of Education pertaining to specific learning disabilities, including dyslexia and dyscalculia, with duties of the state board and the local education agencies; requiring state board rule to implement section pertaining to dyslexia and dyscalculia; stating minimum inclusions for rule; and requiring report of certain information to the Legislative Oversight Commission on Education Accountability."

With the further amendment, sponsored by Delegate Ellington, being as follows:

HB3035 HFA Ellington 3-10 (Bill status has 3-11)

Mohr/White 3334/3336

On page 1, section 10, line 5, after the word "reading" by inserting the word "and mathematics";

On page 2, section 10, line 43, after the word, "aides", by inserting the word "paraprofessionals";

On page 2, section 10, line 44, after the word, "teacher", by striking out the words "or aides" and inserting a comma and the words "aides, or paraprofessionals";

On page 2, section 10, line 63, after the word "parent(s)" by inserting the word "or guardians";

On page 3, section 10, line 91, after the word "reading" by inserting the word "or mathematics";

On page 4, section, 10, lines 102-103, after the words "assistant teachers" by striking out the words "and aides" and inserting a comma and the words "aides and paraprofessionals";

On page 4, section 10, line 105, after the word "teacher" by striking out the words "or aid" and inserting a comma and the words "aides or paraprofessionals";

On page 7, section 10, line 173, by striking out the words "and aides" and inserting in lieu thereof "aides and paraprofessionals";

On page 7, section 10, line 176, after the word "teacher", by striking out the words "or aide" and inserting a comma and the words "aide or professional";

On page 7, section 10, line 179, after the word "aides" by inserting the word "paraprofessionals";

On page 8, section 10, line 203, after the word "arts" by inserting the word "or mathematics";

And

On pages 9-10, section 18a, lines 9-13, by striking out subdivision (2) in its entirety, and inserting in lieu thereof the following:

(2) For first, second and third grades, not more than 25 pupils for each teacher and, in classrooms with more than 12 pupils, one

early childhood classroom assistant teacher, aide, or paraprofessional employee. When implementing these limits from funding allocated through the Public School Support Program in accordance with §18-9A-1 *et seq.* of this code, county boards have the discretion to add the assistant teachers, aides or paraprofessionals in schools or classrooms of the greatest need beginning July 1, 2023 and completing full implementation by July 1, 2026; and;

On page 10, section 18a, line 16, after the word "teacher" by striking out the words "or aide" and inserting a comma and the words "aide or paraprofessional";

On page 10, section 18a, line 21, after the word "teachers" by striking out the words "and aides" and inserting a comma and the words "aides and paraprofessionals";

And

On page 21, after section 10, line 189, by inserting the following section:

"**CHAPTER 18A. SCHOOL PERSONNEL.**

ARTICLE 5. AUTHORITY; RIGHTS; RESPONSIBILITY.

§18A-5-9. Authority of early childhood classroom assistant teachers to exercise control over students; limitations.

(a) Within the limitations provided in this section, an early childhood classroom assistant teacher shall stand in the place of the parent or guardian and shall exercise such authority and control over students as is required of a teacher as provided in section one of this article. The principal shall enumerate the instances in which the authority shall be exercised by an early childhood classroom assistant teacher when requested by the principal, assistant principal or professional employee to whom the assistant teacher is assigned.

(b) The authority provided for in subsection (a) of this section does not extend to suspending or expelling any student,

participating in the administration of corporal punishment, or performing instructional duties as a teacher or substitute teacher.

(c) An early childhood classroom assistant teacher may not be required by the operation of this section to perform noninstructional duties for an amount of time which exceeds that required under the assistant teacher's contract of employment or that required of other early childhood classroom assistant teachers in the same school unless the assignment of the duties is mutually agreed upon by the assistant teacher and the county superintendent, or the superintendent's designated representative, subject to county board approval.

(1) The terms and conditions of the agreement shall be in writing, signed by both parties, and may include additional benefits.

(2) The agreement shall be uniform as to early childhood classroom assistant teachers assigned similar duties for similar amounts of time within the same school."

And,

With the further title amendment sponsored by Delegate Ellington, amending the title of the bill to read as follows:

Com. Sub. for H. B. 3035 – "A Bill to amend and reenact §18-2E-10 of the Code of West Virginia, 1931, as amended; to amend and reenact §18-5-18a of said code; to amend and reenact §18-9A-5 of said code; to amend and reenact §18-20-10 of said code, and to amend said code by adding thereto a new section, designated §18A-5-9; all relating to enhancing academic achievement of students including those with learning disabilities; establishing the Third Grade Success Act; replacing transformative system of support for early literacy with multi-tiered system of support for early literacy and numeracy in kindergarten through grade three; revising findings; defining 'science of reading'; revising inclusions in West Virginia Board of Education rules required to effectuate Third Grade Success Act section; requiring each county board to adopt high-quality instructional materials; specifying data to be

used to inform the classroom teacher's recommendation on grade level retention; requiring county boards of education to provide in-service training for early childhood classroom assistant teachers, aides, paraprofessionals, classroom teachers, and in certain instances, interventionists in grades kindergarten through three; updating deadlines for West Virginia Board of Education multi-tiered system of support for early literacy and numeracy reports; modifying provisions pertaining to funding for Third Grade Success Act section; requiring retention in the third grade in certain circumstances; specifying exceptions to third grade retention requirement; adding maximum early childhood classroom assistant teacher or aide-pupil ratio for kindergarten; adding maximum early childhood classroom assistant teacher, paraprofessional, or aide-pupil ratio for grades one through three; requiring ratios to be met by 2026; allowing county boards to employ an interventionist instead of an early childhood assistant teacher, paraprofessional or aide; removing requirement for survey of districts on class overcrowding and report to the Legislative Oversight Commission on Education Accountability a tailored plan for reducing class overcrowding; phasing in increased ratios of service personnel per 1,000 students for the purpose of determining the basic foundation allowance for service personnel; revising findings pertaining to standards to guide the preparation, certification, and professional development for teachers of reading and related literacy skills and appropriate measures for recognizing characteristics of dyslexia and dyscalculia; replacing responsibilities of the West Virginia Board of Education pertaining to specific learning disabilities, including dyslexia and dyscalculia, with duties of the state board and the local education agencies; requiring state board rule to implement section pertaining to dyslexia and dyscalculia; stating minimum inclusions for rule; requiring report of certain information to the Legislative Oversight Commission on Education Accountability; requiring early childhood classroom assistant teachers exercise authority and control over students in certain instances and within certain limits; and prohibiting assignment of noninstructional duties to early childhood classroom assistant teacher in excess of contractual requirements unless mutually agreed upon.

The bill, as amended by the Senate, and further amended by the House, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 746)**, and there were—yeas 92, nays 5, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Bridges, Dean, Dillon, Nestor and Vance.

Absent and Not Voting: Foster, Mallow and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3035) passed.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

H. B. 3443, Relating to a development or improvement on land subject to review by the State Historic Preservation Office.

On motion of Delegate Kimble, the House refused to concur in the following amendment of the bill by the Senate, and requested the Senate to recede therefrom:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 1. DIVISION OF CULTURE AND HISTORY.**

§29-1-15. Development or improvement on land; State Historic Preservation Office; rules and regulations.

(a) Any review by the State Historical Preservation Office or by any other agency, office, or component of the Department of Arts, Culture, and History that is conducted pursuant to §29-1-8(a) of this code to preserve the prehistorical, historical, archaeological, architectural, or cultural value of a development, improvement on land, disturbance in a right-of-way, construction project, or infrastructure project shall be conducted in the most expedient manner possible. The department shall not add any additional

impediment to any such review conducted pursuant to this subsection and to §29-1-8(a) of this code beyond those impediments that are required by applicable Federal laws, rules, and regulations.

(b) The curator shall have the authority to make and promulgate rules and regulations in conformity with this section. Upon the effective date of this legislation, the curator shall modify any active rule that conflicts with the provisions of this section."

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

H. B. 3203, Relating generally to West Virginia Real Estate License Act.

On motion of Delegate Householder, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 40. WEST VIRGINIA REAL ESTATE LICENSE ACT.**

§30-40-3. License required.

It ~~shall be~~ is unlawful for any person to engage in ~~or carry on,~~ directly or indirectly, or to advertise or hold himself or herself out as engaging in or carrying on the business or act in the capacity of a real estate broker, associate broker, or salesperson within this state without first obtaining a license as provided for in this article. Prior to practicing real estate brokerage in this state, a license shall be obtained from the commission even if the person or entity is licensed in another state and is affiliated or otherwise associated with a licensed real estate broker in this state.

§30-40-4. Definitions.

Unless the context used clearly requires a different meaning, as used in this article:

'Applicant' means any person who is making application to the commission for a license.

'Associate broker' means any person who qualifies for a broker's license, but who is employed or engaged by a licensed broker to engage in any activity regulated by this article, in the name of and under the direct supervision of the licensed broker.

'Broker' means any person who for compensation or with the intention or expectation of receiving or collecting compensation:

(1) Lists, sells, purchases, exchanges, options, rents, manages, leases, or auctions any interest in real estate; or

(2) Directs or assists in the procuring of a prospect calculated or intended to result in a real estate transaction; or

(3) Advertises or holds himself or herself out as engaged in, negotiates, or attempts to negotiate, or offers to engage in any activity enumerated in subdivision (1) of this subsection.

'Cancelled' means a license that was not renewed by December 31 of the year in which license expired;

'Commission' means the West Virginia Real Estate Commission as established §30-40-6 of this code.

'Compensation' means fee, commission, salary, or other valuable consideration, in the form of money or otherwise.

'Designated broker' means a person holding a broker's license who has been appointed by a partnership, association, corporation, or other form of business organization engaged in the real estate brokerage business, to be responsible for the acts of the business and to whom the partners, members, or board of directors have delegated full authority to conduct the real estate brokerage activities of the business organization.

'Distance education' means courses of asynchronous instruction in which instruction takes place through media where the teacher and student are separated by ~~distance and sometimes by~~ time.

'Entity' means a business, company, corporation, limited liability company, association, or partnership.

'Expired' means a license that was not renewed by July 1.

'Inactive' means a licensee who is not authorized to conduct any real estate business and is not required to comply with any continuing education requirements.

'License' means a license to act as a broker, associate broker, or salesperson.

'Licensee' means a person holding a license.

'Member' means a commissioner of the Real Estate Commission.

'Principal' means a person or entity that authorizes a licensee to act on his, her, or its behalf.

'Real estate' means any interest or estate in land, and anything permanently affixed to land.

'Salesperson' means a person employed or engaged by or on behalf of a broker to do or deal in any activity included in this article, in the name of and under the direct supervision of a broker, other than an associate broker: *Provided,* That for the purposes of receiving compensation, a salesperson may designate an entity to receive any compensation payable to the salesperson, including, but not limited to, a limited liability corporation or an S-corporation.

'Team' means any group of two or more associate brokers and/or salespersons, and other non-licensed professionals, affiliated with the same broker or company acting as one agent representative for the principal.

§30-40-5. Scope of practice; exceptions.

(a) The practice of real estate brokerage includes acting in the capacity of a broker, associate broker, or salesperson as defined in §30-40-4 of this code.

(b) The practice of real estate brokerage does not include the activities normally performed by an appraiser, mortgage company, lawyer, engineer, contractor, surveyor, home inspector, or other professional who may perform an ancillary service in conjunction with a real estate transaction.

(c) The provisions of this article do not apply to:

(1) Any person acting on his or her own behalf as owner or lessor of real estate.

(2) The regular employees of an owner of real estate, who perform any acts regulated by this article, where the acts are incidental to the management of the real estate: *Provided,* That the employee does not receive additional compensation for the act and does not perform the act as a vocation.

(3) Attorneys-at-law: *Provided,* That attorneys-at-law shall be required to submit to the written examination required under §30-40-12 of this code in order to qualify for a broker's license: *Provided, however,* That an attorney-at-law who is licensed as a real estate broker prior to July 1, 1980, is exempt from the written examination required under §30-40-12 of this code.

(4) Any person holding, in good faith, a valid power of attorney from the owner or lessor of the real estate.

(5) Any person acting as a receiver, trustee, administrator, executor, guardian, conservator, or under the order of any court or under the authority of a deed of trust or will.

(6) A public officer while performing his or her official duties.

(7) Any person acquiring or disposing of any interest in timber or minerals, or acquiring or disposing of properties for easements

and ~~rights-of-ways~~ rights of way. ~~for pipelines, electric power lines and stations, public utilities, railroads, or roads~~

(8) Any person employed exclusively to act as the management or rental agent for the real estate of one person~~, partnership, or corporation~~ or entity.

(9) Any person properly licensed pursuant to the provisions of §19-2C-1 *et seq.* of this code when conducting an auction, any portion of which contains any leasehold or estate in real estate, only when the person so licensed is retained to conduct an auction by:

(A) A receiver or trustee in bankruptcy;

(B) A fiduciary acting under the authority of a deed of trust or will; or

(C) A fiduciary of a decedent's estate.

(10) Any person employed by a broker in a noncommissioned secretarial or clerical capacity who may in the normal course of employment, be required to:

(A) Disseminate brokerage preprinted and predetermined real estate sales and rental information;

(B) Accept and process rental reservations or bookings for a period not to exceed 30 consecutive days in a manner and procedure predetermined by the broker;

(C) Collect predetermined rental fees for the rentals which are to be promptly tendered to the broker;

(D) Make appointments on behalf of the broker or licensed salesperson with buyers and sellers of real estate and potential buyers and sellers of real estate; or

(E) Any combination thereof.

§30-40-9. Fees; special revenue account; administrative fines.

(a) All fees and other moneys, except administrative fines, received by the commission shall be deposited into the treasury of

the state, ~~at least once each month~~ daily, into a special revenue fund known as the 'real estate license fund' which is continued.

(b) Except as may be provided in §30-40-10 of this code, the commission shall retain the amounts in the special revenue fund from year to year and no funds collected under this article may be used by the commission for any purpose other than the administration and enforcement of this article. No compensation or expense incurred under this article is a charge against the General Revenue Fund.

(c) Any amounts received as administrative fines imposed pursuant to this article shall be deposited into the General Revenue Fund of the State Treasury.

§30-40-11. Application for license.

The commission shall only issue an original license to an applicant if he or she:

(a) Submits an application, in writing, ~~in~~ on a form prescribed by the commission which ~~must~~ shall contain, but is not limited to:

(1) The applicant's Social Security number;

~~(2) The recommendation of at least two persons who:~~

~~(A) Are property owners at the time of signing the application;~~

~~(B) Have been property owners for at least twelve months preceding the signing of the application;~~

~~(C) Have known the applicant for at least two years;~~

~~(D) Are not related to the applicant;~~

~~(E) Are not affiliated with the applicant as an employer, partner or associate or with the broker that will employ the applicant;~~

~~(F) Believe the applicant bears a good reputation for honesty, trustworthiness and fair dealing; and~~

~~(G) Believe the applicant is competent to transact the business of a real estate broker, associate broker or salesperson, as the case may be, in a manner that would protect the interest of the public~~

~~(3)~~ (2) A clear record indicating all jurisdictions where the applicant holds or has held any professional license;

~~(4)~~ (3) A clear record indicating if the applicant has been convicted of any criminal offense or if there is any criminal charge pending against the applicant, or a member or officer of the brokerage business, at the time of application;

(b) Is at least 18 years of age;

(c) Is a high school graduate or the holder of an equivalency diploma;

(d) Is trustworthy, of good moral character, and competent to transact the business of a broker, associate broker, or salesperson;

(e) Has paid the appropriate fee, if any, which ~~must~~ shall accompany all applications for original license or renewal;

(f) Has submitted to a state and national criminal history record check, as set forth in this subsection: *Provided*, That an applicant for a license who is an attorney at law may submit a letter of good standing from the ~~Clerk of the Supreme Court of Appeals of~~ West Virginia State Bar in lieu of submitting to a state and national criminal history record check;

(1) This requirement is found not to be against public policy.

(2) The criminal history record check shall be based on fingerprints submitted to the West Virginia State Police or its assigned agent for forwarding to the Federal Bureau of Investigation.

(3) The applicant shall meet all requirements necessary to ~~accomplish~~ complete the state and national criminal history record check, including:

(A) Submitting fingerprints for the purposes set forth in this subsection; and

(B) Authorizing the commission, the West Virginia State Police, and the Federal Bureau of Investigation to use all records submitted and produced for the purpose of screening the applicant for a license.

(4) The results of the state and national criminal history record check may not be released to or by a private entity except:

(A) To the individual who is the subject of the criminal history record check;

(B) With the written authorization of the individual who is the subject of the criminal history record check; or

(C) Pursuant to a court order.

(5) The criminal history record check and related records are not public records for the purposes of chapter 29B of this code.

(6) The applicant shall pay the actual costs of the fingerprinting and criminal history record check.

(7) Before implementing the provisions of this subsection, the commission shall propose rules for legislative approval in accordance with §29A-3-1 *et seq.* of this code. The rules shall set forth the requirements and procedures for the criminal history record check and must be consistent with standards established by the Federal Bureau of Investigation and the National Crime Prevention and Privacy Compact as authorized by 42 U. S. C. A. §14611, *et seq.*

§30-40-12. Qualifications for broker's license.

(a) An applicant for a broker's license shall:

(1) ~~Have served an apprenticeship as a licensed salesperson for two years or shall produce evidence satisfactory to the commission, in its sole discretion, of real estate experience equivalent to two years full-time experience as a licensed salesperson~~ Submit

evidence satisfactory to the commission of either: (i) Real estate experience as a licensed real estate salesperson during the two years prior to the date of application showing the applicant's representation of a buyer or seller in a minimum of 10 closed transactions; if the applicant is engaged solely in the leasing or renting of real estate, representation of the landlord or tenant in a minimum of 10 closed transactions of at least one year in duration; or if the applicant is engaged solely in the management of a real estate brokerage company, active involvement in a minimum of 20 closed transactions; or (ii) regardless of the number of years as a licensed salesperson: a minimum of 20 closed transactions; if the applicant is engaged solely in the leasing or renting of real estate, representation of the landlord or tenant in a minimum of 20 closed transactions of at least one year duration; or if the applicant is engaged solely in the management of a real estate brokerage company, active involvement in a minimum of 30 closed transactions. For the purposes of this section, a 'closed transaction' means a transaction that resulted in the real estate being conveyed from seller to buyer in which the applicant represented the seller, buyer, or both, or a transaction that resulted in the consummation of a lease of no less than one year in duration in which the applicant represented either the landlord or tenant of the real estate;

(2) Submit satisfactory evidence of having completed the required education course as provided for in §30-40-14 of this code; and

(3) Successfully pass the examination or examinations provided by the commission.

(b) No broker's license shall be issued in the name of ~~a corporation, association or partnership~~ an entity except through one of its members or officers.

(c) No broker's license ~~shall~~ may be issued in the name of ~~a corporation, association or partnership~~ an entity unless each member or officer who will engage in the real estate business, obtains a license as a real estate salesperson or associate broker.

§30-40-13. Qualifications for salesperson's license.

(a) An applicant for a salesperson's license shall:

(1) Submit satisfactory evidence of having completed the required education course as provided in §30-40-14 of this code; and

(2) Successfully pass the examination or examinations provided by the commission.

(b) No salesperson's license may be issued in the name of an entity except through one of its members or officers.

(c) No salesperson's license may be issued in the name of an entity unless each member or officer, who will engage in the real estate business, obtains a license as a real estate salesperson or associate broker.

§30-40-14. Prelicense education.

(a) Applicants for a broker's license shall provide evidence satisfactory to the commission that he or she has completed at least 180 clock-hours, equivalent to 12 college semester credit hours, in a course or courses approved by the commission: *Provided,* That an applicant for a broker's license who holds a salesperson's license in this state shall ~~only~~ be required to provide evidence that he or she has completed an additional 90 clock-hours, equivalent to six college semester hours, in a course or courses approved by the commission.

(b) Applicants for a salesperson's license shall provide evidence satisfactory to the commission that he or she has completed 90 clock-hours, equivalent to six college semester credit hours, in a course or courses approved by the commission.

(c) Any course required by subsection (a) or (b) of this section ~~must~~ shall have been completed during the ~~five year~~ three-year period preceding the date of application in order to be accepted by the commission.

§30-40-15. Licensing ~~nonresidents~~ based on licensure in another jurisdiction.

(a) The commission may recognize a valid license issued by another jurisdiction as satisfactorily qualifying ~~a nonresident person~~ an applicant who is licensed to practice real estate brokerage in another jurisdiction to obtain a comparable license in this state: *Provided,* That the ~~nonresident~~ applicant has qualified for ~~original~~ license ~~in his or her jurisdiction of residence~~ in another jurisdiction by examination and by complying with all the provisions for obtaining ~~an original~~ a license in that jurisdiction and the jurisdiction affords the same privilege to licensees of this state.

(b) In order to obtain a license in this state, ~~a nonresident~~ an applicant under this section ~~must~~ shall:

(1) Submit the ~~appropriate~~ application on a form prescribed by the commission and fee, if any;

(2) ~~Sign a statement that the applicant has read the real estate license law and rules of this state and agrees to abide by those provisions in all brokerage activity conducted in this state~~ Pass the West Virginia state law portion of the licensure examination approved by the commission;

(3) ~~Cause the real estate licensing body of the applicant's resident jurisdiction to furnish a certification of licensure which shall contain a clear record of any disciplinary actions~~ Submit a certification of licensure showing that the applicant possesses an active license to practice real estate brokerage in another jurisdiction;

(4) ~~Cause the real estate licensing body of any other jurisdiction where the applicant currently holds or has held a real estate license to furnish a certification of licensure which shall contain a clear record of any disciplinary actions~~ Submit record(s) showing all disciplinary actions imposed against the applicant by any jurisdiction in which the applicant holds or held a license, if any; and

(5) ~~File with the commission~~ For non-resident applicants, submit an irrevocable written designation that appoints the executive director of the commission to act as the non-resident licensee's agent, upon whom all judicial and other process or legal notices directed to the licensee may be served. The designation ~~must~~ shall stipulate and agree that service upon the executive director is equivalent to personal service upon the licensee. A copy of the designation of appointment, certified by the seal of the commission, may be admitted into evidence with the same force and affect as the original. The executive director shall mail a copy of any process or legal notice immediately upon receipt, by certified mail, to the last known business address of the licensee. No judgment by default may be taken in any action or proceeding until after 30 days of mailing and then only upon certification by the executive director that a copy of the judicial, other process or legal notice was mailed as required. ~~and~~

~~(6) File with the commission, a bond in the penalty of $2,000 if the applicant wishes to maintain an active license in this state. The bond must be issued by a recognized surety and must be for the benefit of and to indemnify any person in this state who may have a cause of action against the principal~~

§30-40-16. Continuing professional education.

(a) Every licensee shall complete seven hours of continuing professional education for each fiscal year, with each hour equaling 50 minutes of instruction. For brokers and associate brokers, three of the required seven hours shall be from the broker-level education curriculum approved by the commission.

(b) Upon application for the renewal of a real estate license on active status, each licensee ~~must~~ shall furnish satisfactory evidence, as established by the commission, that he or she has completed seven hours of approved continuing professional education during the term of the previous license. ~~*Provided,* That if the commission issues a license certificate for a period of more than one fiscal year, each licensee must furnish satisfactory evidence that he or she has completed the equivalent of seven hours of continuing professional education for each year covered by the term of the previous license~~

(c) When a licensee in an inactive status makes application to revert to an active status, he or she ~~must~~ shall furnish satisfactory evidence to the commission that he or she has completed the approved continuing professional education that would have been required for active status at the time the license was renewed.

(d) Approval from the commission shall be obtained by each provider and instructor and for any course prior to any advertising or offering of the course.

(e) Real estate-related continuing education courses provided by or approved by the real estate appraiser licensing and certification board, the ~~department of highways~~ Division of Highways, the West Virginia State Bar, or other agency of this state shall be recognized as approved by the commission.

(f) If approved in advance by the commission, distance education courses may be used to satisfy the continuing education requirement.

(g) Any licensee holding a license on July 1, 1969, and continuously thereafter, shall be exempt from the continuing professional education requirement.

§30-40-17. Place of business; branch offices; display of certificates; custody of license certificates; change of address; change of employer by a salesperson or associate broker; license certificates; term of license.

(a) Every person holding a broker's license under the provisions of this article shall:

(1) Have and maintain a definite place of business within this state, which shall be a room or rooms used for the transaction of real estate business and any allied business. The definite place of business shall be designated in the license certificate issued by the commission and the broker may not transact business at any other location, unless such other location is properly licensed by the commission as a branch office; ~~*Provided,* That a nonresident broker who maintains a definite place of business in his or her jurisdiction of residence may not be required to maintain an office~~

~~in this state if said jurisdiction offers the same privilege to licensed brokers of this state;~~

~~(2) Conspicuously display his or her broker's license in the main office and the license of each associate broker and salesperson employed by the broker who is primarily working from the main office;~~

~~(3)~~ (2) Conspicuously display his or her branch office license in each branch office; ~~and the license of each associate broker and salesperson employed by the broker who is primarily working from each branch office~~

~~(4)~~ (3) Make application to the commission before changing the address of any office or within 10 days after any change;

~~(5)~~ (4) Maintain in his or her custody and control the license of each associate broker and salesperson ~~employed by~~ affiliated with him or her; and

~~(6)~~ (5) Promptly return the license of any associate broker or salesperson whose ~~employment~~ affiliation with the broker is terminated.

(b) Every person holding an associate broker's or salesperson's license under the provisions of this article shall:

(1) Conduct real estate brokerage activities only under the direct supervision and control of his or her ~~employing~~ affiliated broker, which shall be designated in the license certificate; and

(2) Promptly make application to the commission of any change of employing broker: *Provided,* That it shall be unlawful to perform any act contained in this article, either directly or indirectly, after ~~employment~~ affiliation has been terminated until the associate broker or salesperson has made application to the commission for a change of ~~employing~~ affiliated broker and the application is approved.

(c) The commission shall issue a license certificate which shall:

(1) Be in such form and size as shall be prescribed by the commission;

(2) ~~Be imprinted with~~ Display the seal of the commission and shall contain such other information as the commission may prescribe: *Provided,* That a salesperson's and an associate broker's license shall show the name of the broker by whom he or she is ~~employed~~ affiliated;

(3) ~~In the case of~~ If an active licensee, be mailed or delivered to the broker's main office address;

(4) ~~In the case of~~ If an inactive licensee, be held in the commission office; and

(5) Be valid for a period that coincides with the fiscal year beginning on July 1 and ending on June 30. ~~and may be issued for a period covering more than one fiscal year at the discretion of the commission: *Provided,* That nothing contained herein shall authorize any person to transact real estate business prior to becoming properly licensed~~

§30-40-18. Trust fund accounts.

(a) Every person licensed as a broker under the provisions of this article who does not immediately deliver all funds received, in relation to a real estate transaction, to his or her principal or to a neutral escrow depository shall maintain and reconcile one or more trust fund accounts in a recognized financial institution and shall place all funds therein: *Provided,* That nothing contained herein shall require a broker to maintain a trust fund account if the broker does not hold any money in trust for another party.

(b) Funds that ~~must~~ shall be deposited into a trust fund account include, but are not limited to, earnest money deposits, security deposits, rental receipts, auction proceeds, and money held in escrow at closing.

(c) Each trust fund account ~~must~~ shall be established at a financial institution which is insured against loss by an agency of

the federal government and the amount deposited therein cannot exceed the amount that is insured against loss.

(d) Each trust fund account ~~must~~ shall provide for the withdrawal of funds without notice.

(e) No trust fund account may earn interest or any other form of income, unless specifically authorized by commission rule.

(f) The broker may not commingle his or her own funds with trust funds and the account may not be pledged as collateral for a loan or otherwise utilized by the broker in a manner that would violate his or her fiduciary obligations in relation to the trust funds: *Provided,* That nothing contained herein prevents the broker from depositing a maximum of $100 of his or her own money in the trust fund account to maintain a minimum balance in the account.

~~(g) No financial institution, in which a trust fund account is established under the provisions of this article, shall require a minimum balance in excess of the amount authorized in subsection (f) of this section~~

~~(h)~~ (g) The broker shall be the designated trustee of the account and shall maintain complete authority and control over all aspects of each trust fund account, including signature authority: *Provided,* That only one other member or officer of a corporation, association, or partnership, who is licensed under the provisions of this article, may be authorized to disburse funds from the account: *Provided, however,* That if disbursements from a trust fund account require two signatures, one additional member or officer may be a signatory as provided in this section.

~~(i)~~ (h) The broker shall, at a minimum, maintain records of all funds deposited into the trust fund account, which shall clearly indicate the date and from whom the money was received, date deposited, date of withdrawal, to whom the money belongs, for whose account the money was received, and other pertinent information concerning the transaction. All records shall be open to inspection by the commission or its duly authorized representative at all times during regular business hours at the broker's place of business.

~~(j)~~ (i) The broker shall cause the financial institution wherein a trust fund account is maintained to execute a statement, prepared by the commission, which shall include, but is not limited to:

(1) Exact title of the account as registered by the financial institution;

(2) The account number of the trust fund account;

(3) Identification of all persons authorized to make withdrawals from the account;

(4) Name and address of the financial institution;

(5) Title of the person executing the statement on behalf of the financial institution;

(6) Date the statement was executed; and

(7) Certification that the financial institution will notify the Real Estate Commission if any checks drawn against the account are returned for insufficient funds and that the financial institution does not require a minimum balance in excess of the amount authorized in subsection (f) of this section.

~~(k)~~ (j) The broker shall execute a statement authorizing the commission, or its duly authorized representative, to make periodic inspections of the trust fund account and to obtain copies of records from any financial institution wherein a trust fund account is maintained. A copy of any authorization shall be accepted by any financial institution with the same force and effect as the original.

~~(l)~~ (k) The broker shall notify the commission, within 10 days of the establishment of or any change to a trust fund account.

§30-40-19. Refusal, suspension, or revocation of a license.

(a) The commission ~~shall have full power to~~ may refuse a license for reasonable cause or ~~to~~ revoke, suspend, or impose any other sanction against a licensee if the licensee:

(1) Obtains, renews, or attempts to obtain or renew a license, for himself, herself, or another, through the submission of any application or other writing that contains false, fraudulent, or misleading information;

(2) Makes any substantial misrepresentation;

(3) Makes any false promises or representations of a character likely to influence, persuade, or induce a person involved in a real estate transaction;

(4) Pursues a course of misrepresentation or makes false promises or representations through agents or any medium of advertising or otherwise;

(5) Uses misleading or false advertising;

(6) Uses any trade name or insignia of membership in any organization in which the licensee is not a member;

(7) Acts for more than one party in a transaction without the knowledge and written consent of all parties for whom he or she acts;

(8) Fails, within a reasonable time, to account for or to remit moneys or other assets coming into his or her possession, which belong to others;

(9) Commingles moneys belonging to others with his or her own funds;

(10) Advertises or displays a 'for sale', 'for rent', or other such sign on any property without an agency relationship being established or without the owner's knowledge and written consent;

(11) Advertises any property on terms other than those authorized by the owner;

(12) Fails to disclose, on the notice of agency relationship form promulgated by the commission, whether the licensee represents the seller, buyer, or both;

(13) Fails to voluntarily furnish copies of the notice of agency relationship, listing contract, sale contract, lease contract, or any other contract to each party executing the same;

(14) Pays or receives any rebate, profit, compensation, commission, or other valuable consideration, resulting from a real estate transaction, to or from any person other than the licensee's principal: *Provided,* That this subsection may not be construed to prevent the sharing of compensation or other valuable consideration between licensed brokers;

(15) Induces any person to a contract to break the contract for the purpose of substituting a new contract with a third party;

(16) Accepts compensation as a salesperson or associate broker for any act specified in this article from any person other than his or her ~~employer who must be a~~ broker;

(17) Pays compensation to any person for acts or services performed either in violation of this article or the real estate licensure laws of any other jurisdiction;

(18) Pays ~~a~~ compensation to any person knowing that they will pay a portion or all of that which is received, in a manner that would constitute a violation of this article if it were paid directly by a licensee of this state;

(19) Violates any ~~of the provisions~~ provision of this article, any rule, or any order or final decision issued by the commission;

(20) Procures an attorney for any client or customer, or solicits legal business for any attorney-at-law;

(21) Engages in the unlawful or unauthorized practice of law as defined by the Supreme Court of Appeals of West Virginia;

(22) Commits or is a party to any material fraud, misrepresentation, concealment, conspiracy, collusion, trick, scheme, or other device whereby any other person relies upon the word, representation, or conduct of the licensee;

(23) Continues in the capacity of, or accepts the services of, any broker, associate broker, or salesperson who is not properly licensed;

(24) Fails to disclose any information within his or her knowledge or to produce any document, book, or record in his or her possession for inspection of and copying by the commission or its duly authorized representatives;

(25) Accepts payment other than cash or its equivalent as earnest money or other deposit unless this fact is disclosed in the contract to which the deposit relates;

(26) Accepts, takes, or charges any undisclosed compensation on expenditures made by or on behalf of the licensee's principal;

(27) Discriminates against any person involved in a real estate transaction which is in violation of any federal or state ~~antidiscrimination~~ anti-discrimination law, including any fair housing law;

(28) Fails to preserve for five years following its consummation, records relating to any real estate transaction;

(29) Fails to maintain ~~adequate~~ accurate records on the broker's trust fund account;

(30) ~~In the case of~~ If a broker, fails to ~~adequately~~ supervise all associate brokers and salespersons ~~employed by~~ affiliated with him or her;

(31) Breaches a fiduciary duty owed by a licensee to his or her principal in a real estate transaction;

(32) Directs any party to a real estate transaction in which the licensee is involved, to any lending institution for financing or to any affiliated business with the expectation of receiving a financial incentive, rebate, or other compensation, without first obtaining from his or her principal the signed acknowledgment of and consent to the receipt of the financial incentive, rebate, or other compensation: *Provided*, That this subsection may not be

construed to prevent the sharing of compensation or other valuable consideration between licensed brokers;

(33) Represents to any lending institution, or other interested party either verbally or through the preparation of false documents, an amount in excess of the true and actual sale price of the real estate or terms differing from those actually agreed upon;

(34) Fails to disclose to an owner the licensee's true position if he or she directly or indirectly through a third party, purchases for himself or herself or acquires or intends to acquire any interest in or any option to purchase the property;

(35) Lends a broker's license to any person, including a salesperson, or permits a salesperson to operate as a broker;

(36) Has been convicted in a court of competent jurisdiction in this or any other jurisdiction of forgery, embezzlement, obtaining money under false pretense, bribery, larceny, extortion, conspiracy to defraud, any other similar offense, a crime involving moral turpitude, or a felony;

(37) Engages in any act or conduct which constitutes or demonstrates bad faith, incompetency, ~~or~~ untrustworthiness, or dishonest, fraudulent, or improper dealing;

(38) Induces any person to alter, modify, or change another licensee's fee or commission for brokerage services, without that licensee's prior written consent;

(39) Negotiates a real estate transaction directly with any person that is represented exclusively by another broker, unless the conduct is specifically authorized by the other broker;

(40) Obtains, negotiates, or attempts to obtain or negotiate a contract whereby the broker is entitled to a commission only to the extent that the sales price exceeds a given amount, commonly referred to as a net listing;

(41) Fails or refuses, on demand, to furnish copies of a document to a person whose signature is affixed to the document;

(42) In the case of an associate broker or salesperson, represents or attempts to represent a broker other than his or her employing broker;

(43) Fails to reduce a bona fide offer to writing;

(44) Guarantees, or authorizes or permits another licensee to guarantee, future profits which may result from a real estate transaction;

(45) Is disciplined by another jurisdiction if at least one of the grounds for that discipline is the same as or equivalent to one of the grounds for discipline in this article; or

(46) Engages in any other act or omission in violation of professional conduct requirements of licensees established by legislative rule of the commission.

(b) The provisions of this section shall be liberally construed in order to carry out the objectives and purposes of this article.

(c) As used in this section:

(1) The words 'convicted in a court of competent jurisdiction' mean a plea of guilty or nolo contendere entered by a person or a verdict of guilt returned against a person at the conclusion of a trial;

(2) A certified copy of a conviction order entered in a court is sufficient evidence to demonstrate a person has been convicted in a court of competent jurisdiction.

(d) Every person licensed by the commission has an affirmative duty to report, in a timely manner, any known or observed violation of this article or the rules, orders, or final decisions of the commission.

(e) The revocation of a broker's license shall automatically suspend the license of every associate broker and salesperson ~~employed by~~ affiliated with the broker: *Provided,* That the commission shall issue a replacement license for any licensee so affected to a new ~~employing~~ broker, without charge, if a proper

application is submitted to the commission during the same license term.

§30-40-20. Complaints; investigation.

(a) Upon the initiation of a complaint by the commission or the filing of a complaint by another person, ~~The~~ the commission may ~~upon its own motion and shall upon the filing of a complaint setting forth a cause of action under this article, or the rules promulgated thereunder~~ ascertain the facts and if warranted hold a hearing for the suspension or revocation of a license, or the imposition of sanctions against a licensee: *Provided,* That no disciplinary action may be brought against a licensee upon any complaint that is filed more than two years after the acts or omissions alleged in the complaint or, where the licensee is alleged to have engaged in fraud, deceit, or misrepresentation, more than two years after the date at which the complainant discovered, or through reasonable diligence should have discovered, the alleged unprofessional conduct. Time limits for the filing of a complaint shall be tolled during any period in which material evidence necessary for the commission's evaluation or use is unavailable to the commission due to an ongoing criminal investigation or prosecution.

(b) All complaints ~~must~~ shall be submitted in writing on a form prescribed by the commission, and ~~must~~ shall fully describe the acts or omissions constituting the alleged ~~unprofessional conduct~~ violation(s) of this article or rules promulgated thereunder.

(c) Upon initiation or receipt of the complaint, the commission shall provide a copy of the complaint to the licensee for his or her response to the allegations contained in the complaint. The accused party shall file an answer within 20 days of the date of service. Failure of the licensee to file a timely response may be considered an admission of the allegations in the complaint: *Provided,* That nothing contained herein ~~shall~~ may prohibit the accused party from obtaining an extension of time to file a response, if the commission, its executive director, or other authorized representative permits the extension.

(d) The commission may cause an investigation to be made into the facts and circumstances giving rise to the complaint and any person licensed by the commission has an affirmative duty to assist the commission, or its authorized representative, in the conduct of its investigation.

(e) After receiving the licensee's response and reviewing any information obtained through investigation, the commission shall determine if probable cause exists that the licensee has violated any provision of this article or the rules.

(f) If a determination that probable cause exists for disciplinary action, the commission may hold a hearing in compliance with §30-40-21 of this code or may dispose of the matter informally through a consent agreement or otherwise.

§30-40-21. Hearings; judicial review; cost of proceedings.

(a) Hearings shall be conducted in accordance with the provisions of §29A-5-1 *et seq.* of this code and the commission's rules.

(b) Hearings shall be held at a time and place determined by the commission, but in no event less than 30 days after the notice of hearing is given.

(c) Any member has the authority to administer oaths and to examine any person under oath.

(d) If, after hearing, the commission determines the licensee has violated any provision of this article, or the commission's rules, a formal decision shall be prepared which contains findings of fact, conclusions of law, and specifically lists the disciplinary actions imposed.

(e) The commission may elect to have an administrative law judge or hearing examiner conduct the hearing. If the commission makes this election, the administrative law judge or hearing examiner, at the conclusion of a hearing, shall prepare a proposed order which shall contain findings of fact and conclusions of law. The commission may request that disciplinary actions imposed be

a part of the proposed order, or the commission may reserve this obligation for its consideration. The commission may accept, reject, or modify the decision of the administrative law judge or hearing examiner.

(f) Any person adversely affected by any decision or final order made by the commission, after a hearing, is entitled to judicial review ~~by the circuit court of the county where the hearing was held.~~pursuant to the provisions of §29A-5-4 of this code.

(g) In addition to any other sanction imposed, the commission may require a licensee to pay the costs of the proceeding.

§30-40-22. Criminal ~~Penalties~~ penalties for violations.

(a) ~~Any~~ In addition to the sanctions imposed by the commission pursuant to this article, any person violating a provision of this article or the commission's rules is guilty of a misdemeanor. Any person convicted of a first violation shall be fined not less than $1,000 nor more than $2,000, or confined in ~~the county or regional~~ jail not more than 90 days, or both fined and confined;

(b) Any person convicted of a second or subsequent violation shall be fined not less than $2,000 nor more than $5,000, or confined in ~~the county or regional~~ jail for a term not to exceed one year, or both fined and confined;

(c) Any corporation, association, or partnership convicted of a first violation of this article or the commission's rules, shall be fined not less than $2,000 nor more than $5,000;

(d) Any corporation, association, or partnership convicted of a second or subsequent violation, shall be fined not less than $5,000 nor more than $10,000;

(e) Any officer, member, employee, or agent of a corporation, association, or partnership, shall be subject to the penalties herein prescribed for individuals;

(f) Each ~~and every~~ day a violation of this article continues ~~shall constitute~~ constitutes a separate offense;

(g) In addition to the penalties herein provided, if any person receives compensation for acts or services performed in violation of this article, he or she shall also be subject to a penalty of not less than the value of the compensation received nor more than three times the value of the compensation received, as may be determined by a court of competent jurisdiction. Any penalty may be recovered by a person aggrieved as a result of a violation of this article;

(h) The penalties provided in this section do not apply to a violation of the duties or obligations of a financial institution under the certification required by §30-40-18(j)(7) of this code by a financial institution providing trust fund account services to a broker.

§30-40-25. Collection of compensation.

No person may bring or maintain any action in any court of this state for the recovery of compensation for the performance of any act or service for which a broker's license is required, without alleging and proving that he or she was the holder of a valid broker's license at all times during the performance or rendering of any act or service: *Provided,* That an associate broker or salesperson ~~shall have the right to~~ may institute suit in his or her own name for the recovery of compensation from his or her ~~employing~~ affiliated broker for acts or services performed while ~~in the employ of said employing~~ affiliated with the broker.

§30-40-26. Duties of licensees.

Every broker, associate broker, and salesperson owes certain inherent duties to the consumer which are required by virtue of the commission granting a license under this article. The duties include, but are not limited to:

(a) At the time of securing any contract whereby the broker is obligated to represent a principal to a real estate transaction, every licensee shall supply a true legible copy of the contract to each person signing the contract.

(b) Any contract in which a broker is obligated to represent a principal to a real estate transaction shall contain a definite expiration date, and no provision may be included in any contract whereby the principal is required to notify the broker of his or her intention to cancel the contract after the definite expiration date.

(c) No provision may be inserted in any contract for representation that would obligate the person signing the contract to pay a fee, commission, or other valuable consideration to the broker, after the contract's expiration date, if the person subsequently enters into a contract for representation with a different broker.

(d) Every licensee shall disclose in writing, on the notice of agency relationship form promulgated by the commission, whether the licensee represents the seller, the buyer, ~~or both~~ the seller and the buyer, the landlord, the tenant, or the landlord and the tenant. The disclosure shall be made prior to any person signing any contract for representation by a licensee or a contract for the sale or purchase of real estate.

(e) Every licensee shall promptly deliver to his or her principal, every written offer received.

(f) Every licensee shall make certain that all the terms and conditions of a real estate transaction are contained in any contract prepared by the licensee.

(g) At the time of securing the signature of any party to a contract, the licensee shall deliver a true copy of the contract to the person whose signature was obtained.

(h) Upon the final acceptance or ratification of any contract, the licensee shall promptly deliver a true copy to each party that has signed the contract.

§30-40-27. Duration of existing licenses.

[Repealed.]"

And,

By amending the title of the bill to read as follows:

H. B. 3203 – "A Bill to amend and reenact §30-40-3, §30-40-4, §30-40-5, §30-40-9, §30-40-11, §30-40-12, §30-40-13, §30-40-14, §30-40-15, §30-40-16, §30-40-17, §30-40-18, §30-40-19, §30-40-20, §30-40-21, §30-40-22, §30-40-25, and §30-40-26 of the Code of West Virginia, 1931, as amended; and to repeal §30-40-27 of said code, all relating to the West Virginia Real Estate License Act; amending definitions; modifying the applicability of the article; requiring certain fees to be deposited into the Treasury of the state daily; eliminating requirements for certain information to be included on applications for licensure; modifying qualifications for obtaining broker's license; providing restrictions on the entities that may be issued a salesperson's license; clarifying and amending requirements for prelicense education; modifying requirements for licensing based on licensure in another jurisdiction; modifying continuing education requirements; eliminating certain requirements for persons holding a broker's license; modifying requirements for license certificates issued by the Real Estate Commission; requiring a licensed broker to reconcile trust accounts; eliminating a prohibition on financial institutions that maintain trust accounts from requiring a certain minimum balance; clarifying language related to when commission may refuse a license or revoke, suspend, or impose any other sanction against a licensee; modifying the procedure for commission to administer complaints; modifying procedure for judicial review of decisions or final orders of the commission; clarifying language regarding criminal penalties; clarifying language related to suits for collection of compensation; requiring licensees to disclose in writing whether the licensee represents the seller, the buyer, the seller and the buyer, the landlord, the tenant, or the landlord and the tenant; and repealing an outdated section of code governing the duration of existing licenses."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 747)**, and there were—yeas 93, nays 3, absent

and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Coop-Gonzalez, Dillon and Vance.

Absent and Not Voting: Foster, Garcia, Mallow and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3203) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect July 1, 2023, a bill of the House of Delegates, as follows:

H. B. 3473, Creating a workgroup relating to Dig Once Policy.

On motion of Delegate Jeffries, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 2E. DIG ONCE POLICY.**

§17-2E-10.Taskforce on infrastructure deployment clearinghouse; reporting; sunset date.

(a) There is hereby created a taskforce under the leadership of the Commissioner of the Division of Highways, or his or her designee, for the purpose of studying best practices for the creation of a clearinghouse with information on public rights-of-way, including environmental and historic preservation content, that may reduce regulatory hurdles, lower costs, and increase the speed of infrastructure deployment. The purpose of the clearinghouse is to provide information relevant to infrastructure deployment, such as identifying public rights-of-way that may be readily accessed. For purposes of this section, 'infrastructure deployment' means the

deployment of underground infrastructure in public rights-of-way in West Virginia.

(b) The taskforce shall consist of the following:

(1) The Commissioner of the Division of Highways, or his or her designee;

(2) The Director of the Division of Environmental Protection, or his or her designee;

(3) The director of the historic preservation section of the Department of Arts, Culture, and History, or his or her designee;

(4) Any designee as may be selected by Miss Utility of West Virginia; and

(5) Any designees as may be selected by the Legislative Oversight Commission on Department of Transportation Accountability.

(c) The infrastructure deployment clearinghouse taskforce shall examine and report on the following:

(1) Regulatory hurdles affecting infrastructure deployment;

(2) The availability of information that may reduce regulatory hurdles;

(3) Information available, including environmental factors, historically-significant sites, and previously-disturbed ground as relevant to infrastructure deployment;

(4) Recommendations on ways to create a clearinghouse that contains information relevant to reduce regulatory hurdles, lower costs, and accelerate infrastructure deployment;

(5) Recommendations on restrictions that may be needed concerning access to clearinghouse information; and

(6) Other information and recommendations the taskforce deems important to create the clearinghouse and improve infrastructure deployment.

(d) The taskforce shall report and make recommendations to the Legislative Oversight Commission on Department of Transportation Accountability, including:

(1) Status updates upon request; and

(2) Written recommendations, including any proposed legislation, by December 31, 2023.

(e) The provisions of this section sunset and cease to have effect after March 31, 2024."

And,

By amending the title of the bill to read as follows:

H. B. 3473 – "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-2E-10, relating to creating a taskforce on infrastructure deployment; setting forth purpose; defining a term; specifying membership of the taskforce and topics of study; requiring reporting; and providing sunset date."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 748)**, and there were—yeas 85, nays 11, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Coop-Gonzalez, Dillon, Gearheart, A. Hall, Kirby, Longanacre, C. Pritt, Ridenour, Street, Vance and Ward.

Absent and Not Voting: Garcia, Mallow, Walker and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3473) passed.

Delegate Jeffries moved that the bill take effect July 1, 2023.

On this question, the yeas and nays were taken **(Roll No. 749)**, and there were—yeas 92, nays 5, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall, Kirby, Street and Vance.

Absent and Not Voting: Mallow, Pushkin and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3473) takes effect July 1, 2023.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

H. B. 3451, Updating the veteran preference ratings in state code for state employment.

On motion of Delegate Kelly, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 13. PREFERENCE RATING OF VETERANS ON WRITTEN EXAMINATION ON NONPARTISAN MERIT BASIS.**

§6-13-1. ~~Preference rating of veterans on written examinations for positions in state departments filled under nonpartisan merit system~~ Definitions.

~~For positions in any agency as defined in section four, article one, chapter five-f of this code or any other political subdivision of this state in which positions are filled under civil service or any job classification system, a preference of five points in addition to the regular numerical score received on examination shall be awarded to all veterans having qualified for appointment by making a minimum passing grade; and to all veterans awarded the purple heart, or having a compensable service-connected disability, as established by any proper veterans' bureau or department of the federal government, an additional five points shall be allowed.~~

~~For the purpose of this article, a person is defined as a 'veteran' if he or she fulfills the requirements of one of the following subsections:~~

~~(a) Served on active duty anytime between December 7, 1941, and July 1, 1955. However, any person who was a reservist called to active duty between February 1, 1955, and October 14, 1976, must meet condition (b) stated below;~~

~~(b) Served on active duty anytime between July 2, 1955, and October 14, 1976, or a reservist called to active duty between February 1, 1955, and October 14, 1976, and who served for more than one hundred eighty days;~~

~~(c) Entered on active duty between October 15, 1976, and September 7, 1980, or a reservist who entered on active duty between October 15, 1976, and October 13, 1982, and received a campaign badge or expeditionary medal or is a disabled veteran; or~~

~~(d) Enlisted in the Armed Forces after September 7, 1980, or entered active duty other than by enlistment on or after October 14, 1982; and~~

~~(1) Completed twenty-four months of continuous active duty or the full period called or ordered to active duty, or was discharged under 10 U.S.C. 1171, or for hardship under 10 U.S.C. 1173, and received or was entitled to receive a campaign badge or expeditionary medal; or~~

~~(2) Is a disabled veteran.~~

~~To receive veteran preference, separation from active duty must have been under honorable conditions. This includes honorable and general discharges. A clemency discharge does not meet the requirements of the Veteran Preference Act. Active duty for training in the military reserve and National Guard programs is not considered active duty for purposes of veteran preference.~~

~~These awards shall be made for the benefit and preference in appointment of all veterans who have heretofore or who shall hereafter take examinations, but shall not operate to the detriment of any person heretofore appointed to a position in a department or agency.~~

(a) 'Active duty' or 'active-duty service' means full-time duty in the armed forces of the United States, as defined in 10 USC §101(d) or 32 USC §502, §503, or §904.

(b) 'Active duty for training' means full-time duty in the armed forces of the United States for a period of more than 90 consecutive days for training purposes performed by members of the National Guard or Military Reserves.

(c) 'Armed forces' shall have the same definition as provided in 5 U.S.C. §2101(2) and means the Army, Navy, Air Force, Marine Corps, Coast Guard, and Space Force.

(d) 'Certification' means any written document from the armed forces that certifies that a service member is expected to be discharged or released from active-duty service in the armed forces under honorable conditions not later than 120 days after the date the certification is submitted for consideration in the hiring process, at the time and in the manner prescribed by the applicable job opportunity announcement. Prior to appointment, the service member's character of service and qualifying discharge release must be verified through a DD Form 214 or equivalent documentation.

(e) 'Disabled veteran' means a person who has been discharged or released from active-duty service under honorable conditions performed at any time, or who has a certification as defined in

subsection (c) of this section, and who has established the present existence of a service-connected disability or is receiving compensation, disability retirement benefits, or a pension because of a statute administered by the Department of Veterans Affairs or by a military department.

(f) 'Rule of 3' refers to the rule under which managers are required to select new employees from among the top three available candidates rated and referred to them by an examining office.

(g) 'Veteran' means a person who has been discharged or released from active-duty service in the armed forces under honorable conditions, or who has completed active duty for training for a period of more than 90 consecutive days as a member of the National Guard or Military Reserves.

§6-13-2. Preference rating categories for veterans; benefits to be granted on written examinations for positions in state departments filed under nonpartisan merit system; other benefits.

(a) For positions in any agency as defined in §5F-1-4 of this code or any other political subdivision of this state in which positions are filled under civil service or any job classification system, a 5-Point Preference category or a 10-Point Compensable Disability Preference category shall be applied to qualifying veterans. A veteran who qualifies for either the 5-Point Preference category or the 10-Point Compensable Disability Preference category shall have the corresponding preference points added to his or her regular numerical score on employment examinations or category ratings: *Provided, however;* That the preference points may only be added to a passing score.

(b) If a veteran who qualifies for either the 5-Point Preference category or the 10-Point Compensable Disability Preference category also qualifies for another preference category, the veteran shall only be qualified to receive the benefits that correspond with the highest numerical preference category.

(c) To receive preference under this article, the veteran's separation from active duty must have been under honorable conditions.

(d) The benefits conferred pursuant to this article shall be made for the benefit and preference in appointment of all veterans who have heretofore, or who shall hereafter, take examinations, but shall not operate to the detriment of any person previously appointed to a position in any agency defined in §5F-1-4 of this code or any other political subdivision of this state.

(e) *5-Point Preference category applicability.* — A 5-Point Preference shall be used for veterans who participated in active duty service as set forth in §6-13-1(a) and §6-13-1(b) of this code.

(f) *5-Point Preference benefits.* — Under the 5-Point Preference, a qualifying veteran:

(1) Shall receive an additional five points that shall be added to the regular numerical score or rating of an employment examination: *Provided, however;* These preference points may only be added to a passing score or rating prior;

(2) Shall receive preference points as other eligibles do when the Rule of 3 is applied;

(3) Shall be entitled to be listed ahead of non-preference eligibles with the same score on an examination, or listed ahead of non-preference eligibles in the same quality category when agencies are using category rating;

(4) Shall be entitled to receive the same pass-over rights as other preference eligibles; and

(5) Shall be entitled to credit experience in the armed forces to meet the qualification requirements for employment.

(g) *10-Point Compensable Disability Preference category applicability.* — A 10-Point Compensable Disability Preference shall be used for veterans who:

(1) Served on active duty for any period of time and meet the definitional requirement of 'disabled veteran' as set forth in §6-13-1(e) of this code; or

(2) Received a Purple Heart medal.

(h) *10-Point Compensable Disability Preference benefits. —* Under the 10-Point Compensable Disability Preference, a qualifying veteran:

(1) Shall receive an additional 10 points that shall be added to the regular numerical score or rating of an employment examination: *Provided, however;* These preference points may only be added to a passing score or rating;

(2) Shall receive preference points as other eligibles do when the Rule of 3 is applied;

(3) Shall be entitled to be listed ahead of non-preference eligibles with the same score on an examination, or listed ahead of non-preference eligibles in the same quality category when agencies are using category rating;

(4) Shall be entitled to receive the same pass-over rights as other preference eligibles; and

(5) Shall be entitled to credit experience in the armed forces to meet the qualification requirements for employment."

And,

By amending the title of the bill to read as follows:

H. B. 3451 – "A Bill to amend and reenact §6-13-1 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §6-13-2, all relating to updating the veteran preference ratings in state code for state employment."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 750)**, and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Mallow and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3451) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3190, Amending the definition of "minor".

On motion of Delegate Kelly, the House concurred in the following amendment by the Senate, with further amendment:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 3C. WEST VIRGINIA COMPUTER CRIME AND ABUSE ACT.**

§61-3C-14b. Soliciting, etc. a minor via computer; soliciting a minor and traveling to engage the minor in prohibited sexual activity; definition of minor; penalties.

(a) Any person over the age of 18, who knowingly uses a computer to solicit, entice, seduce, or lure, or attempt to solicit, entice, seduce or lure, a minor known or believed to be at least four years younger than the person using the computer ~~or a person he or she believes to be such a minor,~~ in order to engage in any illegal act proscribed by the provisions of ~~article eight, eight-b, eight-c or eight-d of this chapter~~ §61-8-1 *et seq.,* §61-8B-1 *et seq.,* §61-8C-1

et seq., or §61-8D-1 *et seq.* of this code, or any felony offense under ~~section four hundred one, article four, chapter sixty-a~~ §60A-4-401 of this code, is guilty of a felony and, upon conviction thereof, shall be fined not more than $5,000 or imprisoned in a state correctional facility not less than two nor more than ten years, or both fined and imprisoned.

(b) Any person ~~over the age of eighteen who, uses a computer in the manner proscribed by~~ violating the provisions of subsection (a) of this section ~~and~~ who ~~additionally~~ engages in any overt act designed to bring himself or herself into the minor's, ~~of the~~ or a person believed to be a minor's physical presence with the intent to engage in any sexual activity or conduct with such a minor that is prohibited by law, is guilty of a felony and shall be fined not more than $25,000 or imprisoned in a state correctional facility for a determinate sentence of not less than five nor more than thirty years, or both fined and imprisoned : *Provided,* That subsection (a) of this section shall be deemed a lesser included offense to that created by this subsection.

(c) For purposes of this section, 'minor' means a person younger than 18 years of age, or a person representing himself or herself to be a minor. Any prosecution, pursuant to this article, relating to a person representing himself or herself to be a minor shall be limited to investigations being conducted or overseen by law enforcement officers.

ARTICLE 8. CRIMES AGAINST CHASTITY, MORALITY AND DECENCY.

§61-8-32. Soliciting, etc. a minor by means other than via computer; soliciting a minor and traveling to engage the minor in prohibited sexual activity; definition of minor; penalties.

(a) Any person over the age of 18, who by means other than those prohibited by §61-3C-14b of this code, who knowingly solicits, entices, seduces, or lures, or attempts to solicit, entice, seduce or lure, a minor known or believed to be at least four years younger than the person, or a person he or she believes to be such

a minor in order to engage in any illegal act proscribed by the provisions of §61-8-1 *et seq.*, §61-8B-1 *et seq.*, §61-8C-1 *et seq.*, or §61-8D-1 *et seq.* of this code, or any felony offense under §60A-4-401 of this code is guilty of a felony and, upon conviction thereof, shall be fined not more than $5,000 or imprisoned in a state correctional facility not less than two nor more than ten years, or both fined and imprisoned.

(b) Any person who violates the provisions of subsection (a) of this section while outside the physical presence of the minor or person he or she knows or has reason to believe is a minor, who engages in any overt act designed to bring himself or herself into the minor's physical presence with the intent to engage in any sexual activity or conduct with the minor that is prohibited by law, is guilty of a felony and shall be fined not more than $25,000 or imprisoned in a state correctional facility for a determinate sentence of not less than five nor more than thirty years, or both fined and imprisoned: *Provided,* That subsection (a) of this section shall be deemed a lesser included offense to that created by this subsection.

(c) For purposes of this section, "minor" means a person younger than 18 years of age or a person representing himself or herself to be a minor. Any prosecution, pursuant to this section, relating to a victim that is a person representing himself or herself to be a minor shall be limited to investigations being conducted or overseen by law enforcement officers.

ARTICLE 14. HUMAN TRAFFICKING.

§61-14-1. Definitions.

When used in this article, the following words and terms shall have the meaning specified unless the context clearly indicates a different meaning:

(1) 'Adult' means an individual 18 years of age or older.

(2) 'Coercion' means:

(A) The use or threat of force against, abduction of, serious harm to, or physical restraint of an individual;

(B) The use of a plan, pattern, or statement with intent to cause an individual to believe that failure to perform an act will result in the use of force against, abduction of, serious harm to, physical restraint of, or deportation of an individual;

(C) The abuse or threatened abuse of law or legal process;

(D) The destruction or taking of, or the threatened destruction or taking of, an individual's identification document or other property; or

(E) The use of an individual's physical or mental impairment when the impairment has a substantial adverse effect on the individual's cognitive or volitional function.

As used in this article, "coercion" does not include statements or actions made by a duly authorized state or federal law-enforcement officer as part of a lawful law enforcement investigation or undercover action.

(3) 'Commercial sexual activity' means sexual activity for which anything of value is given to, promised to, or received by a person.

(4) 'Debt bondage' means inducing an individual to provide:

(A) Commercial sexual activity in payment toward or satisfaction of a real or purported debt; or

(B) Labor or services in payment toward or satisfaction of a real or purported debt if:

(i) The reasonable value of the labor or services is not applied toward the liquidation of the debt; or

(ii) The length of the labor or services is not limited, and the nature of the labor or services is not defined.

(5) 'Forced labor' means labor or services that are performed or provided by another person and are obtained or maintained through the following:

(A) Threat, either implicit or explicit, deception or fraud, scheme, plan, or pattern or other action intended to cause a person to believe that, if the person did not perform or provide the labor or services, that person or another person would suffer serious bodily harm, physical restraint, or deportation;

(B) Physically restraining or threatening to physically restrain a person;

(C) Abuse or threatened abuse of the legal process; or

(D) Destroying, concealing, removing, confiscating, or possessing any actual or purported passport or other immigration document, or any other actual or purported government identification document of another person: *Provided,* That "forced labor" does not mean labor or services required to be performed by a person in compliance with a court order or as a required condition of probation, parole, or imprisonment.

As applied in this article, forced labor shall not include labor, work, or services provided by a minor to the minor's parent, legal custodian, or legal guardian, so long as the legal guardianship or custody of the minor was not obtained for the purpose of compelling the minor to participate in commercial sex acts or sexually explicit performance, or perform forced labor or services; nor shall it include physical restraint of a minor, or the threat of physical restraint to a minor, by his or her parents, legal custodian or legal guardian if conducted in an otherwise lawful manner and for the purpose of discipline, supervision, or teaching.

(6) 'Human trafficking', 'trafficking', or 'traffics' means knowingly recruiting, transporting, transferring, harboring, receiving, providing, obtaining, isolating, maintaining, or enticing an individual to engage in debt bondage, forced labor, or sexual servitude.

(7) 'Identification document' means a passport, driver's license, immigration document, travel document or other government-issued identification document, including a document issued by a foreign government.

(8) 'Labor or services' means activity having economic value.

(9) 'Minor' means ~~an individual less~~ a person younger than 18 years of age or a person representing himself or herself to be a minor. Any prosecution, pursuant to this article, relating to a person that is representing himself or herself to be a minor shall be limited to investigations being conducted or overseen by law enforcement officers.

(10) 'Patronize' means giving, agreeing to give, or offering to give anything of value to another person in exchange for commercial sexual activity.

(11) 'Person' means an individual, estate, business or nonprofit entity, or other legal entity. The term does not include a public corporation or government or governmental subdivision, agency, or instrumentality.

(12) 'Serious harm' means harm, whether physical or nonphysical, including psychological, economic or reputational, to an individual which would compel a reasonable individual of the same background and in the same circumstances to perform or continue to perform labor or services or sexual activity to avoid incurring the harm.

(13) 'Sexual activity' means sexual contact, sexual intercourse, or sexual intrusion, as defined in ~~section one, article eight-b of this chapter,~~ §61-8b-1 of this code, or sexually explicit conduct, as defined in ~~section one, article eight-c of this chapter~~ §61-8-1 of this code.

(14) 'Sexual servitude' means:

(A) Maintaining or making available a minor for the purpose of engaging the minor in commercial sexual activity; or

(B) Using coercion to compel an adult to engage in commercial sexual activity.

(15) 'Victim' means an individual who is subjected to human trafficking, regardless of whether a perpetrator is prosecuted or convicted.

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 3190 – "A Bill to amend and reenact § 61-3C-14b of the Code of West Virginia, 1931, as amended, to further amend said code by adding thereto a new section, designated §61-8-32; and to amend and reenact §61-14-1 of said code, all relating to criminal law generally; updating certain criminal code definitions; extending criminal liability to certain adults that use computers to solicit, entice, seduce, lure, or attempt to solicit, entice, seduce, or lure a minor, or a person representing himself or herself to be a minor, as a means to engage in specific enumerated illegal acts contained in the West Virginia Code; defining the term "minor"; expanding criminal liability to include adults who contact minors by means other than by computer and additionally engage in an overt act which is designed to put the adult in the physical presence of the minor, or a person representing himself or herself to be a minor; and establishing criminal penalties."

With the further amendment, sponsored by Delegate Capito, being as follows:

On page 3, after section 32, after line 20, by inserting the following section relating to Chapter 61, article 8A:

"**ARTICLE 8A. PREPARATION, DISTRIBUTION OR EXHIBITION OF OBSCENE MATTER TO MINORS**

§61-8A-1. Definitions.

When used in this article, the following words, and any variations thereof required by the context, shall have the meaning ascribed to them in this section:

(a) 'Adult' means a person eighteen years of age or older.

(b) 'Computer' means an electronic, magnetic, optical, electrochemical or other high-speed data processing device performing logical, arithmetic or storage functions and includes any data storage facility or communication facility directly related to or operating in conjunction with such device. As used in this article, computer includes file servers, mainframe systems, desktop personal computers, laptop personal computers, tablet personal computers, cellular telephones, game consoles and any electronic data storage device or equipment. The term 'computer' includes any connected or directly related device, equipment or facility which enables the computer to store, retrieve or communicate computer programs, computer data or the results of computer operations to or from a person, another computer or another device, but such term does not include an automated typewriter or typesetter, a portable hand-held calculator or other similar device.

(c) 'Computer network' means the interconnection of hardware or wireless communication lines with a computer through remote terminals, or a complex consisting of two or more interconnected computers.

(d) 'Display' means to show, exhibit or expose matter, in a manner visible to general or invited public, including minors. As used in this article, display shall include the placing or exhibiting of matter on or in a billboard, viewing screen, theater, marquee, newsstand, display rack, window, showcase, display case or similar public place.

(e) 'Distribute' means to transfer possession, transport, transmit, sell or rent, whether with or without consideration.

(f) 'Employee' means any individual who renders personal services in the course of a business, who receives compensation and who has no financial interest in the ownership or operation of the business other than his or her salary or wages.

(g) 'Internet' means the international computer network of both federal and nonfederal interoperable packet switched data networks.

(h) 'Knowledge of the character of the matter' means having awareness of or notice of the overall sexual content and character of matter as depicting, representing or describing obscene matter.

(I) 'Matter' means any visual, audio, or physical item, article, production transmission, publication, exhibition, or live performance, or reproduction thereof, including any two- or three-dimensional visual or written material, film, picture, drawing, video, graphic, or computer generated or reproduced image; or any book, magazine, newspaper or other visual or written material; or any motion picture or other pictorial representation; or any statue or other figure; or any recording, transcription, or mechanical, chemical, or electrical reproduction; or any other articles, video laser disc, computer hardware and software, or computer generated images or message recording, transcription, or object, or any public or commercial live exhibition performed for consideration or before an audience of one or more.

(j) 'Minor' means an ~~unemancipated~~ person under eighteen years of age or a person representing himself or herself to be a minor. Any prosecution under this article relating to a victim who is representing himself or herself to be a minor shall be limited to investigations being conducted or overseen by law enforcement.

(k) 'Obscene matter' means matter that:

(1) An average person, applying contemporary adult community standards, would find, taken as a whole, appeals to the prurient interest, is intended to appeal to the prurient interest, or is pandered to a prurient interest;

(2) An average person, applying community standards, would find depicts or describes, in a patently offensive way, sexually explicit conduct; and

(3) A reasonable person would find, taken as a whole, lacks serious literary, artistic, political or scientific value.

(l) 'Parent' includes a biological or adoptive parent, legal guardian or legal custodian.

(m) 'Person' means any adult, partnership, firm, association, corporation or other legal entity.

(n) 'Sexually explicit conduct' means an ultimate sexual act, normal or perverted, actual or simulated, including sexual intercourse, sodomy, oral copulation, sexual bestiality, sexual sadism and masochism, masturbation, excretory functions and lewd exhibition of the genitals."

And,

With the further title amendment sponsored by Delegate Capito, amending the title of the bill to read as follows:

Com. Sub. for H. B. 3190 – "A Bill to amend and reenact § 61-3C-14b of the Code of West Virginia, 1931, as amended, to further amend said code by adding thereto a new section, designated §61-8-32; to amend and reenact §61-8A-1; and to amend and reenact §61-14-1 of said code, all relating to criminal law generally; updating certain criminal code definitions; extending criminal liability to certain adults that use computers to solicit, entice, seduce, lure, or attempt to solicit, entice, seduce, or lure a minor, or a person representing himself or herself to be a minor, as a means to engage in specific enumerated illegal acts contained in the West Virginia Code; defining the term 'minor'; expanding criminal liability to include adults who contact minors by means other than by computer and additionally engage in an overt act which is designed to put the adult in the physical presence of the minor, or a person representing himself or herself to be a minor and creating criminal penalties and fines therein."

The bill, as amended by the Senate, and further amended by the House, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 751)**, and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Mallow and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3190) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2007, Prohibiting certain medical practices.

On motion of Delegate Kimble, the House concurred in the following amendment by the Senate, with further amendment:

On page 3, section 20, after line 43, by adding thereto a new subdivision, designated subdivision (5), to read as follows:

"(5) Pubertal modulating and hormonal therapy for severe gender dysphoria if:

(A) The minor has been diagnosed as suffering from severe gender dysphoria by no fewer than two medical or mental health providers with at least one being a mental health provider or adolescent medicine specialist, and both having relevant training in the diagnosis and treatment of severe gender dysphoria in adolescents;

(B) The diagnosing medical professionals express in written opinions that treatment with pubertal modulating and hormonal therapy is medically necessary to treat the minor's psychiatric symptoms and limit self-harm, or the possibility of self-harm, by the minor;

(C) The minor, the minor's parents, legal guardians, or person or other persons charged with medical decision-making for the

minor, and the minor's primary physician agree in writing with the treatment with pubertal modulating and hormonal therapy for the minor;

(D) Any use of gender altering medication is for purposes of pubertal modulating and hormonal therapy limited to the lowest titratable dosage necessary to treat the psychiatric condition and not for purposes of gender alteration; and

(E) Notwithstanding the provisions of paragraphs (A) through (D) of this subdivision where the minor is prepubescent, hormonal treatment may not be provided;

(d) The provisions of this section are effective on January 1, 2024;.

And,

On page 4, section 14, after line 43, by adding thereto a new subdivision, designated (5), to read as follows:

(5) Pubertal modulating and hormonal therapy for severe gender dysphoria if:

(A) The minor has been diagnosed as suffering from severe gender dysphoria by no fewer than two medical or mental health providers with at least one being a mental health provider or adolescent medicine specialist and both having relevant training in the diagnosis and treatment of severe gender dysphoria in adolescents;

(B) The diagnosing medical professionals express in written opinions that treatment with pubertal modulating and hormonal therapy is medically necessary to treat the minor's psychiatric symptoms and limit self-harm, or the possibility of self-harm, by the minor;

(C) The minor, the minor's parents, legal guardians, or person or persons charged with medical decision-making for the minor and the minor's primary physician agree in writing with the treatment with gender altering medication for the minor;

(D) Any use of gender altering medication is for purposes of pubertal modulating and hormonal therapy and is limited to the lowest titratable dosage necessary to treat the psychiatric condition and not for purposes of gender alteration; and

(E) Notwithstanding the provisions of paragraphs (A) through (D) of this subdivision where the minor is prepubescent, hormonal treatment may not be provided.

(d) The provisions of this section are effective on January 1, 2024."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 2007 – "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-3-20; and to amend said code by adding thereto a new section, designated §30-14-17, all relating to prohibiting certain medical practices; providing definitions; providing that allopathic and osteopathic physicians may not provide irreversible gender reassignment surgery or gender altering medication as defined herein to a person who is under eighteen years of age; providing criteria for certain limited exceptions to this rule; exempting from the prohibition physicians treating persons who began sex reassignment prior to the effective date of the legislation; and establishing an internal effective date of January 1, 2024."

With the further amendment, sponsored by Delegate Householder, being as follows:

On page 1, line 14, by striking the word, "alteration" and inserting the word, "transition";

And,

On page 2, line 33, by striking the word, "alteration" and inserting the word, "transition".

And,

With the further title amendment sponsored by Delegate Householder, amending the title of the bill to read as follows:

Com. Sub. for H. B. 2007- "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-3-20; and to amend said code by adding thereto a new section, designated §30-14-17, all relating to prohibiting certain medical practices; defining terms; prohibiting irreversible gender reassignment surgery to a minor; prohibiting the providing of gender altering medication to a minor; providing exceptions; establishing an internal effective date."

The bill, as amended by the Senate, and further amended by the House, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 752)**, and there were—yeas 88, nays 10, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Fluharty, Garcia, Hansen, Hornbuckle, Pushkin, Rowe, Skaff, Walker, Williams and Young.

Absent and Not Voting: Mallow and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2007) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3313, Restraining county commissions from imposing rules and regulations on farmers beyond what is already prescribed through state statute.

On motion of Delegate Householder, the House refused to concur in the following amendment of the bill by the Senate, and requested the Senate to recede therefrom:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.**

ARTICLE 1. COUNTY COMMISSIONS GENERALLY.

§7-1-3ff. Authority of county commission to regulate unsafe or unsanitary structures and refuse on private land; authority to establish an enforcement agency; county litter control officers; procedure for complaints; lien and sale of land to recover costs; entry on land to perform repairs and alterations or to satisfy lien; receipt of grants and subsidies.

(a) Plenary power and authority are hereby conferred upon every county commission to adopt ordinances regulating the repair, alteration, or improvement, or the vacating and closing or removal or demolition, or any combination thereof, of any dwellings or other buildings, except for buildings used for ~~farm~~ agricultural production operations purposes on land ~~actually being~~ used for ~~farming~~ agricultural production as defined in §19-19-2 of this code, unfit for human habitation due to dilapidation, defects increasing the hazard of fire, accidents, or other calamities, lack of ventilation, light or sanitary facilities, or any other conditions prevailing in any dwelling or building, whether used for human habitation or not, which would cause the dwellings or other buildings to be unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare, whether the result of natural or manmade force or effect.

(b) Plenary power and authority are hereby conferred upon every county commission to adopt ordinances regulating the removal and clean up of any accumulation of refuse or debris, overgrown vegetation or toxic spillage or toxic seepage located on private lands which is determined to be unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare, whether the result of natural or manmade force or effect.

(c) The county commission, in formally adopting ordinances, shall designate an enforcement agency which shall consist of the county engineer (or other technically qualified county employee or consulting engineer), county health officer or his or her designee, a fire chief from a county fire company, the county litter control officer, if the commission chooses to hire one, and two members-at-large selected by the county commission to serve two-year terms. The county sheriff shall serve as an ex officio member of the enforcement agency and the county officer charged with enforcing the orders of the county commission under this section.

(d) In addition to the powers and duties imposed by this section, county litter control officers shall have authority to issue citations for open dumps, as prohibited by §22-15-10(a) of this code, unlawful disposal of litter, as prohibited by §22-15A-4 of this code, and failure to provide proof of proper disposal of solid waste, as prohibited by §22C-4-10(a) of this code, after completing a training course offered by the West Virginia Department of Environmental Protection: *Provided,* That any litter control officer who is trained and certified as a law-enforcement officer and whose certification is active has the same authority as any other law-enforcement officer to enforce all litter laws in this code. Nothing in this subsection supersedes the authority or duty of the Department of Environmental Protection or other law-enforcement officers to preserve law and order and enforce the litter control program.

(e) Any ordinance adopted pursuant to the provisions of this section shall provide fair and equitable rules of procedure and any other standards considered necessary to guide the enforcement agency, or its agents, in the investigation of dwelling or building conditions, accumulation of refuse or debris, overgrown vegetation, or toxic spillage or toxic seepage and shall provide for fair and equitable rules of procedure for instituting and conducting hearings in the matters before the county commission. Any entrance upon premises for the purpose of making examinations shall be made in a manner that causes the least possible inconvenience to the persons in possession.

(f) (1) Complaints authorized by this section shall be brought before the county commission. Complaints shall be initiated by

citation issued by the county litter control officer or petition of the county engineer (or other technically qualified county employee or consulting engineer) on behalf of and at the direction of the enforcement agency, but only after that agency has investigated and determined that any dwelling, building, accumulation of refuse or debris, overgrown vegetation, or toxic spillage or toxic seepage is unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare and should be repaired, altered, improved, vacated, removed, closed, cleaned, or demolished.

(2) The county commission shall cause the owner or owners of the private land in question to be served with a copy of the complaint. Service shall be accomplished in the manner provided in rule four of the West Virginia Rules of Civil Procedure.

(3) The complaint shall state the findings and recommendations of the enforcement agency and that unless the owner or owners of the property file with the clerk of the county commission a written request for a hearing within 10 days of receipt of the complaint, an order will be issued by the county commission implementing the recommendations of the enforcement agency.

(4) If the owner or owners of the property file a request for a hearing, the county commission shall issue an order setting this matter down for hearing within 20 days. Hearings shall be recorded by electronic device or by court reporter. The West Virginia Rules of Evidence do not apply to the proceedings, but each party has the right to present evidence and examine and cross-examine all witnesses.

(5) The enforcement agency has the burden of proving its allegation by a preponderance of the evidence and has the duty to go forward with the evidence.

(6) At the conclusion of the hearing, the county commission shall make findings of fact, determinations, and conclusions of law as to whether the dwelling or building: Is unfit for human habitation due to dilapidation; has defects that increase the hazard of fire, accidents, or other calamities; lacks ventilation, light, or

sanitary facilities; or any other conditions prevailing in the dwelling or building, whether used for human habitation or not and whether the result of natural or manmade force or effect, which would cause the dwelling or other building to be unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare; or whether there is an accumulation of refuse or debris, overgrown vegetation, toxic spillage or toxic seepage on private lands which is determined to be unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare, whether the result of natural or manmade force or effect.

(7) The county commission has authority to order the owner or owners thereof to repair, alter, improve, vacate, remove, close, clean up, or demolish the dwelling or building in question or to remove or clean up any accumulation of refuse or debris, overgrown vegetation, or toxic spillage or toxic seepage within a reasonable time and to impose daily civil monetary penalties on the owner or owners who fail to obey an order.

(8) Appeals from the county commission to the circuit court shall be in accordance with the provisions of §58-3-1 *et seq.* of this code.

(g) Upon the failure of the owner or owners of the private land to perform the ordered duties and obligations as set forth in the order of the county commission, the county commission may advertise for and seek contractors to make the ordered repairs, alterations, or improvements or the ordered demolition, removal, or clean up. The county commission may enter into any contract with any contractor to accomplish the ordered repairs, alterations, or improvements or the ordered demolition, removal, or clean up.

(h) A civil proceeding may be brought in circuit court by the county commission against the owner or owners of the private land or other responsible party that the subject matter of the order of the county commission to subject the private land in question: (1) To a lien for the amount of the contractor's costs in making these ordered repairs, alterations, or improvements or ordered demolition, removal, or clean up, together with any daily civil monetary penalty imposed; (2) to order and decree the sale of the

private land in question to satisfy the lien; (3) to order and decree that the contractor may enter upon the private land in question at any and all times necessary to make ordered repairs, alterations, or improvements, or ordered demolition, removal, or clean up; and (4) to order the payment of all costs incurred by the county with respect to the property and for reasonable attorney fees and court costs incurred in the prosecution of the action.

(i) County commissions may receive and accept grants, subsidies, donations, and services in kind consistent with the objectives of this section.

§7-1-3kk. Authority to provide for the elimination of hazards to public health and safety; penalty.

In addition to all other powers and duties now conferred by law upon county commissions, commissions are hereby authorized to enact ordinances, issue orders and take other appropriate and necessary actions for the elimination of hazards to public health and safety and to abate or cause to be abated anything which the commission determines to be a public nuisance. The ordinances may provide for a misdemeanor penalty for its violation. The ordinances may further be applicable to the county in its entirety or to any portion of the county as considered appropriate by the county commission: *Provided*, That county commissions may not establish or approve ordinances, rules, regulations, or take other actions that cancel or alter the purchase, use, or application of any federal or state registered pesticides, herbicides, or insecticide products.

§7-1-3zz. Limit of authority for county commission to regulate agricultural production.

Notwithstanding §7-1-3 of this code, the county commission may not establish or approve ordinances, rules, regulations, license requirements or any other authorization of agricultural production operations as defined in §19-19-2 of this code that ~~duplicate or exceed~~ contravene or are stricter than any state law or regulations for the purpose of the establishment, expansion, or continuation of agricultural businesses. Furthermore, all existing ordinances, rules,

regulations, licensing, or any other county authority enacted by county commissions regarding agricultural production operations as defined in §19-19-2 of this code are hereby declared invalid and unenforceable to the extent that they contravene or are stricter than any state law or regulation for the purpose of the establishment, expansion, or continuation of agricultural businesses.

Nothing in this section applies to federal law.

§7-1-14. Custody and care of animals abandoned, neglected, or cruelly treated; animals causing public nuisance, health risk, or safety hazard; authority of county commission.

(a) Notwithstanding any provision of this code to the contrary, any county commission may adopt ordinances, rules and regulations providing for the custody and care of animals that have been abandoned, neglected or cruelly treated for the protection of any such animal and to prevent it from becoming a public nuisance or risk to public health or safety or the environment: *Provided,* That the county commission may not establish or approve ordinances, rules, or regulations that duplicate or exceed chapter 19 of this code.

(b) Any such ordinance, rule, or regulation may require each owner to provide for each of his or her animals:

(1) Adequate food which provides sufficient quantity and nutritive value to maintain each animal in good health;

(2) Adequate water which provides easy access to clean, fresh, potable water of a drinkable temperature in sufficient volume and suitable intervals to maintain normal hydration for each animal;

(3) Adequate shelter to protect the animal from the elements and other animals;

(4) Adequate space in the primary enclosure for the particular animal depending upon its age, size, species and weight which is regularly cleaned to prevent an unsanitary accumulation of urine and feces;

(5) Adequate exercise to assure that the animal maintains normal muscle tone and mass for the age, species, size, and condition of the animal; and

(6) Veterinary care when needed or to prevent suffering or disease transmission.

(c) Any such ordinance, rule, or regulation may limit the number of animals owned, kept, or maintained by an individual, group or organization, whether public or private, based on the person's ability to provide for the animals as set forth in subsection (b) of this section.

(d) Any such ordinance, rule, or regulation shall provide appropriate penalties for violations and shall authorize humane officers to take possession of any animal that is not properly cared for as required by such ordinance, rule, or regulation.

CHAPTER 19. AGRICULTURE.

ARTICLE 1. DEPARTMENT OF AGRICULTURE.

§19-19-2. Definitions.

For the purposes of this article:

(a) 'Agriculture' shall mean the production of food, fiber, and woodland products, by means of cultivation, tillage of the soil, and by the conduct of animal, livestock, dairy, apiary, equine or poultry husbandry, and the practice of forestry, silviculture, horticulture, harvesting of silviculture products, packing, shipping, milling, and marketing, <u>which for purposes of this definition would include storage, preparation, presentation, auctioning, and transport of agricultural products</u> conducted by the proprietor of the agricultural operation of agricultural products, or any other legal plant or animal production and all farm practices.

(b) 'Agricultural land' shall mean any amount of land and the improvements thereupon, used or usable in the production of food, fiber, or woodland products of an annual value of $1,000 or more,

by the conduct of the business of agriculture, as defined in subsection (a) of this section.

(c) 'Agricultural operation' shall mean any facility or equipment as defined in §19-39-2 of this code utilized for agriculture.

ARTICLE 39. EQUIPMENT RIGHT TO REPAIR ACT.

§19-39-1. Short title.

This article shall be known and cited as the Equipment Right to Repair Act.

§19-39-2. Definitions.

As used in this article:

(a) 'Authorized repair provider' means a person or entity that has an arrangement for a definite or indefinite period in which a manufacturer grants, to a separate person or entity, a license to use a tradename, service mark, or related characteristic for purposes of offering the services of diagnosis, maintenance, or repair of equipment under the name of the original equipment manufacturer. An original equipment manufacturer who offers the services of diagnosis, maintenance, or repair of its own equipment, and who does not have an arrangement described in this subsection with an unaffiliated individual or business, shall be considered an authorized repair provider with respect to such equipment.

(b) 'Commissioner' means the Commissioner of the Department of Agriculture.

(c) 'Documentation' means any manual, diagram, reporting output, service code description, schematic diagram, security codes, passwords, or other guidance or information used in effecting the services of diagnosis, maintenance, or repair of equipment.

(d) 'Embedded software' means any programmable instructions provided on firmware, and all relevant patches and

fixes made by the manufacturer, delivered with equipment and used for its operation. 'Embedded software' includes a basic internal operating system, an internal operating system, a machine code, an assembly code, a root code, a microcode, and other similar components.

(e) 'Equipment' means:

(1) For farm equipment: Equipment that is used or intended for use in a farm or ranch operation, including, but not limited to, a combine, farm tractor, trailer, sprayer, tillage implement, baler, engine, motor, other equipment used to plant, cultivate, irrigate, or harvest agricultural products or to ranch, and attachments and repair parts for farm equipment, but excluding a motor vehicle designed primarily for transporting persons or property on public roadways.

(2) For forestry equipment: Equipment that includes, but is not limited to, sawmill operations, heavy forestry vehicles used in logging operations for felling, delimbing, skidding, and processing logs, and includes attachments and repair parts for forestry equipment.

(3) For lawn and garden equipment: equipment that includes, but is not limited to, lawn mowers and tractors, yard power equipment, lawn and garden care equipment, and any tool or equipment used for landscaping or working in gardens or yards.

(f) 'Fair and reasonable terms' means, with respect to a part, tool, software, or documentation offered by an original equipment manufacturer:

(1) For parts:

(A) Costs that are fair to both parties, considering the agreed-upon conditions, promised quality, and timeliness of delivery. 'Fair and reasonable' costs are subject to statutory and regulatory limitations; and

(B) On terms that:

(i) Do not impose on an owner or an independent repair provider any substantial obligation to use or any restriction on the use of the part to diagnose, maintain, or repair equipment sold, leased, or otherwise supplied by the original equipment manufacturer, including a condition that the owner or independent repair provider become an authorized repair provider of the original equipment manufacturer, or a requirement that a part be registered, paired with, or approved by the original equipment manufacturer or an authorized repair provider before such part is operational; and

(ii) Prohibit an original equipment manufacturer from imposing any additional cost or burden that is not reasonably necessary or is designed to be an impediment on the owner or independent repair provider.

(2) For tools and documentation:

(A) Costs that are equivalent to the lowest actual cost for which the original equipment manufacturer offers the tool, software, or documentation to an authorized repair provider, including any discount, rebate, or other financial incentive offered to an authorized repair provider; and

(B) On terms that:

(i) Are equivalent to the most favorable terms under which an original equipment manufacturer offers the part, tool, software, or documentation to an authorized repair provider, including the methods and timeliness of delivery of the part, tool, software, or documentation;

(ii) Do not impose on an owner or an independent repair provider any substantial obligation to use or any restriction on the use of the tool, software, or documentation to diagnose, maintain, or repair equipment sold, leased, or otherwise supplied by the original equipment manufacturer, including a condition that the owner or independent repair provider become an authorized repair provider of the original equipment manufacturer, or a requirement that a tool be registered, paired with, or approved by the original

equipment manufacturer or an authorized repair provider before such part or tool is operational; and

(iii) Prohibit an original equipment manufacturer from imposing any additional cost or burden that is not reasonably necessary or is designed to be an impediment on the owner or independent repair provider.

(3) For documentation: 'Fair and reasonable terms' also means that the documentation is made available by the original equipment manufacturer at no charge, except that, when the documentation is requested in physical printed form, a charge may be included for the reasonable actual costs of preparing and sending the copy.

(g) 'Firmware' means a software program or set of instructions programmed on a hardware device to allow the device to communicate with other computer hardware.

(h) 'Independent repair provider' means a person or business operating in the state that is not affiliated with an original equipment manufacturer, or its authorized repair provider, other than through an arrangement with the manufacturer, whether for a definite or indefinite period, which is engaged in the services of diagnosis, maintenance, or repair of equipment, and related attachments and repair parts.

(i) 'Original equipment manufacturer' or 'manufacturer' means a business engaged in the business of selling, leasing, or otherwise supplying new equipment manufactured by or on behalf of itself, to any individual or business.

(j) 'Owner' means an individual or business who owns or leases equipment purchased or used in this state.

(k) 'Part' means any replacement part, whether new or used, made available by an original equipment manufacturer to an authorized repair provider for purposes of effecting the services of maintenance or repair of equipment manufactured by or on behalf of, sold, or otherwise supplied by the original equipment manufacturer.

(l) 'Tools' means any software program, hardware implement, or other apparatus used for diagnosis, maintenance, or repair of equipment, including software or other mechanisms that provision, program, or pair a new part, calibrate functionality, or perform any other function required to bring the product back to fully functional condition, including any updates.

(m) 'Trade Secret' means the same as defined in 18 U.S.C. § 1839(3).

§19-39-3. Jurisdiction of the commissioner.

The commissioner is vested with jurisdiction over all aspects of this article and has exclusive authority to perform all acts necessary to implement this article.

§19-39-4. Requirements.

(a) A manufacturer of equipment sold or leased, offered for sale or lease, or used in this state, shall make available to any independent repair provider and owner of equipment, on fair and reasonable terms, any documentation, parts, and tools, required for the diagnosis, maintenance, or repair of the equipment, inclusive of any technical updates and corrections to embedded software or information. This requirement also applies to any attachments or parts for the equipment. The documentation, parts, and tools shall be made available to any independent repair provider and owner of equipment on the same conditions, and in the same timeframe, as the manufacturer makes diagnostic, service, or repair documentation available to an authorized repair provider.

(b) For equipment, attachments, or parts that contain an electronic security lock or other security-related function, the original equipment manufacturer shall make available to any owner and independent repair provider, on fair and reasonable terms, any special documentation, tools, and parts needed to access and reset the lock or function when disabled in the course of diagnosis, maintenance, or repair of such equipment, attachments, or parts. Such documentation, tools, and parts may be made available through appropriate secure release systems.

§19-39-5. Limitations.

(a) Nothing in this article shall require a manufacturer to divulge any trade secret to any owner or independent repair provider.

(b) Nothing in this article shall abrogate, interfere with, contradict, or alter the terms of any authorized repair agreement executed and in force between an authorized repair provider and manufacturer, including, but not limited to, the performance or provision of warranty or recall repair work by an authorized repair provider on behalf of a manufacturer pursuant to the agreement, except that any provision in the agreement purporting to waive, avoid, restrict, or limit the manufacturer's or authorized repair provider's compliance with this article shall be void.

(c) A manufacturer or authorized repair provider shall not be required to provide an owner or independent repair provider access to non-diagnostic and repair documentation provided by the manufacturer to an authorized repair provider pursuant to the terms of an authorizing agreement.

(d) No original equipment manufacturer or authorized repair provider shall be liable for any damage or injury caused to any equipment, attachments, or parts by an independent repair provider or owner which occurs during the course of repair, diagnosis, or maintenance.

§19-39-6. Prohibitions.

Independent repair providers and owners may not modify or disable any:

(1) Software for horsepower or emission control systems installed on any new equipment, attachments, or parts sold, leased, or used in this state; or

(b) Safety features installed on any new equipment, attachments, or parts sold, leased, or used in this state.

§19-39-7. Rulemaking.

The commissioner shall propose rules for legislative approval and promulgate emergency rules in accordance with the provisions of §29A-3-1 *et seq.* of this code to implement this article, including establishing a mechanism for the administrative resolution of violations of this article and the assessment and collection of civil penalties by consent order or agreement as an alternative to instituting a civil action. Furthermore, all existing ordinances, rules, regulations, licensing, or any other county authority enacted by county commissions regarding agricultural production operations as defined in §19-19-2 of this code are hereby declared invalid and unenforceable to the extent that they contravene or are stricter than any rule which implements this article.

§19-39-8. Violations; civil penalties; injunctive relief.

(a) Any manufacturer, authorized repair provider, independent repair provider, or owner that violates any provision of this article or rule promulgated hereunder, is liable for a civil penalty of not less than $1,000 for each violation. Each day a violation continues after notice by the commissioner constitutes a separate violation. The penalty may be recovered by a civil action brought by the commissioner, in the name of the state, in the circuit court of Kanawha County or in the circuit court of the county in which the violation occurred or is occurring.

(b) Upon application by the commissioner, the circuit courts of the state or the judges thereof in vacation may by injunction, compel compliance with, and enjoin any violation of this article or rule promulgated hereunder or the terms and conditions of any consent order or agreement. The court or the judge thereof in vacation may issue a temporary or preliminary injunction in any case pending a decision on the merits of any injunction application filed. Notwithstanding any other provision of this code to the contrary, the state is not required to furnish bond as a prerequisite to obtaining injunctive relief under this article. An application for an injunction under the provisions of this section may be filed and injunctive relief granted notwithstanding that all the administrative remedies provided for in this article or rule have not been pursued

or invoked against the person or persons against whom such relief is sought.

(c) Legal counsel and services for the commissioner in all civil penalty and injunction proceedings in the circuit court and in the Supreme Court of Appeals of this state shall be provided by the Attorney General or his or her assistants and by the prosecuting attorneys of the several counties as well, all without additional compensation, or the commissioner, with the written approval of the Attorney General, may employ counsel to represent him or her in a particular proceeding.

§19-39-9. Applicability.

This bill applies to equipment, attachments, and parts sold, leased, or in use in this state on and after the effective date of this article.

§19-39-10. Effective date.

This article shall take effect on July 1, 2023."

And,

By amending the title to read as follows:

Com. Sub. for H. B. 3313 – "A Bill to amend and reenact §7-1-3ff, §7-1-3kk, and §7-1-14 of the Code of West Virginia,1931, as amended; to amend said code by adding thereto a new section, designated §7-1-3zz; to amend and reenact §19-19-2 of said code; and to amend said code by adding thereto a new article, designated §19-39-1, §19-39-2, §19-39-3, §19-39-4, §19-39-5, §19-39-6, §19-39-7, §19-39-8, §19-39-9, and §19-39-10, all relating to clarifying the limit of authority of county commissions as it relates to regulation of agricultural production operations; clarifying that authority of county commissions over buildings does not include those used for agricultural production operations; providing that county commissions may not adopt ordinances or rules that prohibit sale or authorized use of federal or state registered pesticides, herbicides, or insecticides; prohibiting county commissions from adopting ordinances or rules that contravene or

are stricter than state law or rules regarding agricultural operations; declaring invalid existing county ordinances or rules that contravene or are stricter than state law or rules regarding agricultural operations; barring county commissions from adopting ordinances or rules that duplicate or exceed provisions of chapter 19 of said code concerning custody and care of abandoned, neglected, or cruelly treated animals; clarifying definition of agriculture; creating the Right to Repair Act; creating a short title; defining terms; establishing jurisdiction of the Commissioner of Agriculture; establishing requirements; establishing limitations; establishing prohibitions; providing for rulemaking; establishing violations; imposing civil penalties; authorizing civil actions, penalties, and injunctive relief; and providing for applicability and effective date of article."

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and requestion concurrence therein.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate, with amendment, of a resolution of the House of Delegates as follows:

H. C. R. 10, Shelby "Cubby" Foster and Robert "Robbie" Collins Memorial Road.

On motion of Delegate Kelly, the House concurred in the following amendment of the resolution by the Senate:

On page 2, in the Resolved clause, lines 34 through 35, by striking out the words "Shelby 'Cubby' Foster and Robert 'Robbie'" and inserting in lieu thereof the words "U.S. Army PFC Shelby "Cubby" Foster and U.S. Army Sgt. Robert "Robbie"";

On page 2, in the first Further Resolved clause, line 37, by striking out the words "Shelby 'Cubby' Foster and Robert 'Robbie'" and inserting in lieu thereof the words "U.S. Army PFC Shelby "Cubby" Foster and U.S. Army Sgt. Robert "Robbie"";

And,

By amending the title of the resolution to read as follows:

H. C. R. 10 – "Requesting the Division of Highways name a portion of Cabin Creek Road, County Route 79/3, beginning immediately east of the intersection of Cabin Creek Road and Nevada Street at Ohley and ending immediately north of the intersection of Cabin Creek Road and Eskdale Avenue at Eskdale in Kanawha County as the 'U.S. Army PFC Shelby "Cubby" Foster and U.S. Army Sgt. Robert "Robbie" Collins Memorial Road'."

The resolution, as amended by the Senate, was then adopted.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced the adoption by the Senate, with amendment, of a concurrent resolution of the House of Delegates as follows:

H. C. R. 23, U.S. Army SGT Theron Turner Memorial Bridge.

On motion of Delegate Kelly, the House concurred in the following amendment of the resolution by the Senate:

On page 1, in the third Whereas clause, lines 12 through 13, by striking out the words "when he became disabled. He suffered from blindness, diabetes, and kidney failure due to Agent Orange exposure while in Vietnam";

And,

On page 1, in the fifth Whereas clause, line 17, by striking out the words "lost his battle with diabetes" and inserting in lieu thereof the words "passed away".

The resolution, as amended by the Senate, was then adopted.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate, with amendment, of a resolution of the House of Delegates as follows:

H. C. R. 33, Lt. Col. Mitchell M. Mickel Memorial Bridge.

On motion of Delegate Kelly, the House concurred in the following amendment of the resolution by the Senate:

On page 3, in the Resolved clause, line 68, by striking out the words "Lt. Col." and inserting in lieu thereof the words "USAF Lt. Col.";

On page 4, in the first Further Resolved clause, line 71, by striking out the words "Lt. Col." And inserting in lieu thereof the words "USAF Lt. Col.";

And,

By amending the title of the resolution to read as follows:

H. C. R. 33 - "Requesting the Division of Highways name a bridge bearing bridge number 20-N14/80-000.1 (20A928), (38.36406, -81.69170), locally known as CENTRAL AVENUE OVERPASS, carrying City N14/80 over CSX RR & FIRST AVENUE in Kanawha County, as the "USAF Lt. Col. Mitchell M. Mickel Memorial Bridge".

The resolution, as amended by the Senate, was then adopted.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate, with amendment, of a resolution of the House of Delegates as follows:

H. C. R. 42, U. S. Army SSG William Joseph "Will" Thompson Memorial Bridge.

On motion of Delegate Kelly, the House concurred in the following amendment of the resolution by the Senate:

On page one, by striking out everything after the title and inserting in lieu thereof the following:

Whereas, William Joseph Thompson was born March 12, 1971, in Baltimore; Maryland, the son of Marvin Thompson and Violet Thompson (both now deceased); he was the baby of eight siblings: Lisa Abernethy, Phillip Thompson, Samantha Blankenship, Steve Thompson, Jeff Thompson, Glynn Thompson, Cassie Wilkinson, and step sister Carol McGinn; he grew up in Princeton, West Virginia, since the age of two; and

Whereas, William Joseph Thompson attended Princeton Senior High School and graduated in 1989; he loved playing Tiger football and running track; and

Whereas, U.S. Army SSG William Joseph enlisted in the West Virginia Army National Guard and decided he liked military life, following in the footsteps of many in his family, and joined the army as an active duty soldier in 1989, where he became a combat medic; and

Whereas, U.S. Army SSG William Joseph Thompson was stationed many places throughout the country, was deployed two years in Germany, and had two deployments to Iraq; he served eight years active duty then returned to Princeton and again joined the West Virginia Army National Guard with the 1/150 ARS HHT in Brushfork; he began working at Princeton Community Hospital as a nursing assistant and later became an LPN, working in the telemetry unit; and

Whereas, U.S. Army SSG William Joseph Thompson met Suzanne Thompson at PCH, in 1998; they married in 2001 and had a son, Ethan Thompson, in 2003 and a daughter, Ava Thompson, in 2007; and

Whereas, U.S. Army SSG William Joseph Thompson was deployed to Iraq to serve in Operation Iraqi Freedom in 2003; he returned home to Princeton in 2005 and began pursuing his RN

degree at Bluefield State College; after completing one year, he was deployed to Iraq again in 2009; and

Whereas, During this second deployment to Iraq, U.S. Army SSG William Joseph Thompson was stationed at Camp Stryker, near the Baghdad airport. He returned to Fort Stewart, Georgia, in 2010, with respiratory problems;

Whereas, U.S. Army SSG William Joseph Thompson was medically retired from the military on October 27, 2012, with 23 years of service; and

Whereas, U.S. Army SSG William Joseph Thompson advocated for other soldiers who had been exposed to burn pits during their deployment to Iraq and Afghanistan and testified in front of the United States Congress and United States Committee on Veterans Affairs; he shared his story with CBS Evening news and NBC Nightly news, helping to get the word out about toxic exposures; he played a pivotal role in fighting for federal legislation in what is now called the PACT Act that was passed August 10,2022; and

Whereas, U.S. Army SSG William Joseph Thompson passed away December 15,2021; and

Whereas, U.S. Army SSG William Joseph "Will" Thompson was a bright light in this world he was a man of God and praised Him through the good times and the bad. His continued faith was an inspiration to many; he loved to make people laugh, he loved to dance, sing and have fun; he was selfless, always thinking of those in need; he was a patriot and loved serving his country and loved the American flag, saluting the one in his yard every day; he was grateful for each day that was given to him as he knew how short and precious life could be; he was thankful for his two organ donors that gave him the gift of life; he was a wonderful husband, father, brother, son, combat medic, nurse and a true hero; and

Whereas, U.S. Army SSG William Joseph Thompson was awarded many military awards including the Expert Field Medical Badge from Germany, several Army Achievement medals, the

Meritorious Service Medal, the Army Commendation Medal, National Defense Service Medal, Global War on Terrorism, Expeditionary medal, the Good Conduct Medal, and the German Armed Forces Badge of Marksmanship; and

Whereas, It is fitting that an enduring memorial be established to commemorate U.S. Army SSG William Joseph Thompson and his contributions to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name Bridge Numbers: 28-077/00-010.89 (NB & SB) (28A200, 28A201), (37.38675, -81.05430) locally known as I-77 NB & SB OVER WV 20, carrying I-77 over County Route 20 in Mercer County, the "U. S. Army SSG William Joseph "Will" Thompson Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U. S. Army SSG William Joseph "Will" Thompson Memorial Bridge"; and, be it

Further Resolved, That the Clerk of the House forward a copy of this resolution to the Commissioner of the Division of Highways.;

And,

By amending the title of the resolution to read as follows:

H. C. R. 42 - "Requesting the Division of Highways name Bridge Numbers: 28-077/00-010.89 (NB & SB) (28A200, 28A201), (37.38675, -81.05430) locally known as I-77 NB & SB WV 20, carrying I-77 over County Route 20 in Mercer County, the 'U. S. Army SSG William Joseph "Will" Thompson Memorial Bridge".

The resolution, as amended by the Senate, was then adopted.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate, with amendment, of a resolution of the House of Delegates as follows:

H. C. R. 61, U.S. Army Sgt. John Edsel Edens Memorial Road.

On motion of Delegate Kelly, the House concurred in the following amendment of the resolution by the Senate:

On page one, by striking out everything after the title and inserting in lieu thereof the following:

"Whereas, John Edsel Edens was born to parents John and Josie Canterbury Edens; and

Whereas, John Edsel Edens was a graduate of Elkview High School; and

Whereas, John Edsel Edens enlisted in the United States Army during World War II at Camp Atterbury, Indiana, where he trained at Camp Lee, Virginia; and

Whereas, U.S. Army SGT John Edsel Edens deployed from Camp Kilmer, New Jersey to France, Schwabach, and Nuremberg, Germany; and

Whereas, U.S. Army SGT John Edsel Edens served as a Supply Sergeant in the 53rd Constabulary Squadron, and he served from November 1945 to September 1948; and

Whereas, U.S. Army SGT John Edsel Edens was instrumental in starting the Frame Volunteer Fire Department, where he served 21 years as a firefighter and chief; and

Whereas, U.S. Army SGT John Edsel Edens retired from the U.S. Postal Service after 40 years of service, where he was recognized to have driven a million miles without accident; and

Whereas, Sadly, U.S. Army SGT John Edsel Edens passed away on May 30, 2016, after a long illness; and

Whereas, It is fitting that an enduring memorial be established to commemorate the life of U.S. Army SGT John Edsel Edens and his contributions to his community and the nation; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways name bridge number 020-37-0.02 (5251) (20A324), (38.51292, -81.47953) locally known as Poca Fork Box Beam Bridge, carrying County Route 37 over Poca Fork in Kanawha County, West Virginia, as the 'U.S. Army SGT John Edsel Edens Memorial Bridge', and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the 'U.S. Army SGT John Edsel Edens Memorial Bridge'; and, be it

Further Resolved, That the Clerk of the House forward a copy of this resolution to the Commissioner of the Division of Highways."

And,

By amending the title of the resolution to read as follows:

H. C. R. 61 – "Requesting the Division of Highways name bridge number 020-37-0.02 (5251) (20A324), (38.51292, -81.47953) locally known as Poca Fork Box Beam Bridge, carrying County Route 37 over Poca Fork in Kanawha County, West Virginia, as the 'U.S. Army SGT John Edsel Edens Memorial Bridge'."

The resolution, as amended by the Senate, was then adopted.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3306, Relating to the organizational structure of the Office of Drug Control Policy.

On motion of Delegate Jeffries, the House concurred in the following amendment of the bill by the Senate, with further amendment:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 1. STATE PUBLIC HEALTH SYSTEM.**

§16-1-13. Hospital services revenue account.

(a) Subject to the provisions set forth in §12-2-2 of this code, there is continued in the State Treasury a separate account which shall be designated the 'hospital services revenue account.' The secretary shall deposit promptly into the account any fees received by a facility owned and operated by the department from whatever source including the federal government, state government, or other third-party payer or personal payment.

(b) The secretary may spend the moneys deposited in the hospital services revenue account in accordance with federal laws and regulations and with the laws of this state. The secretary may spend the moneys deposited in the hospital services revenue account in the amounts the secretary determines necessary for the purpose of improving the delivery of health and mental health services or for the purpose of maintaining or obtaining certification at a state health or mental health facility: *Provided,* That all disproportionate share hospital funds received into the account shall be transferred by intergovernmental transfer to the medical services trust fund created in §9-4A-2a of this code, except for funds appropriated by the Legislature for other purposes within the annual budget bill: *Provided, however,* That during any fiscal year in which the secretary anticipates spending any money from the account, he or she shall submit to the executive department during

the budget preparation period prior to the Legislature convening, before that fiscal year for inclusion in the executive budget document and budget bill, his or her recommended capital investments, recommended priorities and estimated costs, as well as requests of appropriations for the purpose of improving the delivery of health and mental health services or for the purpose of maintaining or obtaining certification at a state health facility in the amounts the secretary determines to be necessary.

(c) The secretary shall make an annual report to the Legislature on the status of the health services revenue account, including the previous year's expenditures and projected expenditures for the next year.

ARTICLE 5T. OFFICE OF DRUG CONTROL POLICY.

§16-5T-2. Office of Drug Control Policy.

(a) The Office of Drug Control Policy is continued within the department. ~~of Health and Human Resources~~ The Director of the Office of Drug Control Policy shall be appointed by the Governor, by and with the advice and consent of the Senate. The director of the office is ~~under the direction and supervision of the secretary~~ administratively housed in the Department of Human Services and directly reports to the Office of the Governor, ~~and with the assistance of~~ and works in cooperation with the State Health Officer, the Bureau of Public Health, and the Bureau for Behavioral Health.

(b) The Office of Drug Control Policy shall create a state drug control policy in coordination with the bureaus of the department and other state agencies. This policy shall include all programs which are related to the prevention, treatment, and reduction of substance abuse use disorder.

(c) The Office of Drug Control Policy shall:

(1) Develop a strategic plan to reduce the prevalence of drug and alcohol abuse and smoking by at least 10 percent; ~~percent by July 1, 2018~~

(2) Monitor, coordinate, and oversee the collection of data and issues related to drug, alcohol, and tobacco access, substance use disorder policies, and smoking cessation and prevention, and their impact on state and local programs;

(3) Make policy recommendations to executive branch agencies that work with alcohol and substance use disorder issues, and smoking cessation and prevention, to ensure the greatest efficiency and consistency in practices will be applied to all efforts undertaken by the administration;

(4) Identify existing resources and prevention activities in each community that advocate or implement emerging best practice and evidence-based programs for the full substance use disorder continuum of drug and alcohol abuse education and prevention, including smoking cessation or prevention, early intervention, treatment, and recovery;

(5) Encourage coordination among public and private, state and local agencies, organizations, and service providers, and monitor related programs;

(6) Act as the referral source of information, using existing information clearinghouse resources within the Department of Health and Human Resources, relating to emerging best practice and evidence-based substance use disorder prevention, cessation, treatment and recovery programs, and youth tobacco access, smoking cessation and prevention. The Office of Drug Control Policy will identify gaps in information referral sources;

(7) Apply for grant opportunities for existing programs;

(8) Observe programs in other states;

(9) Make recommendations and provide training, technical assistance, and consultation to local service providers;

(10) Review existing research on programs related to substance use disorder prevention and treatment and smoking cessation and prevention, and provide for an examination of the prescribing and treatment history, including court-ordered treatment, or treatment

within the criminal justice system, of persons in the state who suffered fatal or nonfatal opiate overdoses;

(11) Establish a mechanism to coordinate the distribution of funds to support any local prevention, treatment, and education program based on the strategic plan that could encourage smoking cessation and prevention through efficient, effective, and research-based strategies;

(12) Establish a mechanism to coordinate the distribution of funds to support a local program based on the strategic plan that could encourage substance use prevention, early intervention, treatment, and recovery through efficient, effective and research-based strategies;

(13) Oversee a school-based initiative that links schools with community-based agencies and health departments to implement school-based anti-drug and anti-tobacco programs;

(14) Coordinate media campaigns designed to demonstrate the negative impact of substance use disorder, smoking and the increased risk of tobacco addiction and the development of other diseases;

(15) Review Drug Enforcement Agency and the West Virginia scheduling of controlled substances and recommend changes that should be made based on data analysis;

(16) Develop recommendations to improve communication between health care providers and their patients about the risks and benefits of opioid therapy for acute pain, improve the safety and effectiveness of pain treatment, and reduce the risks associated with long-term opioid therapy, including opioid use disorder and overdose;

(17) Develop and implement a program, in accordance with the provisions of §16-5T-3 of this code, to collect data on fatal and nonfatal drug overdoses caused by abuse and misuse of prescription and illicit drugs, from law enforcement agencies, emergency medical services, health care facilities and the Office of the Chief Medical Examiner;

(18) Develop and implement a program that requires the collection of data on the dispensing and use of an opioid antagonist from law enforcement agencies, emergency medical services, health care facilities, the Office of the Chief Medical Examiner and other entities as required by the office;

(19) Develop a program that provides assessment of persons who have been administered an opioid antagonist; ~~and~~

(20) Create a Sober Living Home/Recovery Residence Taskforce comprised of the following stakeholders:

(A) The Executive Director of the West Virginia Prosecuting Attorney Institute, or designee;

(B) The Secretary of Department of Homeland Security, or designee;

(C) The West Virginia Attorney General, or designee;

(D) The Director of the West Virginia Alliance of Recovery Residences, or designee;

(E) The State Health Officer, or designee;

(F) The Commissioner for the Bureau for Behavioral Health, or designee; and

(G) The West Virginia Inspector General, or designee.

(i) The purpose of the taskforce is to review existing West Virginia law, the laws of other states, and any developed case law regarding sober living homes/recovery residences and make recommendations to the Legislature regarding any revisions needed to West Virginia law regarding sober living homes/recovery residences. At a minimum the following areas shall be examined: insurance fraud, human trafficking, success of programs, and any other relevant issues. The taskforce will also examine the situation of a resident who was transported from any location within or without the state of West Virginia and is discharged, evicted, or otherwise removed from a recovery

residence, and whether or not a recovery residence should provide transportation to the location from which the resident was initially transported, at the expense of the recovery residence. The taskforce will additionally examine, the situation of a resident who may be discharged, evicted, or otherwise removed prior to the expiration of the time period for which he or she has previously paid rent or any other fee for residency or service, in the context of requiring the recovery residence to promptly report relevant information regarding the circumstances for each early discharge, eviction, or removal of a resident to the Department of Health and Human Resources' Bureau for Behavioral Health. The taskforce will further examine whether or not residents of a recovery residence should be granted any minimal tenancy rights or otherwise be considered a worthy recipient for relief from a magistrate court arising from their discharge, eviction, or removal from a recovery residence

(ii) These recommendations shall be presented to the Legislative Oversight Commission on Health and Human Resources Accountability no later than December 15, 2023. A representative of the Taskforce shall provide the Commission with an update regarding the status of the taskforce, including any preliminary findings by October 1, 2023.

(21) Report semi-annually to the Joint Committee on Health on the status of the Office of Drug Control Policy.

(d) Notwithstanding any other provision of this code to the contrary, and to facilitate the collection of data and issues, the Office of Drug Control Policy may exchange necessary data and information with the bureaus within the department, the Department of Military Affairs and Public Safety, the Department of Administration, the Administrator of Courts, the Poison Control Center, Office of National Drug Control Policy and the Board of Pharmacy. The data and information may include, but is not limited to: data from the Controlled Substance Monitoring Program; ~~the all payer claims database~~ the criminal offender record information database; and the court activity record information;

~~(c) Prior to July 1, 2018, The office shall develop a plan to expand the number of treatment beds in locations throughout the state which the office determines to be the highest priority for serving the needs of the citizens of the state.~~

§16-5T-4. Entities required to report; required information; Continuation of data dashboard.

(a) To fulfill the purposes of this article, the following information shall be reported, within ~~72~~ 24 hours after the provider responds to the incident and via an appropriate information technology platform, to the Office of Drug Control Policy:

(1) The date and time of the overdose;

(2) The approximate address of where the person was picked up or where the overdose took place;

(3) Whether an opioid antagonist was administered;

(4) Whether the overdose was fatal or nonfatal;

(5) The gender and approximate age of the person receiving attention or treatment; ~~and~~

(6) The suspected controlled substance involved in the overdose;

(7) Whether the individual has a history of a prior overdose, if known; and

(8) The type of drug used in the overdose.

(b) The following entities shall be required to report information contained in §16-5T-4(a) of this code:

(1) Health care providers;

(2) Medical examiners;

(3) Law-enforcement agencies, including, state, county, and local police departments;

(4) Emergency response providers; and

(5) Hospital emergency rooms.

(c) The data collected by the office pursuant to this subsection shall be made available to law enforcement, local health departments, and emergency medical service agencies in each county.

(d) Entities who are required to report information to or from the office pursuant to this section in good faith are not subject to civil or criminal liability for making the report.

(e) For the purposes of this section:

'Information technology platform' ~~means the Washington/Baltimore High Intensity Drug Trafficking Overdose Detection Mapping Application Program or other program identified by the department in rule~~ means a dashboard constructed for or by the state to allow input, collection, data analysis, and display of the required data within 24 hours. The dashboard shall be scalable for additional future requirements with minimum engineering and development time. There is a preference that the dashboard be compatible with artificial intelligence to maintain monitoring.

'Overdose' means an acute condition, including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death believed to be caused by abuse and misuse of prescription or illicit drugs or by substances that a layperson would reasonably believe to be a drug.

'Opioid antagonist' means a federal Food and Drug Administration-approved drug for the treatment of an opiate-related overdose, such as naloxone hydrochloride or other substance that, when administered, negates or neutralizes, in whole or in part, the pharmacological effects of an opioid in the body.

(f) Office of Drug Control Policy shall continue to compile the data that is reported, or that it otherwise has access to, in a public

facing data dashboard. This dashboard shall also include the following:

(1) Every project that receives state funding, federal funding, opioid settlement funds, and other relevant funding sources for substance use disorder beginning in fiscal year 2024;

(2) Data on the outcomes of funded community-based outreach programs, harm reduction programs, criminal justice substance use disorder programs, harm prevention programs, and other funded program, to evaluate program effectiveness and inform program improvement;

(3) A comparison of program effectiveness by county, region, rural or urban, and demographics to identify best practices and areas for improvement and share these findings with stakeholders to support evidence-based decision making;

(4) Alerts to a rise in fatal and non-fatal overdoses in a given area or region to enable resources to be deployed to the area;

(5) Track and interact with medication assisted treatment providers, including the number of patients in and out of treatment, to support the coordination of care and effective care for individuals with substance use disorder;

(6) Public facing information, including maps, charts, and other visualizations, to increase transparency and engagement with stakeholders

(7) The location of every substance use disorder provider on a statewide basis to provide individuals linkage to care;

(8) Non-fatal overdoses within 24 hours of the incident, with data collected from multiple sources, including hospitals, first responders, and law enforcement agencies;

(9) Fatal overdoses with data collected from multiple sources including hospitals, first responders, and law enforcement agencies;

(10) Identification of trends from the data that has been collected, including but not limited to fatal and non-fatal overdoes, use of opioid antagonist, trends in illicit drugs causing overdoses, and other relevant data that can be used to inform the allocation of resources in an area;

(11) Emergency department visits and first responder calls for fatal and non-fatal overdoses, and use this data to identify trends and hotspots and inform resource allocation;

(12) Data regarding program effectiveness in both the short-term and long-term with both immediate and long-term outcomes for individuals receiving services and support for ongoing program improvement and refinement; and

(13) The dashboard shall be updated daily to reflect current data, changes in provider location, and any other updates as needed.

§16-5T-7. Enforcement.

(a) The Office of Drug Control Policy may assess a civil penalty for violation of the reporting requirements set forth in §16-5T-4 of this code. If the Office of Drug Control Policy determines that an entity is in violation of the reporting requirements, then a civil penalty of not less than $500 no more than $1000 per occurrence may be assessed."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 3306 – "A Bill to amend and reenact §16-1-13 of the Code of West Virginia, as amended; to amend and reenact §16-5T-2 and §16-5T-4 of said code; and to amend said code by adding thereto a new section, designated §16-5T-7 of said code; all relating to the department; creating a special revenue account; providing for the appointing of the director of the Office of Drug Control Policy; requiring the creation of a task force; setting forth composition of the taskforce; setting forth areas to be examined by taskforce; requiring reporting; establishing deadlines

for reports; continuing data dashboard; adding variables to items that must be collected; amending information technology platform; setting forth items that must be displayed on dashboard; providing for enforcement; providing for imposition of civil monetary penalties for violation of reporting requirements."

With the further amendment, sponsored by Delegate Householder, being as follows:

On page 5, section 2, line 76, subparagraph (i), after the word "issues," by inserting a period and striking the words:

"The taskforce will also examine the situation of a resident who was transported from any location within or without the state of West Virginia and is discharged, evicted, or otherwise removed from a recovery residence, and whether or not a recovery residence should provide transportation to the location from which the resident was initially transported, at the expense of the recovery residence. The taskforce will additionally examine, the situation of a resident who may be discharged, evicted, or otherwise removed prior to the expiration of the time period for which he or she has previously paid rent or any other fee for residency or service, in the context of requiring the recovery residence to promptly report relevant information regarding the circumstances for each early discharge, eviction, or removal of a resident to the Department of Health and Human Resources' Bureau for Behavioral Health. The taskforce will further examine whether or not residents of a recovery residence should be granted any minimal tenancy rights or otherwise be considered a worthy recipient for relief from a magistrate court arising from their discharge, eviction, or removal from a recovery residence."

And,

With the further title amendment sponsored by Delegate Householder, amending the title of the bill to read as follows:

Com. Sub. for H. B. 3306 – "A Bill to amend and reenact §16-1-13 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-5T-2 and §16-5T-4 of said code; and to amend said

code by adding thereto a new section, designated §16-5T-7 of said code; all relating to the department; creating a special revenue account; providing for the appointing of the director of the Office of Drug Control Policy; requiring the creation of a task force; setting forth composition of the taskforce; setting forth areas to be examined by taskforce; requiring reporting; establishing deadlines for reports; continuing data dashboard; adding variables to items that must be collected; amending information technology platform; setting forth items that must be displayed on dashboard; providing for enforcement; providing for imposition of civil monetary penalties for violation of reporting requirements."

The bill, as amended by the Senate, and further amended by the House, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 753)**, and there were—yeas 93, nays 3, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall and Vance.

Absent and Not Voting: Longanacre, Mallow, Westfall and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3306) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2026, Authorizing municipalities with police or firefighter employees in PERS to elect to become participating employer in Municipal Police Officer and Firefighter Retirement System for a limited time.

On motion of Delegate Householder, the House concurred in the following amendment by the Senate, with further amendment:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 22A. WEST VIRGINIA MUNICIPAL POLICE OFFICERS AND FIREFIGHTERS RETIREMENT SYSTEM.**

§8-22A-33a. Second special authorization for municipal police or firefighters hired after July 1, 2015.

(a) Notwithstanding any provision of this code to the contrary, any municipality or municipal subdivision that employs individuals as members of paid police departments or paid fire departments and whose current police officers or firefighters are participating in the Public Employees Retirement System may elect, as provided in same manner as provided in §8-22A-28 of this code, to become a participating public employer in the plan and thereby include its police officers and firefighters in the membership of the plan subject to the restrictions provided in this section.

(b) The municipality or municipal subdivision may elect to include only police officers or firefighters who have been hired on or after July 1, 2015, to become members of the plan. Police officers or firefighters hired before July 1, 2015, will remain members of the Public Employees Retirement System.

(c) The municipality or municipal subdivision must make its election on or prior to July 1, 2025.

(d) Once a municipality or municipal subdivision makes its election to become a participating public employer pursuant to this section, all police officers or firefighters hired by the municipality or municipal subdivision after the date of election shall be members of the plan: *Provided,* That police officers or firefighters hired by the municipality or municipal subdivision on or after July 1, 2015, who are members of the Public Employees Retirement System, may choose to become a member of the plan by notifying the

municipality or municipal subdivision on a form provided by the Consolidated Public Retirement Board: *Provided, however,* That he or she make this decision within ninety days of the municipality or municipal subdivision's decision to participate in the plan. A municipality or municipal subdivision making an election to become a participating public employer pursuant to this section that has hired any police officer or firefighter on or after July 1, 2015, shall notify each police officer or firefighter hired on or after July 1, 2015, of its election to become a participating public employer within thirty days of making the election. This notice shall include instructions as to how a police officer or firefighter may make notification to the municipality or municipal subdivision of his or her decision to become a member in the plan. The municipality or municipal subdivision shall notify the Consolidated Public Retirement Board in writing of any police officer or firefighter hired after July 1, 2015, who has decided to become a member of the plan and terminate his or her membership in the Public Employees Retirement System within thirty days of notification by the police officer or firefighter on forms provided by the Consolidated Public Retirement System.

(e) Notwithstanding any other provision of the code to the contrary, any police officer or firefighter hired by a participating public employer on or after July 1, 2015, who chooses pursuant to this section to be a member of the plan, shall be a member of the plan upon acceptance by the Consolidated Public Retirement Board of the notification by the municipality required by this section.

(1) The Consolidated Public Retirement Board shall transfer assets and service credit earned on or after July 1, 2015, from the Public Employees Retirement System Trust Fund into the West Virginia Municipal Police Officers and Firefighters Retirement Fund for those police officers or firefighters who elect to be a member of the plan and were members in the Public Employees Retirement System no later than sixty days from receipt of notification by the municipality or municipal subdivision of the police officer or firefighter's election to become a member. The amount of service credit recognized by the plan for the transferring

employees shall be the service credit transferred and recognized by the Public Employees Retirement System.

(2) The amount of assets to be transferred for each police officer or firefighter shall be computed as of the actuarial valuation date preceding the notification to the Consolidated Public Retirement Board by the municipality or municipal subdivision of the police officer or firefighter's election to become a member and updated with seven and one-half percent annual interest to the date of the actual asset transfer. For purposes of this section, the actuarial valuation date is the most recent actuarial valuation of the Public Employees Retirement System approved by the Consolidated Public Retirement Board. The market value of the assets of the transferring employees in the Public Employees Retirement System shall be determined as of the end of the month preceding the actual transfer. To determine the computation of the asset share to be transferred, the Consolidated Public Retirement Board shall:

(A) Compute the market value of the Public Employees Retirement System assets using the actuarial valuation date;

(B) Compute the actuarial accrued liabilities for all Public Employees Retirement System retirees, beneficiaries, disabled retirees and terminated inactive members using the actuarial valuation date:

(C) Compute the market value of active member assets in the Public Retirement System as of the actuarial valuation date by reducing the assets value under paragraph (A) of this subdivision by the inactive liabilities under paragraph (B) of this subdivision;

(D) Compute the actuarial accrued liability for all active Public Employees Retirement System members using the actuarial valuation date immediately preceding the computation date;

(E) Compute the funded percentage of the active members' actuarial accrued liabilities under the Public Employees Retirement System as of the actuarial valuation date by dividing the active members' market value of assets under paragraph (C) of this

subdivision by the active members' actuarial accrued liabilities under paragraph (D) of this subsection;

(F) Compute the actuarial accrued liabilities under the Public Employees Retirement System as of the actuarial valuation date for active employees transferring to the plan;

(G) Determine the assets to be transferred from the Public Employees Retirement System to the plan by multiplying the active members' funded percentage determined under paragraph (E) of this subdivision by the transferring active members' actuarial accrued liabilities under the Public Employees Retirement System under paragraph (F) of this subdivision and adjusting the asset transfer amount by interest at seven and five-tenths percent for the period from the calculation date of July 1 through the first day of the month in which the asset transfer is to be completed.

(3) Any police officer or firefighter who elects to become a member of the plan must also pay to the plan a four percent contribution no later than June 30, 2027. The contribution shall be calculated as four percent of the member's total earnings for which assets are transferred, plus interest of seven and one-half percent accumulated from the date of the police officer's or firefighter's initial participation in the Public Employees Retirement System through the calculation date. Installment payments may be made over no more than a twenty-four month period plus seven and one-half percent interest shall accrue on the outstanding balance due from the calculation date until paid in full.

(4) Once an employee transfers from the Public Employees Retirement System to the plan, the Public Employees Retirement System shall bar any further liability and said transfer will constitute an agreement whereby the transferring employee forever indemnifies and holds harmless the Public Employees Retirement System from providing him or her any form of retirement benefit whatsoever until that employee obtains other employment which would make him or her eligible to reenter the Public Employees Retirement System with no credit whatsoever for the amounts transferred to the plan.

ARTICLE 4. DISABILITY AND DEATH BENEFITS.

§23-4-1. To whom compensation fund disbursed; occupational pneumoconiosis and other occupational diseases included in "injury" and "personal injury"; definition of occupational pneumoconiosis and other occupational diseases; rebuttable presumption for cardiovascular injury and disease or pulmonary disease for firefighters.

(a) Subject to the provisions and limitations elsewhere in this chapter, workers' compensation benefits shall be paid from the Workers' Compensation Fund, to the employees of employers subject to this chapter who have received personal injuries in the course of and resulting from their covered employment or to the dependents, if any, of the employees in case death has ensued, according to the provisions hereinafter made: *Provided*, That in the case of any employees of the state and its political subdivisions, including: Counties; municipalities; cities; towns; any separate corporation or instrumentality established by one or more counties, cities or towns as permitted by law; any corporation or instrumentality supported in most part by counties, cities or towns; any public corporation charged by law with the performance of a governmental function and whose jurisdiction is coextensive with one or more counties, cities or towns; any agency or organization established by the Department of Mental Health, or its successor agencies, for the provision of community health or intellectual and developmental disability services and which is supported, in whole or in part, by state, county, or municipal funds; board, agency, commission, department, or spending unit, including any agency created by rule of the Supreme Court of Appeals, who have received personal injuries in the course of and resulting from their covered employment, the employees are ineligible to receive compensation while the employees are at the same time and for the same reason drawing sick leave benefits. The state employees may only use sick leave for nonjob-related absences consistent with sick leave use and may draw workers' compensation benefits only where there is a job-related injury. This proviso does not apply to permanent benefits: *Provided, however*, That the employees may collect sick leave benefits until receiving temporary total disability

benefits. The Division of Personnel shall propose rules for legislative approval pursuant to §29A-3-1 *et seq.* of this code relating to use of sick leave benefits by employees receiving personal injuries in the course of and resulting from covered employment: *Provided further*, That if an employee is injured in the course of and resulting from covered employment and the injury results in lost time from work and the employee for whatever reason uses or obtains sick leave benefits and subsequently receives temporary total disability benefits for the same time period, the employee may be restored sick leave time taken by him or her as a result of the compensable injury by paying to his or her employer the temporary total disability benefits received or an amount equal to the temporary total disability benefits received. The employee shall be restored sick leave time on a day-for-day basis which corresponds to temporary total disability benefits paid to the employer: *And provided further*, That since the intent of this subsection is to prevent an employee of the state or any of its political subdivisions from collecting both temporary total disability benefits and sick leave benefits for the same time period, nothing in this subsection prevents an employee of the state or any of its political subdivisions from electing to receive either sick leave benefits or temporary total disability benefits, but not both.

(b) For the purposes of this chapter, the terms "injury" and "personal injury" include occupational pneumoconiosis and any other occupational disease, as hereinafter defined, and workers' compensation benefits shall be paid to the employees of the employers in whose employment the employees have been exposed to the hazards of occupational pneumoconiosis or other occupational disease and have contracted occupational pneumoconiosis or other occupational disease, or have suffered a perceptible aggravation of an existing pneumoconiosis or other occupational disease, or to the dependents, if any, of the employees, in case death has ensued, according to the provisions hereinafter made: *Provided*, That compensation is not payable for the disease of occupational pneumoconiosis, or death resulting from the disease, unless the employee has been exposed to the hazards of occupational pneumoconiosis in the State of West Virginia over a continuous period of not less than two years during

the 10 years immediately preceding the date of his or her last exposure to such hazards, or for any five of the 15 years immediately preceding the date of his or her last exposure. An application for benefits on account of occupational pneumoconiosis shall set forth the name of the employer or employers and the time worked for each. The commission may allocate to and divide any charges resulting from such claim among the employers by whom the claimant was employed for as much as 60 days during the period of three years immediately preceding the date of last exposure to the hazards of occupational pneumoconiosis. The allocation shall be based upon the time and degree of exposure with each employer.

(c) For the purposes of this chapter, disability or death resulting from occupational pneumoconiosis, as defined in subsection (d) of this section, shall be treated and compensated as an injury by accident.

(d) Occupational pneumoconiosis is a disease of the lungs caused by the inhalation of minute particles of dust over a period of time due to causes and conditions arising out of and in the course of the employment. The term "occupational pneumoconiosis" includes, but is not limited to, such diseases as silicosis, anthracosilicosis, coal worker's pneumoconiosis, commonly known as black lung or miner's asthma, silicotuberculosis (silicosis accompanied by active tuberculosis of the lungs), coal worker's pneumoconiosis accompanied by active tuberculosis of the lungs, asbestosis, siderosis, anthrax, and any and all other dust diseases of the lungs and conditions and diseases caused by occupational pneumoconiosis which are not specifically designated in this section meeting the definition of occupational pneumoconiosis set forth in this subsection.

(e) In determining the presence of occupational pneumoconiosis, x-ray evidence may be considered, but may not be accorded greater weight than any other type of evidence demonstrating occupational pneumoconiosis.

(f) For the purposes of this chapter, occupational disease means a disease incurred in the course of and resulting from employment.

No ordinary disease of life to which the general public is exposed outside of the employment is compensable except when it follows as an incident of occupational disease as defined in this chapter. Except in the case of occupational pneumoconiosis, a disease is considered to have been incurred in the course of or to have resulted from the employment only if it is apparent to the rational mind, upon consideration of all the circumstances: (1) That there is a direct causal connection between the conditions under which work is performed and the occupational disease; (2) that it can be seen to have followed as a natural incident of the work as a result of the exposure occasioned by the nature of the employment; (3) that it can be fairly traced to the employment as the proximate cause; (4) that it does not come from a hazard to which workmen would have been equally exposed outside of the employment; (5) that it is incidental to the character of the business and not independent of the relation of employer and employee; and (6) that it appears to have had its origin in a risk connected with the employment and to have flowed from that source as a natural consequence, though it need not have been foreseen or expected before its contraction: *Provided*, That compensation is not payable for an occupational disease or death resulting from the disease unless the employee has been exposed to the hazards of the disease in the State of West Virginia over a continuous period that is determined to be sufficient, by rule of the board of managers, for the disease to have occurred in the course of and resulting from the employee's employment. An application for benefits on account of an occupational disease shall set forth the name of the employer or employers and the time worked for each. The commission may allocate to and divide any charges resulting from the claim among the employers by whom the claimant was employed. The allocation shall be based upon the time and degree of exposure with each employer.

(g) No award may be made under the provisions of this chapter for any occupational disease contracted prior to July 1, 1949. An employee has contracted an occupational disease within the meaning of this subsection if the disease or condition has developed to such an extent that it can be diagnosed as an occupational disease.

(h) For purposes of this chapter, a rebuttable presumption that a professional firefighter who has developed a cardiovascular or pulmonary disease or sustained a cardiovascular injury or who has developed leukemia, lymphoma, ~~or~~ multiple myeloma, bladder cancer, mesothelioma, or testicular cancer arising out of and in the course of employment as a firefighter has received an injury or contracted a disease arising out of and in the course of his or her employment exists if: (A) The person has been actively employed by a fire department as a professional firefighter for a minimum of two years prior to the cardiovascular injury or onset of a cardiovascular or pulmonary disease or death; (B) the injury or onset of the disease or death occurred within six months of having participated in ~~fire fighting~~ firefighting or a training or drill exercise which actually involved ~~fire fighting~~ firefighting; and (C) in the case of the development of leukemia, lymphoma, ~~or~~ multiple myeloma, bladder cancer, mesothelioma, or testicular cancer, the person has been actively employed by a fire department as a professional firefighter for a minimum of five years in the state prior to the development of leukemia, lymphoma, ~~or~~ multiple myeloma, bladder cancer, mesothelioma, or testicular cancer, ~~has not used tobacco products for at least 10 years~~ has not used tobacco products more than six times in a calendar for at least 10 years, and is not over the age of 65 years. When the above conditions are met, it shall be presumed that sufficient notice of the injury, disease, or death has been given and that the injury, disease, or death was not ~~self inflicted~~ self-inflicted. The amendments made to this section during the regular session of the Legislature, 2023, to include bladder cancer, mesothelioma or testicular cancer arising out of and in the course of employment as a firefighter as a rebuttable presumption expire on July 1, 2027, unless extended by the Legislature.

(i) Claims for occupational disease as defined in §23-4-1(f) of this code, except occupational pneumoconiosis for all workers and pulmonary disease and cardiovascular injury and disease for professional firefighters, shall be processed in like manner as claims for all other personal injuries."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 2026 – "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8-22A-33a; and to amend and reenact §23-4-1 of said code, all relating to benefits for municipal police officers or firefighters; providing for transfer of assets pertaining to municipal police officers or firefighters; requiring certain computations to be made by the Consolidated Public Retirement Board; requiring certain payments; terminating liability of the Public Employees Retirement System; to compensable diseases of certain firefighters covered by workers' compensation; establishing rebuttable presumption of injury arising out of and in the course of employment for certain covered firefighters that develop bladder cancer, mesothelioma, and testicular cancer; providing for conditions of the presumption; and providing that the rebuttable presumption expires on July 1, 2027, unless extended by the Legislature."

With the further amendment, sponsored by Delegates Criss and Householder, being as

On page 1, section 33a, line 4, by striking "§8-22A-8(a) and inserting in lieu thereof "§8-22A-28(a)";

And,

On page 4, following section 33a, by striking the remainder of the bill.

And,

The further title amendment, sponsored by Delegates Criss and Householder, amending the title of the bill to read as follows:

Com. Sub. for H. B. 2026 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8-22A-33a, relating to additional opportunity for municipal police officers or firefighters to transfer into the Municipal Police Officers and Firefighters Retirement System; providing conditions upon which municipal police officers or

firefighters may transfer into Municipal Police Officers and Firefighters Retirement System; providing for transfer of assets pertaining to municipal police officers or firefighters; requiring certain computations to be made by the Consolidated Public Retirement Board; requiring certain payments; and terminating liability of the Public Employees Retirement System."

The bill, as amended by the Senate, and further amended by the House, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 754)**, and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Mallow and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2026) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

At 3:03 p.m., on motion of Delegate Householder, the House of Delegates recessed until 4:30 p.m.

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Afternoon Session

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The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had refused to recede from its amendment and requested the House of Delegates to agree to the appointment of a Committee of

Conference of three from each house on the disagreeing votes of the two houses as to

Com. Sub. for H. B. 3302, To recognize unborn child as distinct victim in a DUI causing death.

The message further announced that the President of the Senate had appointed as conferees on the part of the Senate the following:

Senators Deeds, Hamilton and Woelful.

On motion of Delegate Householder, the House of Delegates authorized the Speaker to appoint conferees on the part of the House on the disagreeing votes of the houses.

Whereupon,

The Speaker appointed as conferees on the part of the House of Delegates the following:

Delegates Kelly, Garcia and Ward.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had refused to concur in the amendment of the House of Delegates and requested the House to recede from its amendment to

Com. Sub. for S. B. 617, Relating to Intellectual and Development Disabilities Waiver Program Workforce Study.

On motion of Delegate Householder, the House of Delegates refused to recede and agreed to the appointment of a Committee of Conference of three from each house on the disagreeing votes of the two houses.

Whereupon,

The Speaker appointed as conferees on the part of the House of Delegates the following:

Delegates Summers, Griffith and Hardy.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates, with further amendment, and the passage, as amended, of

Com. Sub. for S. B. 361, Authorizing miscellaneous boards and agencies to promulgate legislative rules.

On motion of Delegate Householder, the House concurred in the following amendment of the bill by the Senate:

On page 7, section 10, subsection (d), line 14 through 16, after "is authorized" by inserting a period, and striking out the remainder of the subsection.

The bill, as amended by the House, and further amended by the Senate, was put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 755)**, and there were—yeas 94, nays 1, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Vance.

Absent and Not Voting: Bridges, Burkhammer, Mallow, Skaff and Westfall.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 361) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 756)**, and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Burkhammer, Mallow, Skaff and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 361) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

Delegate A. Hall asked and obtained unanimous consent to be removed as a cosponsor of Com. Sub. for H. B. 3018.

Messages from the Senate

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3315, Relating generally to readiness enhancement and commission bonuses.

On motion of Delegate Householder, the House refused to concur in the following amendment of the bill by the Senate, and requested the Senate to recede therefrom:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 1B. NATIONAL GUARD.**

§15-1B-25. <u>Readiness Enhancement and</u> Commissioning Bonus.

<u>(a) The Adjutant General may establish within the limitations of this section a program to provide enlistment bonuses to eligible prospects who become members of the West Virginia National Guard.</u>

(1) Eligibility for the bonus is limited to a candidate who: (A) Joins the National Guard as an enlisted member; (B) Serves satisfactorily during the period of, and completes, the person's initial entry training, if applicable; and (C) Has expertise, qualifications, or potential for military service deemed by the Adjutant General as sufficiently important to the readiness of the National Guard or a unit of the National Guard. The Adjutant General may, within the limitations of this subsection and other applicable laws, determine additional eligibility criteria for the bonus.

(2) The enlistment bonus payments are to be in an amount to generally encourage the candidate's enlistment in the National Guard, subject to available appropriations, and on a schedule that is determined and published in department regulations by the Adjutant General.

(3) If a member fails to complete a term of enlistment for which a bonus was paid, the Adjutant General may seek to recoup a prorated amount of the bonus as determined by the Adjutant General.

(b) The Adjutant General may establish a program to provide a reenlistment or commissioning bonus to eligible members of the West Virginia National Guard who extend their term of service in the National Guard within the limitations of this subsection. Eligibility for the bonus is limited to a member of the National Guard who: (1) Is serving satisfactorily as determined by the Adjutant General; (2) Has 12 or fewer years of service creditable for retirement; and (3) Has military training and expertise deemed by the Adjutant General as sufficiently important to the readiness of the National Guard or a unit of the National Guard, or has accepted a commission as an officer in the National Guard. The Adjutant General may, within the limitations of this subsection and other applicable laws, determine additional eligibility criteria for the bonus.

(1) The enlistment bonus payments are to be in an amount to generally encourage the member's reenlistment or commissioning in the National Guard, subject to available appropriations, and on

a schedule that is determined and published in department regulations by the Adjutant General.

(2) If a member fails to complete a term of reenlistment or an obligated term of commissioned service for which a bonus was paid, the Adjutant General may seek to recoup a prorated amount of the bonus as determined by the Adjutant General.

(c) Upon graduation from the officer candidate school conducted at the regional training institute, Camp Dawson, each member of the West Virginia Army National Guard who accepts a commission shall be entitled to a commissioning bonus of $2,000.

CHAPTER 31. CORPORATIONS.

ARTICLE 18F. THE WEST VIRGINIA VETERANS' HOME LOAN MORTGAGE PROGRAM OF 2023.

§31-18F-1. Short title.

This article shall be known as the West Virginia Veterans' Home Loan Mortgage Program Act of 2023.

§31-18F-2. Definitions.

As used in this section, the following definitions apply:

(1) 'Eligible veteran' means an individual who is a West Virginia resident and who:

(a) Is a member of the West Virginia National Guard;

(b) Is a member of the federal reserve forces of the armed forces of the United States, serving pursuant to Title 10 of the United States Code;

(c) Is serving on federal active duty pursuant to Title 10 of the United States Code;

(d) Is an unremarried spouse of an individual who was otherwise an eligible veteran and was killed in the line of duty;

(e) Is a child of an individual who was otherwise an eligible veteran and was killed in the line of duty;

(f) Is an eligible veteran as defined by rule promulgated by the West Virginia Housing Development Fund; or

(g) Was previously a member of the armed forces pursuant to subdivisions (a), (b), or (c) and was discharged under honorable conditions.

(h) An individual who meets the requirements of paragraph (a), (b), (c), (f), or (g) of this subdivision 2 of this article, and who is establishing their primary residence in West Virginia, and is purchasing a home in this state for the first time.

(2) 'First-time home buyer' means an individual determined by the fund to be a first-time home buyer pursuant to rules adopted by the fund.

(3) 'Fund' means the West Virginia Veterans' Home Loan Mortgage Fund.

(4) 'Mortgage loan' means a loan for the purchase of real property with any improvements located within this state that is to be used for primary residential purposes by the eligible veteran and that is based upon a written instrument approved by a federal agency, and that is secured by a deed of trust.

(5) 'Participating financial institution' means a corporate lender or other loan originator approved by the West Virginia Housing Development Fund for originating loans pursuant to this article.

(6) 'Resident' means an individual who maintains, or will maintain after receiving a mortgage loan, a primary residence within West Virginia, and who has not established a residence elsewhere even though the individual may be temporarily absent from the state.

(7) 'Under honorable conditions' means a discharge or separation from military duty characterized by the armed forces as

under honorable conditions. The term includes honorable discharge and general discharge. The term does not include a dishonorable discharge, or another administrative discharge characterized by military regulation as other than honorable.

(8) 'Veterans' home loan mortgage program' or 'program' means the program created in §31-18F-1 *et seq.* of this code.

§31-18F-3. Veterans' Home Loan Mortgage Program created.

(a) There is hereby created by this article, the West Virginia Veterans' Home Loan Mortgage Program of 2023 under the direction and management of the West Virginia Housing Development Fund for eligible veterans who are first-time home buyers.

(b) The West Virginia Housing Development Fund is authorized to purchase mortgage loans from participating financial institutions pursuant to this article or through direct origination.

§31-18F-4. Terms of program.

(a) Interest on a home mortgage loan made pursuant to this section must be charged at 1 percent less than the federal national mortgage association's delivery rate or 1 percent lower than the West Virginia Housing Development Fund's Homeownership Program, whichever is less. If the federal national mortgage association's rate becomes unavailable, the West Virginia Housing Development Fund shall use another similar rate for the purposes of this section.

(b) The maximum amount of a loan made by the West Virginia Housing Development Fund pursuant to this article is 100 percent of the value of the statewide allowable purchase price determined by the West Virginia Housing Development Fund.

(c) The West Virginia Housing Development Fund shall require as a condition for a loan, that an eligible veteran participate in a first-time home buyer education program approved by the West Virginia Housing Development Fund.

(d) A loan made by the West Virginia Housing Development Fund must be secured by a government guaranty unless the West Virginia Housing Development Fund determines to allow the use of conventional mortgage insurance requirements and coverage.

(e) An eligible veteran shall participate in a loan by contributing a minimum amount of $2,500 unless the West Virginia Housing Development Fund determines otherwise. An eligible veteran may use the minimum contribution toward paying closing costs and may borrow from the Veterans' Home Loan Mortgage Program the maximum loan amount allowed by the mortgage insurer for the loan.

(f) There is no limit on the maximum amount of income that may be earned by an eligible veteran for the purposes of a loan pursuant to this article.

(g) In order to allow small financial institutions to participate equitably in the program along with large financial institutions, the West Virginia Housing Development Fund may adopt rules to specify the maximum amount of mortgage loans that may be made by any one participating financial institution.

(h) The Legislative Auditor shall have access to all documentation used for the purpose of the program.

(i) The West Virginia Housing Development Fund shall annually submit to the Joint Committee on Government and Finance a report describing, at a minimum, the operation and use of this program. This report shall be due no later than December 1 of each year and may be combined with other reports submitted by the West Virginia Housing Development Fund to the Legislature.

§31-18F-5. West Virginia Veterans' Home Loan Mortgage Fund.

(a) The board of directors of the West Virginia Housing Development Fund may create and establish the West Virginia Veterans' Home Loan Mortgage Fund to make moneys available to the West Virginia Housing Development Fund for loans that qualify pursuant to this article.

(b) The West Virginia Housing Development Fund shall administer the West Virginia Veterans' Home Loan Mortgage Fund and service the mortgage loans under the program.

(c) The West Virginia Housing Development Fund shall receive all moneys transferred to the Fund pursuant to §36-8-13(f) of this code, any other moneys to be deposited into the fund, and any repayments and interest paid to the fund.

(d) As a loan pursuant to this article is repaid, the principal payments on the loan must be redeposited in the fund until all of the principal of the loan is repaid. In the event of foreclosure, the proceeds from the sale of the foreclosed property must be deposited to the fund. The fund may be used to cover the initial purchase of the mortgage loans from participating lenders as well as amounts determined by the West Virginia Housing Development Fund, to pay for the origination and servicing release fees of a loan by a participating financial institution and to cover the holding costs of any foreclosed properties. Interest received on the loans may be used by the West Virginia Housing Development Fund to pay the reasonable costs for the administration of the program and servicing of the loans. Remaining interest received on the loan must be deposited into the fund.

(e) Following the initial origination of loans, loan repayments and any interest earnings of the fund may be used by the West Virginia Housing Development Fund to originate additional program loans or to assist in the development of affordable housing units for the benefit of veterans.

(f) The West Virginia Housing Development Fund may invest and reinvest all moneys in the Veterans' Home Loan Mortgage Fund in any investments authorized under W. Va. Code § 31-18-6, pending the disbursement thereof in connection with the Veterans' Home Loan Mortgage Fund.

(g) The West Virginia Housing Development Fund will operate the Veterans' Home Loan Mortgage Fund in accordance with customary practices of mortgage lending and loan servicing, including originating loans through qualified lending institutions,

industry standard underwriting, minimum down payments, house purchase prices, mortgage lien position, loan origination, and loan servicing fees similar to the West Virginia Housing Development Fund Homeownership Program or similar program.

CHAPTER 36. ESTATES AND PROPERTY.

ARTICLE 8. UNIFORM UNCLAIMED PROPERTY ACT.

§36-8-13. Deposit of funds.

(a) The administrator shall record the name and last known address of each person appearing from the holders reports to be entitled to the property, and the name and last known address of each insured person or annuitant and beneficiary and with respect to each policy or annuity listed in the report of an insurance company, its number, the name of the company, and the amount due.

(b) The Unclaimed Property Fund is continued. The administrator shall deposit all funds received pursuant to this article in the Unclaimed Property Fund, including the proceeds from the sale of abandoned property under §36-8-12 of this code. The administrator may invest the Unclaimed Property Fund with the West Virginia Board of Treasury Investments, or the Investment Management Board, and all earnings shall accrue to the fund and are available for expenditure in accordance with the article. In addition to paying claims of unclaimed property duly allowed, the administrator may deduct the following expenses from the Unclaimed Property Fund:

(1) Expenses of the sale of abandoned property;

(2) Expenses incurred in returning the property to owners, including without limitation the costs of mailing and publication to locate owners;

(3) Reasonable service charge; and

(4) Expenses incurred in examining records of holders of property and in collecting the property from those holders.

(c) The Unclaimed Property Trust Fund is continued within the State Treasury. The administrator may invest the Unclaimed Property Trust Fund with the West Virginia Board of Treasury Investments and all earnings shall accrue to the fund and are available for expenditure in accordance with this article. After deducting the expenses specified in subsection (b) of this section and maintaining a sum of money from which to pay claims duly allowed, the administrator shall transfer the remaining moneys in the Unclaimed Property Fund to the Unclaimed Property Trust Fund.

(d) On or before December 15 of each year, notwithstanding any provision of this code to the contrary, the administrator may transfer the sum of $1 million from the Unclaimed Property Trust Fund to the Jumpstart Savings Trust Fund, until an actuary certifies there are sufficient funds to satisfy all obligations and administrative expenses of the Jumpstart Savings Program.

(e) Subject to a liquidity determination and cash availability, effective July 1, 2022, the unclaimed property administrator may transfer an amount in any fiscal year from the Unclaimed Property Trust Fund to the Military Authority Reimbursable Expenditure Fund: *Provided,* That the aggregate amount that may be transferred under this subsection may not exceed $10 million.

(f) Subject to cash availability, on or before July 15, 2023, the unclaimed property administrator may transfer up to $8 million from the Unclaimed Property Trust Fund to the West Virginia Veterans' Home Loan Mortgage Fund, as provided in §31-18F-5 of this code.

(g) After transferring any money required by subsections (d), ~~and~~ (e), and (f) of this section, the administrator shall transfer moneys remaining in the Unclaimed Property Trust Fund to the General Revenue Fund."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 3315 – "A Bill to amend and reenact §15-1B-25 of the Code of West Virginia, 1931, as amended; to amend and reenact by adding thereto a new article, designated §31-18F-1, §31-18F-2, §31-18F-3, §31-18F-4, §31-18F-5, §31-18F-6; and to amend and reenact §36-8-13 of said code, relating generally to readiness enhancement and commission bonuses; authorizing Adjutant General to establish certain bonus programs; requiring a schedule of bonus amounts; authorizing recoupment of bonus paid under certain circumstances; creating the West Virginia Veterans' Home Loan Mortgage Program of 2023; establishing a fund known as the West Virginia Veterans' Home Loan Mortgage Fund ; declaring the purpose of the fund; providing that the Housing Development Fund shall administer the fund; setting forth terms of the program; authorizing the Housing Development Fund to make certain mortgage loans from the fund; and authorizing the unclaimed property administrator to transfer a certain amount from the Unclaimed Property Trust Fund to the fund."

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request the Senate to recede.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

H. B. 3439, To limit the civil liability of child placing agencies that obtain an insurance policy in an amount not less than $1 million per incident.

On motion of Delegate Jeffries, the House concurred in the following amendment of the bill by the Senate:

On page 1, after line 12 by adding a new subsection, designated subsection (e), to read as follows:

"(e) An act of sexual assault or sexual abuse shall constitute an incident."

And,

By amending the title of the bill to read as follows:

H. B. 3439 – "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §49-2-130, relating to child welfare agencies; requiring a policy of insurance; limiting civil liability for damages or injuries; providing exceptions; and requiring proof of insurance be filed annually."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 757)**, and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Mallow, Skaff, Steele, Westfall and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3439) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

H. B. 3360, Creating an office of the Inspector General within the Department of Homeland Security.

On motion of Delegate Jeffries, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof, the following:

"**ARTICLE 13. OFFICE OF THE INSPECTOR GENERAL.**

§15A-13-1. Office created; appointment of Inspector General.

(a) There is hereby created the Office of the Inspector General as a separate and independent operating agency within the department.

(b) The Office of the Inspector General shall be headed by the Inspector General.

(c) The Inspector General shall be appointed by the Governor, subject to the advice and consent of the Senate.

(d) The term of the Inspector General is five years.

(e) At the end of a term, an Inspector General shall be eligible for reappointment by the Governor, subject to confirmation as required by the provisions of subsection (c) of this section. The Inspector General may continue to serve until a successor is appointed if he or she is not reappointed.

(f) If a vacancy occurs in the position, an interim Inspector General may be appointed as successor to serve until a successor is appointed.

(g) The Inspector General may be removed by the Governor during his or her term only for:

(1) Malfeasance or gross misfeasance in office;

(2) Persistent failure to perform the duties of the office; or

(3) Conduct prejudicial to the proper administration of justice.

(h) The Inspector General shall be appointed without regard to political affiliation and shall be professionally qualified through experience or education in at least two of the following areas:

(1) The practice of law;

(2) Auditing;

(3) Government operations;

(4) Financial analysis;

(5) Management analysis;

(6) Public administration; or

(7) Fraud investigation.

(i) The Inspector General shall be paid an annual salary not to exceed $95,000.

(j) The Inspector General:

(1) Shall perform inspections, evaluations, and reviews, and provide quality control for all investigations within the department, and supervise all personnel of the Office of the Inspector General;

(2) Shall investigate fraud, waste, abuse of departmental funds, and behavior in the department that threatens public safety or demonstrates negligence, incompetence, misfeasance, or malfeasance;

(3) Shall cooperate with and coordinate investigative efforts with law enforcement, and where a preliminary investigation establishes a sufficient basis to warrant referral, shall refer such matters to the appropriate prosecuting attorney or the appropriate federal law-enforcement agency; and

(4) May subpoena any person or evidence, administer oaths, take and certify affidavits, and take depositions and other testimony for the purpose of investigating fraud, waste, abuse of departmental funds, or behavior in the department that threatens public safety or demonstrates negligence, incompetence, or malfeasance.

(A) If a person fails to comply with a lawful order or subpoena issued under this subsection, on petition of the Inspector General or a designated Assistant Inspector General, a court of competent jurisdiction may compel:

(i) Compliance with the order or subpoena; or

(ii) Testimony or the production of evidence.

(k) If the Office of the Inspector General is unable to investigate a complaint or allegation because of a conflict of interest, the Office of the Inspector General shall refer the complaint or allegation to the Attorney General for referral to another investigative entity.

(l) Neither the Governor, the secretary, nor any other person, may impede, interfere, or inhibit the Inspector General from initiating, conducting, or completing any investigation, inspection, evaluation, review, or other activity regarding oversight of any investigation conducted by the Office of the Inspector General.

(m) The position of the Inspector General shall be governed by the classified-exempt service provisions in §29-6-4 of this code; *Provided,* That, any employees of the Office of the Inspector General shall be governed by the classified service provisions of §29-6-1 *et seq.* of this code and rules promulgated thereunder.

(n) The Inspector General may employ such professional personnel, investigators, and other personnel, including certified law-enforcement officers, necessary for the proper administration of the office.

(o) The Inspector General may delegate duties to other employees or obtain services through contract, but the Inspector General is responsible for all official tasks so delegated.

(p) The Inspector General shall propose legislative and procedural rules in accordance with the provisions of chapter 29A of this code in order to implement provisions of this section and to carry out the duties prescribed therein. The Inspector General may promulgate emergency rules pursuant to §29A-3-15 of this code to effectuate the purposes of this section.

(q) Reports of investigations are confidential and shall be provided under seal to the Governor, the secretary, and the Joint Committee on Government and Finance on a quarterly basis.

(r) Reports and documents relating to active investigations involving possible criminal conduct are confidential and are not subject to the provisions of 29B-1-1 *et seq.*"

And,

By amending the title of the bill to read as follows:

H. B. 3360 – "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-13-1, *et seq.*, relating generally to creating the Office of the Inspector General in the Department of Homeland Security; authorizing the appointment of the Inspector General; setting forth duties and powers of the Inspector General; setting forth provisions for appointment and removal of Inspector General; establishing qualifications for Inspector General; authorizing delegation of duties; authorizing employing persons to perform duties of the office and authorizing and directing rulemaking."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 758)**, and there were—yeas 95, nays 1, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Kump.

Absent and Not Voting: Mallow, Steele, Westfall and Willis.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3360) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2008, Requiring local entities to enforce immigration laws.

On motion of Delegate Kimble, the House concurred in the following amendment by the Senate, with further amendment and title amendment:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**CHAPTER 15. PUBLIC SAFETY.**

ARTICLE 15. FEDERAL IMMIGRATION ENFORCEMENT.

§15-15-1. Definitions

(1) 'Federal immigration agency' means the United States Department of Justice, the United States Department of Homeland Security, any division within either of those departments, specifically including but not limited to United States Immigration and Customs Enforcement, United States Customs and Border Protection, any successor agency or agencies to the aforesaid, and any other federal agency charged with the enforcement or administration of immigration or border control.

(2) 'Immigration law' means the laws of this state or federal law relating to immigrants or immigration, including but not limited to the Federal Immigration and Nationality Act, 8 U.S.C. § 1101 *et seq.*

(3) 'Immigration detainer' means a facially sufficient written or electronic request issued by a federal immigration agency using that agency's official form to request that another law enforcement agency detain a person based on probable cause to believe that the person to be detained is a removable alien under federal immigration law, including detainers issued pursuant to 8 U.S.C. § 1226 *et seq.* and 8 U.S.C. § 1357 *et seq.*, along with a warrant described in paragraph (C) of this subsection. For purposes of this subsection, an immigration detainer is deemed facially sufficient if:

(A) The federal immigration agency's official form is complete and indicates on its face that the federal immigration official has

probable cause to believe that the person to be detained is a removable alien under federal immigration law; or

(B) The federal immigration agency's official form is incomplete and fails to indicate on its face that the federal immigration official has probable cause to believe that the person to be detained is a removable alien under federal immigration law, but is supported by an affidavit, order, or other official documentation that indicates that the federal immigration agency has probable cause to believe that the person to be detained is a removable alien under federal immigration law; and

(C) The federal immigration agency supplies with its detention request a Form I-200 Warrant for Arrest of Alien, or a Form I-205 Warrant of Removal/Deportation, or a successor warrant, or other warrant authorized by federal law.

(4) 'Inmate' means a person in the custody of a law enforcement agency.

(5) 'Law enforcement agency' for purposes of this article means an agency in this state charged with enforcement of federal, state, county, or municipal laws or with managing custody of persons in this state and includes, but is not limited to, municipal police departments, sheriff's offices, county and state police departments, state college and university police departments, county correctional agencies, and the Division of Corrections and Rehabilitation.

(6) 'Local entity' means:

(A) The governing body, and any agents or officers with executive, decision-making, or policymaking authority thereof, of a municipality, county, or other political subdivision of this state, and any subsidiary governmental bodies of those entities;

(B) An officer or employee of or a division, department, or other body that is part of a municipality, county, political subdivision or other authority, including a sheriff, municipal police department, municipal attorney, or county attorney; or

(C) A prosecuting attorney or assistant prosecuting attorney.

(7) 'State entity' means the State of West Virginia or any agency, office, board, bureau, commission, department, branch, division, or institution thereof, including institutions under the authority of the West Virginia Higher Education Policy Commission, the Community and Technical System, and all other public postsecondary educational institutions in the state. The term includes any officer, employee or agent of any of the aforesaid.

§15-15-2. Prohibited policies regarding immigration enforcement.

A state entity, local entity, or law enforcement agency shall not adopt or maintain a law, ordinance, resolution, rule, regulation, policy, directive, order, practice, or procedure, formal or informal, written or unwritten, which prohibits or materially restricts the state entity, local entity, or law enforcement agency from complying with or assisting in the enforcement of immigration laws, including, but not limited to, prohibiting or materially restricting the state entity, local entity, or law enforcement agency from prohibiting or otherwise materially restricting any state entity, local entity, or law enforcement agency from assisting in the enforcement of immigration law. This includes prohibitions or restrictions on:

(a) Inquiries into the immigration status of any person;

(b) Transmitting, requesting, or receiving information relating to immigration status, lawful or unlawful, of any person to or from any federal immigration enforcement agency;

(c) Maintaining, archiving, or otherwise storing for subsequent use information relating to an individual's immigration status;

(d) Exchanging information relating to immigration status with another local entity, state entity, or a federal immigration agency;

(e) Complying with an immigration detainer, including, but not limited to, refusing to cooperate

or comply with a lawfully issued detainer in the absence of a warrant or other order directing compliance with or enforcement of such a detainer;

(f) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate;

(g) Providing a federal immigration agency with an inmate's incarceration status or release date;

(h) Assisting or cooperating with a federal immigration agency, including by providing enforcement assistance;

(i) Participating in any program or agreement authorized under Section 287 of the federal Immigration and Nationality Act, 8 U.S.C. § 1357 *et seq*;

(j) Permitting a federal immigration officer to enter and conduct enforcement activities at a municipal jail, county jail, or Division of Corrections and Rehabilitation Facility involving or related to the enforcement of federal immigration laws;

§15-15-3. Mandatory duties of law enforcement agencies regarding immigration detainer

(a) A law enforcement agency that takes initial custody of a person subject to an immigration detainer shall:

(1) Provide notice to the court authorized to grant or deny the person's release on bail or bond that the person is subject to an immigration detainer;

(2) Record in the person's case file that the person is subject to an immigration detainer; and

(3) Upon determining that the immigration detainer is facially sufficient as defined by §15-15-1 of this code, comply with the requests made in the immigration detainer to the extent required by law.

(b) A law enforcement agency is not required to perform a duty imposed by subsection (a) of this section with respect to a person

who has been transferred to the custody of the agency by another law enforcement agency subject to the requirements of this section.

(c) A court of competent jurisdiction which receives notice that a person is subject to an immigration detainer shall cause the fact to be recorded in the court record, regardless of whether the notice is received before or after a judgment in the case.

§15-15-3. Mandatory agreements for housing persons subject to immigration detainers.

(a) Each county jail or municipal jail, to the extent the same may exist, and the Division of Corrections and Rehabilitation shall enter into an agreement or agreements with a federal immigration agency for temporarily housing persons who are the subject of immigration detainers and for the payment of the costs of housing and detaining those persons.

(b) A compliant agreement under this section includes any contract with a federal immigration agency for housing or detaining persons subject to immigration detainers, such as basic ordering agreements, intergovernmental service agreements, agreements authorized by Section 287 of the federal Immigration and Nationality Act, 8 U.S.C. § 1357 *et seq*, successor agreements, or other similar agreements authorized by federal law.

§15-15-4. Complaint procedure; notice; equitable relief.

(a) Any person, including a federal agency, may file a complaint with the Attorney General alleging that a state entity, local entity, or law enforcement agency has violated or is violating this article. The person shall include with the complaint any evidence the person has in support of the complaint.

(b) A state entity, local entity, or law enforcement agency for which the Attorney General has received a complaint pursuant to this section shall comply with any document requests, including a request for supporting documents, from the Attorney General relating to the complaint.

(c) If the Attorney General determines there is sufficient evidence that a local entity or law enforcement agency has violated or is violating the provisions of this article, the Attorney General may file a petition for declaratory or injunctive relief, mandamus, or other appropriate relief in Circuit Court for Kanawha County, or in the Circuit Court for a county in which the principal office of the entity or agency is located, against the entity or agency suspected of violating this article.

(d) If a court finds a state entity, local entity, or law enforcement agency has violated or is violating this article, the court shall enjoin the violation. The court shall have continuing jurisdiction over the parties and subject matter and may enforce its orders with contempt proceedings as provided by law.

(e) An order approving a consent decree or granting any relief under this section shall include written findings of fact that describe with specificity the existence and nature of the violation.

(f) In an appeal related to a suit brought under this section, the appellate court shall render its final order or judgment with the least possible delay.

§15-15-5. Removal from office for malfeasance, neglect of duty, and failure to faithfully discharge duties of office.

Any elected official who takes official action that results in a law, ordinance, resolution, rule, regulation, policy, directive, order, practice, or procedure to come into or continue in effect that violates the provisions of this article has failed to faithfully execute the duties of his or her office, has acted with neglect of duty, and has engaged in malfeasance in office, and thus may be removed from the same in accordance with Article IV, §6 of the constitution of this state, §6-6-5 of this code, §6-6-7 of this code, or any other applicable provision of the law of this state.

§15-15-6. Attorney General to defend good-faith compliance upon request.

(a) The Attorney General may defend a local entity or law enforcement agency in any action in any court if:

(1) The executive head or governing body, as applicable, of the local entity or law enforcement agency requests the Attorney General 's assistance in the defense; and

(2) The Attorney General determines that the local entity or law enforcement agency that is the subject of the suit has made a good-faith effort to comply with this article.

§15-15-7. Report of violations; whistle-blower protections.

(a) A state entity, local entity, or law enforcement agency shall not discharge, threaten, or otherwise discriminate or retaliate against any official, representative, agent, or employee for reporting a known or probable violation of the provisions of this article to the Attorney General.

(b) All provisions of §6C-1-1 *et seq.* of this code, the Whistle-Blower Law, shall apply to an official, representative, agent, or employee of a state entity, local entity, or law enforcement agency who is discharged, threatened, or otherwise discriminated or retaliated against because he or she reported a known or probable violation of the provisions of this article to the Attorney General.

§15-15-8. Implementation; discrimination prohibited.

(a) This article code shall be implemented in a manner consistent with federal laws and regulations governing immigration, protecting the civil rights of all persons, and respecting the privileges and immunities of United States citizens.

(b) A state entity, local entity, or law enforcement agency, or a person employed by or otherwise under the direction or control of a state entity, local entity, or law enforcement agency, shall not base its actions under this article on the gender, race, color, religion, language, national origin, or physical disability of a person except to the extent authorized by the United States Constitution, the constitution and laws of this state, or other applicable federal law"

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 2008 – "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto one new article containing eight new sections, designated §15-15-1, §15-15-2, §15-15-3, §15-15-4, §15-15-5, §15-15-6, §15-15-7, and §15-15-8, all relating to prohibiting subdivisions and local entities from adopting policies that prohibit or materially restrict cooperation with federal entities enforcing immigration law; requiring state entities, local entities and law enforcement agencies to cooperate with the enforcement of immigration laws; providing for definitions; requiring that entities and agencies not prohibit the enforcement of immigration laws or cooperation with other governmental agencies to enforce immigration laws; providing for complaint procedures; providing for mandatory duties regarding immigration detainers; providing for actions to ensure compliance; providing that the failure to satisfy the duties imposed by this enactment constitutes neglect of duty and malfeasance in office and exposes elected officials to removal from office as provided by law; providing for mandatory agreements regarding the housing of persons subject to immigration detainers; providing for the Attorney General to defend good-faith compliance under certain circumstances; providing Whistle-Blower protections to individuals who report violations; and prohibiting discrimination on the basis of protected classes."

With the further amendment, sponsored by Delegate Capito, being as follows:

On page 4, by redesignating section number and section heading "§15-15-3. Mandatory agreements for housing persons subject to immigration detainers" as "§15-5-4. Mandatory agreements for housing persons subject to immigration detainers", and by renumbering the remaining sections accordingly.

And,

With the further title amendment sponsored by Delegate Capito, amending the title of the bill to read as follows:

Com. Sub. for H. B. 2008 – "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto one new article containing nine new sections, designated §15-15-1, §15-15-2, §15-15-3, §15-15-4, §15-15-5, §15-15-6, §15-15-7, §15-15-8, and §15-15-9, all relating to prohibiting subdivisions and local entities from adopting policies that prohibit or materially restrict cooperation with federal entities enforcing immigration law; requiring state entities, local entities and law enforcement agencies to cooperate with the enforcement of immigration laws; providing for definitions; requiring that entities and agencies not prohibit the enforcement of immigration laws or cooperation with other governmental agencies to enforce immigration laws; providing for complaint procedures; providing for mandatory duties regarding immigration detainers; providing for actions to ensure compliance; providing that the failure to satisfy the duties imposed by this enactment constitutes neglect of duty and malfeasance in office and exposes elected officials to removal from office as provided by law; providing for mandatory agreements regarding the housing of persons subject to immigration detainers; providing for the Attorney General to defend good-faith compliance under certain circumstances; providing Whistle-Blower protections to individuals who report violations; and prohibiting discrimination on the basis of protected classes."

The bill, as amended by the Senate, and further amended by the House, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 759)**, and there were—yeas 90, nays 6, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Garcia, Hansen, Pushkin, Walker, Williams and Young.

Absent and Not Voting: Mallow, Steele, Westfall and Willis.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2008) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2760, To allow CPR fire fighters to drive ambulances when both attendants are needed to administer patient care.

On motion of Delegate Kelly, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 1. WORDS AND PHRASES DEFINED.**

§17C-1-6. Authorized emergency vehicle.

'Authorized emergency vehicle' means vehicles of a fire department, duly chartered rescue squad, police department, ambulance service, hospital police department, state, county, or municipal agency, and such privately owned ambulances, tow trucks, wreckers, flag car services, vehicles providing road service to disabled vehicles, service vehicles of a public service corporation, postal service vehicles, snow removal equipment, Class A vehicles of firefighters, Class A vehicles of members of ambulance services, Class A vehicles of members of duly chartered rescue squads, emergency management and operations vehicles operated by airports and designated pursuant to §17C-15-26 of this code, and all other emergency vehicles as are designated by the agency responsible for the operation and control of these persons or organizations. Class A vehicles are as defined by §17A-10-1 of this code. Agency authorization and emergency equipment are provided in §17C-15-26 of this code. Agencies responsible for issuing authorization for emergency vehicle permits may promulgate such regulations that are necessary for the issuance of permits for emergency vehicles. In the event that emergency

medical technicians ('EMTs') or paramedics on the scene of an emergency are unable to drive an ambulance in the course of administering patient care, firefighters on the scene shall be permitted to drive an ambulance: *Provided,* That the fire department with which the firefighters are associated or members and the emergency medical services provider that owns the ambulance have previously entered into a memorandum of understanding or other agreement authorizing such action and the firefighter driving the ambulance has completed an Emergency Vehicle Operations Course ('EVOC') otherwise required by this code or legislative rule promulgated thereunder."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 760)**, and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Mallow, Westfall and Willis.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2760) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3191, Relating to certain facilities operated by the state government to obtain a license.

On motion of Delegate Kelly, the House concurred in the following amendment of the bill by the Senate:

On page 2, section 1, line 26, by striking out "a3.32ny" and inserting in lieu thereof the word "any".

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 761)**, and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Mallow, Westfall and Willis.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3191) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 762)**, and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Mallow, Westfall and Willis.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3191) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates, with further title amendment, and the passage, as amended, of

Com. Sub. for S. B. 273, Relating to allocation of child protective workers in counties based upon population of county.

On motion of Delegate Kimble, the House concurred in the following Senate title amendment:

Com. Sub. for S. B. 273 – "A Bill to amend and reenact §49-2-101, §49-2-102, and §49-2-809 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new article, designated §49-10-101, §49-10-102, and §49-10-103; to amend said code by adding thereto a new article, designated §49-11-101, all relating to child welfare; continuing the Bureau for Social Services; providing authority to the bureau; providing how the commissioner shall allocate child protective service workers; requiring reporting; requiring the department to have a redundancy centralized intake system; setting forth requirements for data submission in the event a system exists; providing that the Bureau for Social Services shall develop a merit-based system; providing legislative findings; providing that the merit-based system is not subject to the grievance process; providing that for existing employees there is no grievance procedure for a regional pay disparity for the same job classification and establishing timeframes for implementation; and updating the child welfare dashboard."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 763)**, and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Foggin, Mallow, Westfall and Willis.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 273) passed.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2820, To provide HOPE Scholarship recipients with the ability to play sports.

Delegate Kimble moved that the House of Delegates concur in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 2. STATE BOARD OF EDUCATION.**

§18-2-25. Authority of county boards to regulate athletic and other extracurricular activities of secondary schools; delegation of authority to West Virginia Secondary School Activities Commission; authority of commission; approval of rules by state board; incorporation; funds; participation by private and parochial schools and by home-schooled students and participants in the Hope Scholarship Program or in a Microschool or Learning Pod.

(a) The county boards of education shall exercise the control, supervision, and regulation of all interscholastic athletic events, and other extracurricular activities of the students in public secondary schools, and of those schools of their respective counties. The county board of education may delegate control, supervision, and regulation of interscholastic athletic events and band activities to the West Virginia Secondary School Activities Commission.

(b) The West Virginia Secondary School Activities Commission is composed of the principals, or their representatives, of those secondary schools whose county boards of education have certified in writing to the State Superintendent of Schools that they have elected to delegate the control, supervision, and regulation of their interscholastic athletic events and band activities of the students in the public secondary schools in their respective counties to the commission. The West Virginia Secondary School Activities Commission may exercise the control, supervision, and regulation of interscholastic athletic events and band activities of secondary schools, delegated to it pursuant to this section. The rules of the

West Virginia Secondary School Activities Commission shall contain a provision for a proper review procedure and review board and be promulgated in accordance with the provisions of chapter 29A of this code, but shall, in all instances, be subject to the prior approval of the state board. The West Virginia Secondary School Activities Commission, may, with the consent of the State Board of Education, incorporate under the name of West Virginia Secondary School Activities Commission, Inc., as a nonprofit, nonstock corporation under the provisions of chapter 31 of this code. County boards of education may expend moneys for and pay dues to the West Virginia Secondary School Activities Commission, and all moneys paid to the commission, as well as moneys derived from any contest or other event sponsored by the commission, are quasi-public funds as defined in §18-5-1 *et seq.* of this code, and the funds of the commission are subject to an annual audit by the State Tax Commissioner.

(c) The West Virginia Secondary School Activities Commission shall promulgate reasonable rules providing for the control, supervision, and regulation of the interscholastic athletic events and other extracurricular activities of private and parochial secondary schools as elect to delegate to the commission control, supervision, and regulation, upon the same terms and conditions, subject to the same rules and requirements and upon the payment of the same fees and charges as those provided for public secondary schools. Any such private or parochial secondary school shall receive any monetary or other benefits in the same manner and in the same proportion as any public secondary school.

(d) Notwithstanding any other provision of this section, or the commission's rules, the commission shall consider eligible for participation in interscholastic athletic events and other extracurricular activities of secondary schools a student who is receiving home instruction pursuant to §18-8-1(c) of this code, is a participant in the Hope Scholarship Program, pursuant to §18-8-1(m) of this code and as provided for in §18-31-1, *et seq.* of this code, or participates in a microschool or learning pod, pursuant to §18-8-1(n) of this code, and who:

(1) Has demonstrated satisfactory evidence of academic progress for ~~one~~ each year in compliance with the provisions of that subsection: *Provided,* That the student's average test results are within or above the fourth stanine in all subject areas;

~~(2) Is enrolled in at least one virtual instructional course per semester, consistent with the applicable virtual instruction policy of the county board in which the home schooled student lives and the State Board;~~

~~(3)~~ (2) Has not reached the age of 19 by August 1 of the current school year;

~~(4)~~ (3) Is an amateur who receives no compensation but participates solely for the educational, physical, mental and social benefits of the activity;

~~(5)~~ (4) Agrees to comply with all disciplinary rules of the West Virginia Secondary School Activities Commission and the county board in which the ~~home-schooled~~ student lives; and

~~(6)~~ (5) Agrees to obey all rules of the West Virginia Secondary School Activities Commission governing awards, all-star games, parental consents, physical examinations, and vaccinations applicable to all high school athletes.

Eligibility is limited to participation in interscholastic athletic events and other extracurricular activities at the public secondary school serving the attendance zone in which the student lives: *Provided,* That ~~home-schooled~~ students who leave a ~~member~~ school during the school year are subject to the same transfer protocols that apply to member-to-member transfers. Reasonable fees may be charged to the student to cover the costs of participation in interscholastic athletic events and other extracurricular activities.

(e) Students enrolled in a private school shall be eligible to participate in extracurricular activities at the public secondary school serving the attendance zone in which the student lives if the extracurricular activity is not offered at the student's private

school: *Provided*, The student meets the requirements of subsection (d)(4) and (d)(5) of this section.

(f) The West Virginia Secondary School Activities Commission shall recognize preparatory athletic programs, whose participants attend a secondary school in West Virginia for academic instruction, as nonparticipating members of the commission solely for the purpose of competing on the national level: *Provided*, That the preparatory athletic program shall pay the same fees as member schools. Such recognition does not entitle the preparatory athletic program to compete against a member school during the regular season or in any commission state championship events. The commission may promulgate an emergency rule pursuant to subsection (b) of this section, if necessary, to carry out the intent of this subsection.

§18-2-25e. Athletic eligibility of transfer students.

(a) The West Virginia Secondary School Activities Commission shall modify its rule, prior to the 2023-2024 school year, to allow students to transfer schools and retain athletic eligibility at least one time during a student's four years of secondary school, inclusive of grades nine through 12. The West Virginia Secondary School Activities Commission may promulgate an emergency rule, if necessary, to modify its rule prior to the 2023-2024 school year.

(b) Nothing in this section is intended to limit or restrict a student transferring more than one time for the following reasons:

(1) The West Virginia Secondary School Activities Commission's ability to make eligibility determinations on a case-by-case basis when warranted by a student's circumstances in accordance with the West Virginia Secondary School Activities Commission's rules; or

(2) For any other reason permitted under the rules of the West Virginia Secondary School Activities Commission."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 2820 – "A Bill to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §18-2-25e, all relating to eligibility for participation in extracurricular activities under control of the West Virginia Secondary Schools Activities Commission; permitting students enrolled in private schools, the Hope Scholarship Program, microschools and learning pods access to participate in extracurricular activities; modifying eligibility requirements for students enrolled in private schools, home school, the Hope Scholarship Program, microschools, and learning pods to participate in extracurricular activities; prohibiting private school student from participating in public school sport if sport is offered at private school; clarifying students enrolled in private schools, the Hope Scholarship Program, microschools and learning pods are subject to same transfer protocols that apply to member-to-member transfers; clarifying when students may transfer schools and retain eligibility to participate in extracurricular activities under control of the West Virginia Secondary Schools Activities Commission; and requiring the West Virginia Secondary Schools Activities Commission to promulgate rules, including emergency rules if necessary."

Deputy Speaker Rohrbach in the Chair

Conference Committee Report Availability

At 5:45 p.m., the Clerk announced that the report of the committee of conference on **Com. Sub. for H. B. 3302**, To recognize unborn child as distinct victim in a DUI causing death would be available in the Clerk's Office.

Speaker Hanshaw in the Chair

Conference Committee Change

The Speaker announced that Delegate Griffith was unable to serve on the conference committee for Com. Sub. for S. B. 617 and, there being no objections, Delegate Williams was substituted in lieu of Delegate Griffith as a conferee.

On the motion to concur in the Senate amendments to Com. Sub. for H. B. 2820, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken **(Roll No. 764)**, and there were—yeas 63, nays 26, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Anderson, Barnhart, Clark, Dean, DeVault, Dillon, Espinosa, Ferrell, Gearheart, Griffith, W. Hall, Hornbuckle, Howell, Phillips, Reynolds, Riley, Rohrbach, Shamblin, Sheedy, Statler, Storch, Toney, Tully, Vance, Warner and Hanshaw (Mr. Speaker).

Absent and Not Voting: Bridges, Cooper, Hardy, Horst, Mallow, Maynor, McGeehan, Summers, Westfall, Williams and Worrell.

So, a majority of the members present having voted in the affirmative, the motion to concur in the amendment of the bill by the Senate prevailed.

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 765)**, and there were—yeas 64, nays 26, absent and not voting 10, with the nays and the absent and not voting being as follows:

Nays: Anderson, Barnhart, Clark, Dean, DeVault, Dillon, Gearheart, Griffith, W. Hall, Hornbuckle, Horst, Miller, Phillips, E. Pritt, Reynolds, Riley, Rohrbach, Shamblin, Sheedy, Statler, Storch, Toney, Tully, Vance, Warner and Hanshaw (Mr. Speaker).

Absent and Not Voting: Bridges, Cooper, Hardy, Mallow, Maynor, McGeehan, Summers, Westfall, Williams and Worrell.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2820) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had refused to recede from its amendment and requested the House of Delegates to agree to the appointment of a Committee of Conference of three from each house on the disagreeing votes of the two houses as to

Com. Sub. for H. B. 3261, Relating to Social Workers Qualifications.

The message further announced that the President of the Senate had appointed as conferees on the part of the Senate the following:

Senators Trump, Takubo and Plymale.

On motion of Delegate Householder, the House of Delegates authorized the Speaker to appoint conferees on the part of the House on the disagreeing votes of the two houses.

Whereupon,

The Speaker appointed as conferees on the part of the House of Delegates the following:

Delegates Phillips, McGeehan and Young.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

At the request of Delegate Kimble, and by unanimous consent, the House returned to further consideration of Com. Sub. for S. B. 273.

Delegate Kimble moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 766)**, and there were—yeas 89, nays 2, absent and not voting 9, with the nays and the absent and not voting being as follows:

Nays: Miller and Sheedy.

Absent and Not Voting: Bridges, Cooper, Hardy, Longanacre, Mallow, Skaff, Summers, Westfall and Williams.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 273) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3482, To create the Coal Fired Grid Stabilization and Security Act of 2023.

On motion of Delegate Householder, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**CHAPTER 5B. ECONOMIC DEVELOPMENT ACT OF 1985.**

ARTICLE 2O. COAL FIRED GRID STABILIZATION AND SECURITY ACT OF 2023.

§5B-2O-1. Short title.

This article shall be known and cited as the 'Coal Fired Grid Stabilization and Security Act.'

§5B-2O-2. Legislative findings; declaration of public policy.

(a) The Legislature finds that:

(1) The advent and advancement of new and existing technologies and mining/drilling practices have created the

opportunity for efficient mining of coal in West Virginia, including opportunities for the production of electricity;

(2) Production of electricity utilizing coal produced in West Virginia is now inadequately developed in comparison to nearby states with which West Virginia competes for economically beneficial projects. Coal electric generation projects have been undermined by existing regulatory requirements and related time delays;

(3) In developing regulatory actions and identifying appropriate approaches to encourage development of coal electric generation projects, agencies should attempt to promote coordination, simplification, and harmonization. Agencies should also seek to identify appropriate means to achieve regulatory goals that are designed to promote innovation and enhance West Virginia's competitiveness with surrounding states;

(4) Agencies should review their existing legislative and procedural rules to determine whether any such rules should be modified, streamlined, expanded, or repealed so as to make the agency's regulatory program more effective or less burdensome in achieving the regulatory objectives related to coal electric generation projects. Agencies should also evaluate the data that they have to determine what information might be useful to prompt permitting and approval of coal generated electricity; and

(5) The West Virginia Department of Economic Development established in §5B-2-1 *et seq.* of this code is responsible for implementing this Coal Fired Grid Stabilization and Security Act of 2023 and provide as much assistance as possible to grow and sustain the coal electric generation segment of the economy.

(b) The Legislature declares that facilitating the development of business activity directly and indirectly related to coal electric generation development, transportation, storage, and use serves the public interest of the citizens of this state by promoting economic development, by improving economic opportunities for the citizens of this state, and providing additional opportunities to stabilize the price of electricity while increasing its reliability and availability.

§5B-2O-3. Identification of suitable sites for coal electric generation projects.

(a) The Department of Economic Development is authorized and directed to identify economically viable sites within the state that are:

(1) Located near a convenient and sufficient supply of coal;

(2) Located near consumers to provide a convenient supply of the generated electricity; and,

(3) Likely to create economically viable coal electric generation projects that provide economic benefits to the local and state governmental units and the citizens of the state.

(b) The Department of Economic Development shall use the following criteria in identifying economically viable sites for coal electric generation projects:

(1) Geographic locations near coal deposits in the state capable of supplying and sustaining one or more coal electric generation facilities for the economic life of the facilities;

(2) Geographic locations near existing electric transmission infrastructure capable of transmitting the generated electricity to wholesale markets of electricity by one or more coal electric generation facilities for the economic life of the facilities;

(3) Geographic locations that fulfill the air quality conditions imposed by the Division of Air Quality of the West Virginia Department of Environmental Protection for one or more coal electric generation facilities; and

(4) Geographic locations that can demonstrate that allowable emission increases from one or more coal electric generation facilities, in conjunction with all other applicable emission increases or reductions (including secondary emissions), would not cause or contribute to air pollution in violation of:

(A) Any national or West Virginia Ambient Air Quality Standard in any air quality control region; or

(B) Any applicable maximum allowable increase over the baseline concentration in any area.

§5B-2O-4. Designation of sites suitable for coal electric generation projects.

(a) Following identification of economically viable sites that may be suitable for coal electric generation projects, the Department of Economic Development shall identify and designate each site it has determined to be suitable for coal electric generation projects as a 'Designated Site,' and shall communicate the Designated Sites to the West Virginia Department of Environmental Protection's Division of Air Quality and the West Virginia Public Service Commission as sites suitable for the construction and operation of coal electric generation projects.

(b) Any application for a siting certificate pursuant to §24-2-11c of the West Virginia Code filed with the Public Service Commission for development of a coal electric generation project at a Designated Site shall be adjudicated, inclusive of public hearings, and a final order issued by the Public Service Commission, within 270 calendar days after the date of the filing of the application, notwithstanding the requirements of any other provision of this code.

(c) Nothing in this section is intended to preclude, modify, or establish new Public Service Commission jurisdiction over:

(1) Any exercise of powers, duties, and obligations pursuant to the West Virginia Public Energy Authority Act; and

(2) The right of end-user consumers of electricity to develop, invest in, or otherwise contract for on-site electric self-generation or cogeneration facilities, including those utilizing coal as a fuel source.

(3) This section does not alter, modify and/or cancel any existing cogeneration tariffs authorized by the Public Service Commission.

(4) This section does not authorize the sale of electricity to end-users in the state.

(d) Where a designated site has been identified, in accordance with §22-5-11c of this code, as a location where additional data would be helpful for modeling or other evaluation of the potential emission of a coal generation project, the Department of Economic Development shall construct such facilities as are necessary to acquire such data.

CHAPTER 22. ENVIRONMENTAL RESOURCES.

ARTICLE 5. AIR POLLUTION CONTROL.

§22-5-11c. Construction and operating permits required for coal electric generation facilities as stationary sources of air pollutants.

(a) This section applies to coal electric generation facilities as identified and communicated to the Secretary by the West Virginia Department of Economic Development as sites that may be suitable for one or more coal electric generation facilities in accordance with §5B-2O-1 *et seq.* of this code, or as identified by an applicant for a construction and operating permit for one or more coal electric generation facilities.

(b) The secretary shall take all reasonable steps to expedite consideration of permit applications utilizing sites designated by the Department of Economic Development as a site suitable for use as a coal electric generation facility and communicated to the secretary in accordance with §5B-2O-1 *et seq.* of this code. Such steps shall include:

(1) An initial determination of whether the identified site is in compliance with National Ambient Air Quality Standards and the West Virginia State Implementation Plan, whether emissions from a coal electric generation facility would be likely to interfere with

compliance with the same and, if interference is likely, the steps necessary to avoid noncompliance with National Ambient Air Quality Standards and the State Implementation Plan; and

(2) Evaluation of whether there is sufficient data, meteorological and otherwise, that would allow acceptable modeling of the impacts of emissions from a coal electric generation facility, and if not, construction of sampling and measuring devices to acquire such data at the site.

(c) Unless otherwise specifically provided in this article, the secretary shall issue a permit for a coal electric generation facility which is determined to be a major stationary source within a reasonable time, not to exceed 270 calendar days, after the secretary determines that the application is complete. The secretary must determine whether an application is complete within 30 days from the date the permit application is filed with the secretary and communicated to the permit applicant.

CHAPTER 22B. ENVIRONMENTAL BOARDS.

ARTICLE 1. GENERAL POLICY AND PURPOSE.

§22B-1-7. Appeals to Boards.

(a) The provisions of this section are applicable to all appeals to the boards, with the modifications or exceptions set forth in this section.

(b) Any person authorized by statute to seek review of an order, permit, or official action of the chief of air quality, the chief of water resources, the chief of waste management, the chief of mining and reclamation, the chief of oil and gas, or the secretary may appeal to the air quality board, the environmental quality board, or the surface mine board, as appropriate, in accordance with this section. The person so appealing shall be known as the appellant and the appropriate chief or the secretary shall be known as the appellee.

(c) An appeal filed with a board by a person subject to an order, permit, or official action shall be perfected by filing a notice of

appeal with the board within 30 days after the date upon which such order, permit, or official action was received by such person as demonstrated by the date of receipt of registered or certified mail or of personal service. For parties entitled to appeal other than the person subject to such order, permit, or official action, an appeal shall be perfected by filing a notice of appeal with the board within 30 days after the date upon which service was complete. For purposes of this subsection, service is complete upon tendering a copy to the designated agent or to the individual who, based upon reasonable inquiry, appears to be in charge of the facility or activity involved, or to the permittee; or by tendering a copy by registered or certified mail, return receipt requested to the last known address of the person on record with the agency. Service is not incomplete by refusal to accept. Notice of appeal must be filed in a form prescribed by the rule of the board for such purpose. Persons entitled to appeal may also file a notice of appeal related to the failure or refusal of the appropriate chief or the secretary to act within a specified time on an application for a permit; such notice of appeal shall be filed within a reasonable time.

(d) The filing of the notice of appeal does not stay or suspend the effectiveness or execution of the order, permit or official action appealed from, except that the filing of a notice of appeal regarding a notice of intent to suspend, modify, or revoke and reissue a permit, issued pursuant to the provisions of §22-5-5 of this code, does stay the notice of intent from the date of issuance pending a final decision of the board. If it appears to the appropriate chief, the secretary, or the board that an unjust hardship to the appellant will result from the execution or implementation of a chief's or secretary's order, permit, or official action pending determination of the appeal, the appropriate chief, the secretary, or the board, as the case may be, may grant a stay or suspension of the order, permit or official action and fix its terms: *Provided*, That unjust hardship shall not be grounds for granting a stay or suspension of an order, permit or official action for an order issued pursuant to §22-3-1 *et seq.* of this code. A decision shall be made on any request for a stay within five days of the date of receipt of the request for stay. The notice of appeal shall set forth the terms and conditions of the order, permit, or official action complained of and the grounds upon

which the appeal is based. A copy of the notice of appeal shall be filed by the board with the appropriate chief or secretary within seven days after the notice of appeal is filed with the board.

(e) Within 14 days after receipt of a copy of the notice of appeal, the appropriate chief or the secretary ~~as the case may be~~, shall prepare and certify to the board a complete record of the proceedings out of which the appeal arises including all documents and correspondence in the applicable files relating to the matter in question. With the consent of the board and upon such terms and conditions as the board may prescribe, any person affected by the matter pending before the board may, by petition, intervene as a party appellant or appellee. In any appeal brought by a third party, the permittee or regulated entity shall be granted intervenor status as a matter of right where issuance of a permit or permit status is the subject of the appeal. The board shall hear the appeal *de novo*, and evidence may be offered on behalf of the appellant, appellee, and by any intervenors. The board may visit the site of the activity or proposed activity which is the subject of the hearing and take such additional evidence as it considers necessary: *Provided*, That all parties and intervenors are given notice of the visit and are given an opportunity to accompany the board. The appeal hearing shall be held at such location as may be approved by the board including Kanawha County, the county wherein the source, activity, or facility involved is located or such other location as may be agreed to among the parties.

(f) Any such hearing shall be held within 30 days after the date upon which the board received the timely notice of appeal, unless there is a postponement or continuance. The board may postpone or continue any hearing upon its own motion, or upon application of the appellant, the appellee, or any intervenors for good cause shown: *Provided*, That an appeal of any permit pursuant to §22-5-14 of the code shall be heard by the Air Quality Board within 60 days of the filing of the notice of appeal, unless all parties to the appeal consent to a postponement or continuance, and issue its decision on the appeal as promptly as reasonably possible following the hearing, but in no event later than two months after the completion of the hearing. The chief or the secretary, as

appropriate, may be represented by counsel. If so represented, they shall be represented by the Attorney General or with the prior written approval of the Attorney General may employ counsel who shall be a special assistant Attorney General. At any such hearing the appellant and any intervenor may represent themselves or be represented by an attorney-at-law admitted to practice before the Supreme Court of Appeals.

(g) After such hearing and consideration of all the testimony, evidence, and record in the case:

(1) The environmental quality board or the air quality board as the case may be shall make and enter a written order affirming, modifying, or vacating the order, permit, or official action of the chief or secretary, or shall make and enter such order as the chief or secretary should have entered, or shall make and enter an order approving or modifying the terms and conditions of any permit issued; and

(2) The surface mine board shall make and enter a written order affirming the decision appealed from if the board finds that the decision was lawful and reasonable, or if the board finds that the decision was not supported by substantial evidence in the record considered as a whole, it shall make and enter a written order reversing or modifying the decision of the secretary.

(h) In appeals of an order, permit or official action taken pursuant to §22-6-1 *et seq.,* §22-11-1 *et seq.,* §22-12-1 *et seq.,* §22-13-1 *et seq.*, or §22-15-1 *et seq.* of this code, the environmental quality board established in article three of this chapter, shall take into consideration, in determining its course of action in accordance with subsection (g) of this section, not only the factors which the appropriate chief or the secretary was authorized to consider in issuing an order, in granting or denying a permit, in fixing the terms and conditions of any permit, or in taking other official action, but also the economic feasibility of treating, or controlling, or both, the discharge of solid waste, sewage, industrial wastes, or other wastes involved.

(i) An order of a board shall be accompanied by findings of fact and conclusions of law as specified in §29A-5-3 of this code, and a copy of such order and accompanying findings and conclusions shall be served upon the appellant, and any intervenors, and their attorneys of record, if any, and upon the appellee in person or by registered or certified mail.

(j) The board shall also cause a notice to be served with the copy of such order, which notice shall advise the appellant, the appellee, and any intervenors of their right to judicial review, in accordance with the provisions of this chapter. The order of the board shall be final unless vacated or modified upon judicial review thereof in accordance with the provisions of this chapter."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 3482 – "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-2O-1, §5B-2O-2, §5B-2O-3, and §5B-2O-4; to amend said code by adding thereto a new section, designated §22-5-11c; and to amend and reenact §22B-1-7 of said code, all relating generally to the Coal Fired Grid Stabilization and Security Act of 2023; providing for a short title; making legislative findings and declarations; requiring designation of suitable sites for coal electric generation and reporting to the Division of Air Quality of the West Virginia Department of Environmental Protection and the West Virginia Public Service Commission; requiring construction and operating permits for coal electric generation facilities, including expedited consideration; and requiring prompt consideration of appeals by the Air Quality Board concerning permit issued or denied."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 767)**, and there were—yeas 88, nays 4, absent

and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Forsht, Hansen, Walker and Young.

Absent and Not Voting: Bridges, Cooper, Hardy, Mallow, Skaff, Summers, Westfall and Williams.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3482) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3018, Establishing that 18 is the age of consent and removing the ability of an underage person to obtaining a consent to marry through their parents, legal guardians, or by petition to the circuit court.

On motion of Delegate Kimble, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 2. MARRIAGES.**

§48-2-103. Waiting period before issuance of marriage license; issuance of license in case of emergency or extraordinary circumstances.

[Repealed.]

§48-2-106. Proof of age.

~~(a)~~ At the time of the execution of the application, the clerk or ~~the~~ other person administering the oath to the applicants shall

require evidence of the age of each of the applicants and shall not issue a license until it has been confirmed that each applicant satisfies the age requirements for marriage set forth by §48-2-301 of this code. Evidence of age may be as follows:

(1) A certified copy of a birth certificate or a duplicate certificate produced by any means that accurately reproduces the original;

(2) A voter's registration certificate;

(3) An operator's or chauffeur's license;

(4) The affidavit of both parents or the legal guardian of the applicant; or

(5) Other good and sufficient evidence.

~~(b) If an affidavit is relied upon as evidence of the age of an applicant, and if one parent is dead, the affidavit of the surviving parent or of the guardian of the applicant is sufficient. If both parents are dead, the affidavit of the guardian of the applicant is sufficient. If the parents of the applicant live separate and apart, the affidavit of the parent having custody of the applicant is sufficient.~~

PART 3. CAPACITY TO MARRY.

§48-2-301. Age of consent for marriage; exception.

~~(a) The age of consent for marriage for both the male and the female is eighteen years of age. A person under the age of eighteen lacks the capacity to contract a marriage without the consent required by this section.~~

~~(b) The clerk of the county commission may issue a marriage license to an applicant who is under the age of eighteen but sixteen years of age or older if the clerk obtains a valid written consent from the applicant's parents or legal guardian.~~

~~(c) Upon order of a circuit judge, the clerk of the county commission may issue a marriage license to an applicant who is under the age of sixteen, if the clerk obtains a valid written consent~~

~~from the applicant's parents or legal guardian. A circuit judge of the county in which the application for a marriage license is filed may order the clerk of the county commission to issue a license to an applicant under the age of sixteen if, in the court's discretion, the issuance of a license is in the best interest of the applicant and if consent is given by the parents or guardian.~~

~~(d) A consent to marry must be duly acknowledged before an officer authorized to acknowledge a deed. If the parents are living together at the time the application for a marriage license is made and the consent is given, the signatures of both parents or the applicant's legal guardian is required. If one parent is dead, the signature of the surviving parent or the applicant's legal guardian is required. If both parents are dead, the signature of the applicant's legal guardian is required. If the parents of the applicant are living separate and apart, the signature of the parent having custody of the applicant or the applicant's legal guardian is required.~~

~~(e) If a person under the age of consent is married in violation of this section, the marriage is not void for this reason, and such marriage is valid until it is actually annulled.~~

~~(f) A marriage by an underage person without a valid consent as required by this section, though voidable at the time it is entered into, may be ratified and become completely valid and binding when the underage party reaches the age of consent. Validation of a marriage by ratification is established by some unequivocal and voluntary act, statement, or course of conduct after reaching the age of consent. Ratification includes, but is not limited to, continued cohabitation as husband and wife after the age of consent is attained.~~

(a) The age of consent for marriage for all persons, both male and female, is 18 years of age. A person under the age of 18 lacks the capacity to marry without the consents required by this section.

(b) The clerk of the county commission may issue a marriage license to an applicant who is under the age of 18 but at least 16 years of age if the clerk obtains valid written consent from the applicant and from the applicant's parent or parents or the

applicant's legal guardian or guardians as outlined in this section: *Provided*, That a marriage license may not be issued to an applicant who is under the age of 18 but who is at least 16 years of age if the person whom the applicant seeks to marry is more than four years older than the applicant.

(c) An applicant who is under the age of 18 but who is at least 16 years of age must give his or her signed and acknowledged affirmation that he or she is freely and voluntarily choosing to enter into a marriage with the person named in the application as part of the written consent required by this section. The applicant must also provide, as part of the same written consent, a signed and acknowledged affirmation that his or her decision to enter into the marriage is not the product of duress or coercion by any person.

(d) A consent to marry must be duly acknowledged before an officer authorized to acknowledge a deed. If the parents of the applicant are living together at the time the application for a marriage license is made and the consent is given, the signatures of both parents or the signature of the applicant's legal guardian or guardians is required. If one parent is dead, the signature of the surviving parent or the applicant's legal guardian or guardians is required. If both parents are dead, the signature of the applicant's legal guardian or guardians is required. If the parents of the applicant are living separate and apart, the signature of the parent or parents having decision-making authority for the applicant, or the applicant's legal guardian or guardians is required: *Provided*, That, if the applicant's parents are separate and apart or divorced but have substantially equal parenting rights over the applicant, the signature of both parents is required.

(e) A person who is under the age of 18 but at least 16 years of age and who is married in accordance with the provisions of this section may petition, without the consent of his or her parents or legal guardian or guardians, for an annulment of that marriage until he or she reaches 18 years of age.

(f) Nothing in this section may serve to annul or void a marriage entered into prior to the re-enactment of this statute during the 2023 Regular Session of the Legislature, nor shall it

serve to annul or void an otherwise legal marriage entered into in a jurisdiction outside of the State of West Virginia.

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 3018 – "A Bill to repeal §48-2-103 of the Code of West Virginia, 1931, as amended; and to amend and reenact §48-2-106 and §48-2-301 of the same, all related to the age of consent for marriage; setting the age of consent to marriage at 18; providing an exception allowing individuals younger than 18 but who have reached the age of 16 to marry with both their consent and the written, affirmative consent of their parents or legal guardian; establishing the manner by which a parent or guardian provides affirmative consent; further providing that an individual under the age of 18 cannot consent to a marriage with a person who is more than four years older than that individual; providing that a marriage involving an individual under the age of 18 can be annulled by petition of that individual until he or she reaches age 18; and clarifying that a marriage that was entered into legally prior to the re-enactment of this section, or in another jurisdiction outside of the State of West Virginia, although one or both of the parties was under the age of consent, is not nullified or voided."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 768)**, and there were—yeas 83, nays 9, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Dillon, Foggin, A. Hall, Heckert, Hite, Horst, Marple, Ridenour and Vance.

Absent and Not Voting: Bridges, Cooper, Hardy, Mallow, Skaff, Summers, Westfall and Williams.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3018) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

H. B. 3552, Relating to per diem jail costs.

On motion of Delegate Kelly, the House concurred in the following amendment by the Senate, with further amendment:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 3. DIVISION OF CORRECTIONS AND REHABILITATION.**

§15A-3-16. Funds for operations of jails under the jurisdiction of the commissioner.

(a) Any special revenue funds previously administered by the Regional Jail and Correctional Facility Authority or its executive director are continued, and shall be administered by the commissioner.

(b) Funds that have been transferred by §15A-3-16(a) of this code shall be limited in use to operations of jail functions, and for payment to the Regional Jail and Correctional Facility Authority Board, for payment of indebtedness. In no case shall a fund be utilized to offset or pay operations of nonjail parts of the facility: *Provided*, That funds may be utilized on a pro rata basis for shared staff and for operational expenses of facilities being used as both prisons and jails.

(c) Whenever the commissioner determines that the balance in these funds is more than the immediate requirements of this article,

he or she may request that the excess be invested until needed. Any excess funds so requested shall be invested in a manner consistent with the investment of temporary state funds. Interest earned on any moneys invested pursuant to this section shall be credited to these funds.

(d) These funds consist of the following:

(1) Moneys collected and deposited in the State Treasury which are specifically designated by Acts of the Legislature for inclusion in these funds;

(2) Contributions, grants, and gifts from any source, both public and private, specifically directed to the operations of jails under the control of the commissioner;

(3) All sums paid pursuant to §15A-3-16(g) of this code; and

(4) All interest earned on investments made by the state from moneys deposited in these funds.

(e) The amounts deposited in these funds shall be accounted for and expended in the following manner:

(1) Amounts deposited shall be pledged first to the debt service on any bonded indebtedness;

(2) After any requirements of debt service have been satisfied, the commissioner shall requisition from these funds the amounts that are necessary to provide for payment of the administrative expenses of this article, as limited by this section;

(3) The commissioner shall requisition from these funds, after any requirements of debt service have been satisfied, the amounts that are necessary for the maintenance and operation of jails under his or her control. These funds shall make an accounting of all amounts received from each county by virtue of any filing fees, court costs, or fines required by law to be deposited in these funds and amounts from the jail improvement funds of the various counties;

(4) Notwithstanding any other provisions of this article, sums paid into these funds by each county pursuant to §15A-3-16(g) of this code for each inmate shall be placed in a separate account and shall be requisitioned from these funds to pay for costs incurred; and

(5) Any amounts deposited in these funds from other sources permitted by this article shall be expended based on particular needs to be determined by the commissioner.

(f)(1) After a jail facility becomes available pursuant to this article for the incarceration of inmates, each county within the region shall incarcerate all persons whom the county would have incarcerated in any jail prior to the availability of the jail facility in the jail facility, except those whose incarceration in a local jail facility used as a local holding facility is specified as appropriate under the previously promulgated, and hereby transferred standards and procedures developed by the Jail Facilities Standards Commission, and whom the sheriff or the circuit court elects to incarcerate therein.

(2) Notwithstanding the provisions of §15A-3-16(f)(1) of this code, circuit and magistrate courts are authorized to:

(A) Detain persons who have been arrested or charged with a crime in a county or municipal jail specified as appropriate under the standards and procedures referenced in §15A-3-16(f)(1) of this code, for a period not to exceed 96 hours; or

(B) Commit persons convicted of a crime in a county or municipal jail, specified as appropriate under the standards and procedures referenced in §15A-3-16(f)(1) of this code, for a period not to exceed 14 days.

(g) When inmates are placed in a jail facility under the jurisdiction of the commissioner pursuant to §15A-3-16(f) of this code, the county, and municipality if the incarceration is a municipal violation, shall pay into this fund a cost per day for each incarcerated inmate, to be determined ~~by the state Budget Office annually by examining the most recent three fiscal years of costs~~

~~submitted by the commissioner for the cost of operating the jail facilities and units under his or her jurisdiction, and taking an average per day, per inmate cost of maintaining the operations of the jail facilities or units: *Provided*, That beginning~~ as set forth in subsection (k) of this section. Beginning July 1, 2018, and continuing through ~~July 1, 2023~~ June 30, 2023, in no case shall any county or municipality be required to pay a rate that exceeds $48.25 per day, per inmate. ~~Nothing in this section shall be construed to mean that the per diem cannot be decreased or be less than $48.25 per day per inmate.~~

(h) The per diem costs for incarcerating inmates may not include the cost of construction, acquisition, or renovation of the regional jail facilities: *Provided*, That each jail facility or unit operating in this state shall keep a record of the date and time that an inmate is incarcerated, and a county may not be charged for a second day of incarceration for an individual inmate until that inmate has remained incarcerated for more than 24 hours. After that, in cases of continuous incarceration, subsequent per diem charges shall be made upon a county only as subsequent intervals of 24 hours pass from the original time of incarceration.

(i) The county is responsible for costs incurred by the division for housing and maintaining inmates in its facilities who are pretrial inmates and convicted misdemeanants. The costs of housing shall be borne by the division on a felony conviction on which an inmate is incarcerated beginning the calendar day following the day of sentencing: *Provided*, That beginning July 1, 2019, the costs of housing shall be borne by the division on a felony conviction when an inmate is incarcerated beginning the calendar day following the day of conviction. In no case shall the county be responsible for any costs of housing and maintaining felony convicted inmate populations.

(j) The county is responsible for the costs incurred by the authority for housing and maintaining an inmate who, prior to a felony conviction on which the inmate is incarcerated and is awaiting transportation to a state correctional facility for a 60-day evaluation period as provided in §62-12-7a of this code.

~~(k) On or before July 1, 2020, the commissioner shall prepare a report on the feasibility of phasing out the county and municipal per diem charges required by §15A-3-16(g) of this code. This report shall include information regarding savings realized because of the consolidation of the former Division of Corrections, Division of Juvenile Services, and the operations of the Regional Jail and Correctional Facility Authority, as well as any other recommendations that might ease the burden of paying the per diem inmate costs by the counties or municipalities. On or before January 1, 2019, January 1, 2020, January 1, 2021, and January 1, 2023 the commissioner shall report to the Joint Committee on Government and Finance and the co-chairmen of the Joint Standing Committee on Finance the actual per diem rate as calculated pursuant to §15A-3-16(g) of this code and any amount not assessed to counties if the actual per diem cost is larger than the amount charged to the counties or municipalities pursuant to §15A-3-16(g) between July 1, 2018, and July 1, 2023.~~

(k) (1) Effective July 1, 2023, the cost per day, per inmate for an incarcerated inmate shall be determined as set forth in this subsection. The base rate per day, per inmate rate shall be set at $54.48. The State Budget Office shall annually examine the most recent three fiscal years of costs submitted by the commissioner for the cost of operating the jail facilities and units under his or her jurisdiction, and taking an average per day, per inmate cost of maintaining the operations of the jail facilities or units shall adjust the per day, per inmate rate annually. Notice of the adjusted per day, per inmate rate shall be provided to each county commission.

(2) Beginning July 1, 2023, the commissioner shall determine the pro rata share of inmate days per county. This figure shall be calculated by multiplying each counties population as contained in the 2020 United States Census by.52.

(3) (3) Each county shall pay as its annual per diem jail cost:

(A) Eighty percent of the current per diem rate for the first 80 percent of its pro rata share of total billed inmate days;

(B) One hundred percent of the current per diem rate for its inmate days that are greater than 80 percent and up to 100 percent of its pro rata share of total billed inmate days; and

(C) One hundred twenty percent of the current per diem rate for its inmate days that exceed 100 percent of its pro rata share of total billed inmate days.

(4) Beginning July 1, 2031, and every 10 years thereafter the pro rata share of inmate days per county shall be calculated by dividing the number of inmate days from the previous calendar year by the state's population according to the most recent United States Census data and then multiplying that number by each counties population.

(5) The commissioner shall post on the Division of Corrections and Rehabilitations webpage by county:

(i) The pro rata share of inmate days;

(ii) The base number of pro rata days;

(iii) The reduced rate of the per day, per inmate costs;

(iv) The increased per day, per inmate; and

(v) Any other information deemed necessary by the commissioner.

(l) County commissioners may be liable in both their official and individual capacity for the payment of the fees established in this section. County commissioners pursuant to the jurisdiction, powers, and duties placed upon them pursuant to §7-1-1 *et seq.* of this code and Section 11, Article 9 of the West Virginia Constitution are responsible for the fiscal affairs of their county. This includes oversight of all financial transaction including compliance with legal requirements for the operation of a county government. The non-payment of the expenses associated with providing housing and maintaining inmates as required by this section is in direct contradiction of their established statutory and constitutional duties as the fiscal officers of a county. This

violation of the clearly established statutory and constitutional duty to manage all fiscal matters of a county abrogates any qualified immunity county commissioners may have as a government official: *Provided*, That if a county commission has entered into a payment agreement to pay the amount of arrears for the housing and maintenance of inmates and continues to remain current in the payment of the arrears as set forth in the agreement, that shall stay any personal liability of a county commissioner as set forth in this subsection.

(m) In cases in which the incarcerated inmate was placed in a jail facility by the municipal police of a Class I or Class II municipal corporation as defined in §8-1-3 of this code, or of a Class III municipal corporation as defined in §8-1-3 of this code but with a population in excess of 4,000 according to the most recent census taken under the authority of the United States, and the incarceration is not a municipal violation, the county commission responsible for paying the cost per day pursuant to this subsection may seek reimbursement from the municipal corporation of actual expenditures for one day of per diem costs borne by the county commission by memorandum of understanding."

And,

By amending the title of the bill to read as follows:

H. B. 3552 - "A Bill to amend and reenact §15A-3-16 of the Code of West Virginia, 1931, as amended, relating to per diem jail costs; providing authority for counties to seek reimbursement from certain municipalities for certain per diem costs; providing for the payment of housing and maintenance of inmates; setting a per day, per inmate base rate for payments; establishing a means of calculating fees; providing for a reduced rate in certain circumstances; providing for an enhanced rate in certain circumstances; providing for recalculation every decennial; requiring publication on the agency webpage; establishing an effective date; providing for official and personal liability for payment; and providing for an exception to personal liability.

With the further amendment, sponsored by Delegate Kelly, being as follows:

On page 6, section 16, line 124 through 137, by striking subsection (l) in its entirety and renumbering the remainder of the section accordingly.

And,

The further title amendment, sponsored by Delegate Kelly, amending the title of the bill to read as follows:

H. B. 3552 – "A Bill to amend and reenact §15A-3-16 of the Code of West Virginia, 1931, as amended, relating to per diem jail costs; providing authority for counties to seek reimbursement from certain municipalities for certain per diem costs; providing for the payment of housing and maintenance of inmates; setting a per day, per inmate base rate for payments; establishing a means of calculating fees; providing for a reduced rate in certain circumstances; providing for an enhanced rate in certain circumstances; providing for recalculation every decennial; requiring publication on the agency webpage; and establishing an effective date."

The bill, as amended by the Senate, and further amended by the House, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 769)**, and there were—yeas 89, nays 4, absent and not voting 7, with the nays and the absent and not voting being as follows:

Nays: Gearheart, Hanna, Keaton and Tully.

Absent and Not Voting: Cooper, Hardy, Mallow, Skaff, Summers, Westfall and Williams.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3552) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3332, Creating judicial circuits and assigning the number of circuit judges in each circuit to be elected in the 2024 election.

Delegate Kelly moved the House concur in the following amendment by the Senate, with further amendment:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**CHAPTER 3. ELECTIONS.**

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.

§3-1-17. Election of circuit judges; county and district officers; magistrates.

(a) There shall be elected, at the time of the primary election to be held in 2016, and every eighth year thereafter, one judge of the circuit court of every judicial circuit entitled to one judge, and one judge for each numbered division of the judicial circuit in those judicial circuits entitled to two or more circuit judges; and at the time of the primary election to be held in 2016, and in every fourth year thereafter, the number of magistrates prescribed by law for the county. Beginning with the election held in the year 2016, an election for the purpose of electing judges of the circuit court, or an election for the purpose of electing magistrates, shall be upon a nonpartisan ballot printed for the purpose.

(b) There shall be elected, at the general election to be held in 1992, and every fourth year thereafter, a sheriff, prosecuting attorney, surveyor of lands, and the number of assessors prescribed by law for the county; and at the general election to be held in 1990,

and every second year thereafter, a commissioner of the county commission for each county; and at the general election to be held in 1992, and every sixth year thereafter, a clerk of the county commission and a clerk of the circuit court for each county.

(c) Effective with the primary election of 2016, all elections for judge of the circuit courts in the respective circuits and magistrates in each county will be elected on a nonpartisan basis and by division as set forth more fully in article five of this chapter.

(d) Beginning with the judicial election in 2024, and in every judicial election thereafter, if no candidate in a division for judge of a circuit court receives more than 30 percent of the votes cast in the election, there shall be a runoff election at the subsequent general election between the two candidates who received the highest and next-highest number of votes cast in that division.

CHAPTER 50. MAGISTRATE COURTS.

ARTICLE 1. COURTS AND OFFICERS.

§50-1-2. Number of magistrates.

(a) The number of magistrates to be elected in each county of this state shall be determined in accordance with the provisions of this section.

(b) Beginning on the effective date of this subsection and until December 31, 2024, the number of magistrates in each county of the state shall be as follows:

(1) Barbour County shall have two magistrates;

(2) Berkeley County shall have six magistrates;

(3) Boone County shall have two magistrates;

(4) Braxton County shall have two magistrates;

(5) Brooke County shall have two magistrates;

(6) Cabell County shall have seven magistrates;

(7) Calhoun County shall have two magistrates;

(8) Clay County shall have two magistrates;

(9) Doddridge County shall have two magistrates;

(10) Fayette County shall have four magistrates;

(11) Gilmer County shall have two magistrates;

(12) Grant County shall have two magistrates;

(13) Greenbrier County shall have three magistrates;

(14) Hampshire County shall have two magistrates;

(15) Hancock County shall have three magistrates;

(16) Hardy County shall have two magistrates;

(17) Harrison County shall have five magistrates;

(18) Jackson County shall have two magistrates;

(19) Jefferson County shall have three magistrates;

(20) Kanawha County shall have 10 magistrates;

(21) Lewis County shall have two magistrates;

(22) Lincoln County shall have two magistrates;

(23) Logan County shall have three magistrates;

(24) Marion County shall have four magistrates;

(25) Marshall County shall have three magistrates;

(26) Mason County shall have two magistrates;

(27) McDowell County shall have three magistrates;

(28) Mercer County shall have five magistrates;

(29) Mineral County shall have two magistrates;

(30) Mingo County shall have three magistrates;

(31) Monongalia County shall have four magistrates: *Provided,* That effective July 1, 2023, Monongalia County shall have five magistrates, and the initial appointment for the additional magistrate shall be made in accordance with the provisions of §50-1-6 of this code;

(32) Monroe County shall have two magistrates;

(33) Morgan County shall have two magistrates;

(34) Nicholas County shall have three magistrates;

(35) Ohio County shall have four magistrates;

(36) Pendleton County shall have two magistrates;

(37) Pleasants County shall have two magistrates;

(38) Pocahontas County shall have two magistrates;

(39) Preston County shall have three magistrates;

(40) Putnam County shall have three magistrates;

(41) Raleigh County shall have five magistrates;

(42) Randolph County shall have three magistrates;

(43) Ritchie County shall have two magistrates;

(44) Roane County shall have two magistrates;

(45) Summers County shall have two magistrates;

(46) Taylor County shall have two magistrates;

(47) Tucker County shall have two magistrates;

(48) Tyler County shall have two magistrates;

(49) Upshur County shall have two magistrates;

(50) Wayne County shall have three magistrates;

(51) Webster County shall have two magistrates;

(52) Wetzel County shall have two magistrates;

(53) Wirt County shall have two magistrates;

(54) Wood County shall have four magistrates; and

(55) Wyoming County shall have three magistrates.

(c) Beginning on January 1, 2025, the number of magistrates in each county of the state shall be as follows:

(1) Barbour County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(2) Berkeley County shall have seven magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(3) Boone County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(4) Braxton County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(5) Brooke County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(6) Cabell County shall have seven magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(7) Calhoun County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(8) Clay County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(9) Doddridge County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(10) Fayette County shall have four magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(11) Gilmer County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(12) Grant County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(13) Greenbrier County shall have three magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(14) Hampshire County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(15) Hancock County shall have three magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(16) Hardy County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(17) Harrison County shall have five magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(18) Jackson County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(19) Jefferson County shall have four magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(20) Kanawha County shall have 13 magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(21) Lewis County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(22) Lincoln County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(23) Logan County shall have four magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(24) Marion County shall have four magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(25) Marshall County shall have three magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(26) Mason County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(27) McDowell County shall have three magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(28) Mercer County shall have five magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(29) Mineral County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(30) Mingo County shall have three magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(31) Monongalia County shall have six magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(32) Monroe County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(33) Morgan County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(34) Nicholas County shall have three magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(35) Ohio County shall have four magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(36) Pendleton County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(37) Pleasants County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(38) Pocahontas County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(39) Preston County shall have three magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(40) Putnam County shall have three magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(41) Raleigh County shall have six magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(42) Randolph County shall have three magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(43) Ritchie County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(44) Roane County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(45) Summers County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(46) Taylor County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(47) Tucker County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(48) Tyler County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(49) Upshur County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(50) Wayne County shall have three magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(51) Webster County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(52) Wetzel County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(53) Wirt County shall have two magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter;

(54) Wood County shall have five magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter; and

(55) Wyoming County shall have three magistrates, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every fourth year thereafter.

~~(b)~~ (d) In the year 2026, the Supreme Court of Appeals shall conduct or otherwise arrange for a caseload study of the magistrate courts of this state for the purpose of determining how many magistrates are needed in each county. Based upon the results of this study and upon consideration of county population data from

the most recent decennial census, the Supreme Court of Appeals shall enter an administrative order on or before January 5, ~~2023~~ 2027, containing the Supreme Court of Appeal's recommendations as to the number of magistrates who are needed in each of the state's 55 counties for the four-year terms of office to be filled by election in the year ~~2024~~ 2028. ~~The administrative order shall allocate no more than 170 magistrates for the entire State of West Virginia, nor shall the allocation reduce the number of magistrates in any county below that in effect on the effective date of the amendments to this section enacted during the 2022 regular session of the Legislature~~ Attested copies of the administrative order shall be provided to the President of the West Virginia Senate, the Clerk of the Senate, the Clerk and the Speaker of the West Virginia House of Delegates, and the West Virginia Secretary of State.

~~(c)~~ (e) The West Virginia Legislature may ~~in the regular session of the Legislature, 2023~~ reject the allocation of magistrates recommended by the Supreme Court of Appeals in its administrative order entered for the judicial elections to be held in 2028, and allocate magistrates for the four-year terms commencing in January of ~~2025~~ 2029, and serving through December of ~~2028~~ 2032, as the Legislature may choose by enactment of a bill containing such an allocation.

~~(d)~~ (f) If the Legislature does not enact a different allocation of the magistrates to be elected in ~~2024~~ 2028, pursuant to subsection ~~(c)~~ (e) of this section, then the administrative order of the Supreme Court of Appeals required by subsection ~~(b)~~ (d) of this section shall become the certification to the ballot commissioners of each county in this state of the number of magistrates to be elected in each county of this state at the judicial elections to be held concurrently with the primary election ~~in 2024~~.

~~(e)~~ (g) The process set forth in this section shall be repeated every four years in the first and second years immediately preceding the quadrennial election of magistrates.

§50-1-8. Magistrate court clerks; salaries; duties; duties of circuit clerk.

(a) In each county having three or more magistrates, the judge of the circuit court or the chief judge of the circuit court, if there is

more than one judge of the circuit court, shall appoint a magistrate court clerk. In all other counties the judge may appoint a magistrate court clerk or may, by rule, require the duties of the magistrate court clerk to be performed by the clerk of the circuit court, in which event the circuit court clerk is entitled to additional compensation in the amount of $2,500 per year. The magistrate court clerk serves at the will and pleasure of the circuit judge.

(b) Magistrate court clerks shall be paid at least twice per month by the state. ~~Magistrate court clerks serving magistrates who serve less than seven thousand three hundred in population shall be paid up to $39,552 per year and magistrate court clerks serving magistrates who serve seven thousand three hundred or more in population shall be paid up to $44,712 per year: *Provided*, That after the effective date of this section, any general salary increase granted to all state employees, whose salaries are not set by statute, expressed as a percentage increase or an across-the-board increase, may also be granted to magistrate court clerks. For the purpose of determining the population served by each magistrate, the number of magistrates authorized for each county shall be divided into the population of each county. The salary of the magistrate court clerk shall be established by the judge of the circuit court, or the chief judge of the circuit court if there is more than one judge of the circuit court, within the limits set forth in this section~~ The annual salary of all magistrate court clerks is $52,296. Beginning July 1, 2023, the annual salary of a magistrate court clerk shall be $54,596. Magistrate court clerks may receive any general salary increase granted to state employees, whose salaries are not set by statute, expressed as a percentage increase or an across-the-board increase, implemented after July 1, 2023.

(c) In addition to other duties that may be imposed by the provisions of this chapter or by the rules of the Supreme Court of Appeals or the judge of the circuit court or the chief judge of the circuit court if there is more than one judge of the circuit court, it is the duty of the magistrate court clerk to establish and maintain appropriate dockets and records in a centralized system for the magistrate court, to assist in the preparation of the reports required of the court and to carry out on behalf of the magistrates or chief

magistrate if a chief magistrate is appointed, the administrative duties of the court.

(d) The magistrate court clerk, or if there is no magistrate court clerk in the county, the clerk of the circuit court, may issue all manner of civil process and require the enforcement of subpoenas and subpoenas duces tecum in magistrate court.

~~(e) Notwithstanding any provision of this code to the contrary, the amendments made to this section during the 2013 first extraordinary session are effective upon passage and are retroactive to January 1, 2013~~.

~~(f) Beginning January 1, 2017, the annual salary of all magistrate court clerks is $44,720. After the effective date of this section, a general salary increase granted to state employees, whose salaries are not set by statute, expressed as a percentage increase or an across the board increase, may also be granted to magistrate court clerks~~

§50-1-9. Magistrate assistants; salary; duties.

(a) In each county there shall be at least one magistrate assistant for each magistrate; however, the Supreme Court of Appeals may authorize additional magistrate assistants if the workload of a county's magistrate court requires extra staff support. Each magistrate assistant shall be appointed by the magistrate under whose authority and supervision and at whose will and pleasure he or she shall serve. If more than one magistrate assistant per magistrate is approved by the Supreme Court of Appeals, then the chief magistrate, or chief circuit judge if no chief magistrate is designated, shall appoint, supervise, and assign job duties for any additional magistrate assistant as needed for that county. The assistant shall not be a member of the immediate family of any magistrate and shall not have been convicted of a felony or any misdemeanor involving moral turpitude and shall reside in the State of West Virginia. For the purpose of this section, "immediate family" means the relationships of mother, father, sister, brother, child, or spouse.

(b) A magistrate assistant shall have the duties, clerical or otherwise, assigned by the magistrate and prescribed by the rules of the Supreme Court of Appeals or the judge of the circuit court, or the chief judge of the circuit court if there is more than one judge of the circuit court. In addition to these duties, magistrate assistants shall perform and are accountable to the magistrate court clerks with respect to the following duties:

(1) The preparation of summons in civil actions;

(2) The assignment of civil actions to the various magistrates;

(3) The collection of all costs, fees, fines, forfeitures, and penalties which are payable to the court;

(4) The submission of moneys, along with an accounting of the moneys, to appropriate authorities as provided by law;

(5) The daily disposition of closed files which are to be located in the magistrate clerk's office;

(6) All duties related to the gathering of information and documents necessary for the preparation of administrative reports and documents required by the rules of the Supreme Court of Appeals, ~~or~~ the judge of the circuit court or the chief judge of the circuit court if there is more than one judge of the circuit court;

(7) All duties relating to the notification, certification, and payment of jurors serving pursuant to the terms of this chapter; and

(8) All other duties or responsibilities whereby the magistrate assistant is accountable to the magistrate court clerk as determined by the magistrate.

(c) Magistrate assistants shall be paid at least twice per month by the state. The annual salary of all magistrate assistants is $46,932. Beginning July 1, 2023, the annual salary of a magistrate assistant shall be $49,232. Magistrate assistants may receive any general salary increase granted to state employees, whose salaries are not set by statute, expressed as a percentage increase or an across-the-board increase enacted after July 1, 2023. ~~Magistrate~~

~~assistants serving magistrates who serve less than seven thousand three hundred in population shall be paid up to $36,048 per year and magistrate assistants serving magistrates who serve seven thousand three hundred or more in population shall be paid up to $39,348 per year: *Provided*, That after the effective date of this section, any general salary increase granted to all state employees, whose salaries are not set by statute, expressed as a percentage increase or an across the board increase, may also be granted to magistrate assistants. For the purpose of determining the population served by each magistrate, the number of magistrates authorized for each county shall be divided into the population of each county. The salary of the magistrate assistant shall be established by the magistrate within the limits set forth in this section.~~

~~(d) Notwithstanding any provision of this code to the contrary, the amendments made to this section during the 2013 first extraordinary session are effective upon passage and are retroactive to January 1, 2013.~~

~~(e) Beginning January 1, 2017, the annual salary of all magistrate assistants is $39,348. After the effective date of this section, a general salary increase granted to state employees, whose salaries are not set by statute, expressed as a percentage increase or an across the board increase, may also be granted to magistrate assistants~~

§50-1-9a. Magistrate court deputy clerks; duties; salary.

(a) Whenever required by workload and upon the recommendation of the judge of the circuit court, or the chief judge of the circuit court if there is more than one judge of the circuit court, the Supreme Court of Appeals may ~~by rule~~ provide by rule for the appointment of magistrate court deputy clerks. ~~not to exceed seventy-two in number~~ The magistrate court deputy clerks shall be appointed by the judge of the circuit court, or the chief judge of the circuit court if there is more than one judge of the circuit court, to serve at his or her will and pleasure under the immediate supervision of the magistrate court clerk.

(b) Magistrate court deputy clerks shall have the duties, clerical or otherwise, as may be assigned by the magistrate court clerk and as may be prescribed by the rules of the Supreme Court of Appeals, ~~or~~ the judge of the circuit court, or the chief judge of the circuit court, if there is more than one judge of the circuit court. Magistrate court deputy clerks may also exercise the power and perform the duties of the magistrate court clerk as may be delegated or assigned by the magistrate court clerk.

(c) A magistrate court deputy clerk may not be an immediate family member of any magistrate, magistrate court clerk, magistrate assistant, or judge of the circuit court within the same county; may not have been convicted of a felony or any misdemeanor involving moral turpitude; and must reside in this state. For purposes of this subsection, "immediate family member" means a mother, father, sister, brother, child, or spouse.

(d) ~~Magistrate court deputy clerks shall be paid an annual salary by the state on the same basis and in the same amounts established for magistrate assistants in each county, as provided in section nine of this article~~ Magistrate court deputy clerks shall be paid at least twice per month by the state. The annual salary of all magistrate court deputy clerks is $46,932. Beginning July 1, 2023, the annual salary of a magistrate court deputy clerk shall be $49,232. Magistrate court deputy clerks may receive any general salary increase granted to state employees whose salaries are not set by statute, expressed as a percentage increase or an across-the-board increase implemented after July 1, 2023.

~~(e) Notwithstanding any provision of this code to the contrary, the amendments made to section nine of this article during the 2013 First Extraordinary Session, and the effects of those amendments on subsection (d) of this section, are effective upon passage and are retroactive to January 1, 2013.~~

~~(f) Beginning January 1, 2017, the annual salary of all magistrate court deputy clerks is $39,348. After the effective date of this section, a general salary increase granted to state employees, whose salaries are not set by statute, expressed as a percentage~~

~~increase or an across-the-board increase, may also be granted to magistrate court deputy clerks~~

§50-1-9c. Additional magistrate court support staff; duties; salary.

The Supreme Court of Appeals is authorized to create additional classifications of support staff that it deems necessary to adequately and efficiently staff the magistrate courts of this state, including, but not limited to cashiers, data entry clerks, and deputy magistrate assistants. The Supreme Court of Appeals may determine the authority to hire and terminate, supervise, and assign job duties for these positions pursuant to its own employment rules, policies, and procedures. The annual salary of additional support staff authorized by this section shall not exceed the regular annual salary of a magistrate assistant and shall be paid by the state on the same basis and in the same amounts established for magistrate assistants in each county, as provided in §50-1-9 of this code.

CHAPTER 51. COURTS AND THEIR OFFICERS.

ARTICLE 2. CIRCUIT COURTS; CIRCUIT JUDGES.

§51-2-1. Judicial circuits; terms of office; legislative findings and declarations; elections; terms of court.

(a) Beginning on the effective date of this subsection and until December 31, 2024, the state shall be divided into the following judicial circuits with the following number of judges:

(1) The counties of Brooke, Hancock, and Ohio shall constitute the first circuit and shall have four judges;

(2) The counties of Marshall, Tyler, and Wetzel shall constitute the second circuit and shall have two judges;

(3) The counties of Doddridge, Pleasants, and Ritchie shall constitute the third circuit and shall have one judge;

(4) The counties of Wood and Wirt shall constitute the fourth circuit and shall have three judges;

(5) The counties of Calhoun, Jackson, Mason, and Roane shall constitute the fifth circuit and shall have ~~two~~ three judges ~~Provided, That effective January 1, 2017, said circuit court shall have three judges; said additional circuit judge to be elected at the regularly scheduled election(s) to be held in the year 2016 and every eighth year thereafter~~;

(6) The county of Cabell shall constitute the sixth circuit and shall have four judges;

(7) The county of Logan shall constitute the seventh circuit and shall have two judges;

(8) The county of McDowell shall constitute the eighth circuit and shall have two judges;

(9) The county of Mercer shall constitute the ninth circuit and shall have three judges;

(10) The county of Raleigh shall constitute the tenth circuit and shall have ~~three~~ four judges ~~Provided, That effective January 1, 2017, said circuit court shall have four judges; said additional circuit judge to be elected at the regularly scheduled election(s) to be held in the year 2016 and every eighth year thereafter~~;

(11) The counties of Greenbrier and Pocahontas shall constitute the eleventh circuit and shall have two judges;

(12) The county of Fayette shall constitute the twelfth circuit and shall have two judges;

(13) The county of Kanawha shall constitute the thirteenth circuit and shall have seven judges;

(14) The counties of Braxton, Clay, Gilmer, and Webster shall constitute the fourteenth circuit and shall have two judges;

(15) The county of Harrison shall constitute the fifteenth circuit and shall have three judges;

(16) The county of Marion shall constitute the sixteenth circuit and shall have two judges;

(17) The county of Monongalia shall constitute the seventeenth circuit and shall have three judges;

(18) The county of Preston shall constitute the eighteenth circuit and shall have one judge;

(19) The counties of Barbour and Taylor shall constitute the nineteenth circuit and shall have ~~one judge~~ two judges ~~Provided, That effective January 1, 2019, said circuit court shall have two judges; said additional circuit judge to be appointed by the Governor and subsequently elected at the next scheduled primary election to be held in 2020 for the unexpired term pursuant to §3-10-3 of this code: *Provided, however*, That said additional circuit judge shall thereafter be elected at the regularly scheduled election(s) to be held in the year 2024 and every eighth year thereafter~~;

(20) The county of Randolph shall constitute the twentieth circuit and shall have one judge;

(21) The counties of Grant, Mineral, and Tucker shall constitute the twenty-first circuit and shall have two judges;

(22) The counties of Hampshire, Hardy, and Pendleton shall constitute the twenty-second circuit and shall have two judges;

(23) The counties of Berkeley, Jefferson, and Morgan shall constitute the twenty-third circuit and shall have ~~five~~ six judges; ~~Provided, That effective January 1, 2017, said circuit court shall have six judges; said additional circuit judge to be elected at the regularly scheduled election(s) to be held in the year 2016 and every eighth year thereafter~~

(24) The county of Wayne shall constitute the twenty-fourth circuit and shall have two judges;

(25) The counties of Lincoln and Boone shall constitute the twenty-fifth circuit and shall have two judges;

(26) The counties of Lewis and Upshur shall constitute the twenty-sixth circuit and shall have ~~one judge~~ two judges ~~Provided,~~

~~That effective January 1, 2017, said circuit court shall have two judges; said additional circuit judge to be elected at the regularly scheduled election(s) to be held in the year 2016 and every eighth year thereafter~~;

(27) The county of Wyoming shall constitute the twenty-seventh circuit and shall have one judge;

(28) The county of Nicholas shall constitute the twenty-eighth circuit and shall have one judge;

(29) The county of Putnam shall constitute the twenty-ninth circuit and shall have two judges;

(30) The county of Mingo shall constitute the thirtieth circuit and shall have one judge; and

(31) The counties of Monroe and Summers shall constitute the thirty-first circuit and shall have one judge.

(b) Effective January 1, 2025, the state shall be divided into the following judicial circuits with the following number of judges who shall be elected by the voters of the entire circuit, but in separate divisions, as required by §3-5-6b of this code.

(1) The counties of Brooke, Hancock, and Ohio shall constitute the first circuit and shall have four judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(2) The counties of Marshall, Tyler, and Wetzel shall constitute the second circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(3) The counties of Doddridge, Pleasants, Ritchie, and Wirt shall constitute the third circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter: *Provided*, That no more than one judge shall be a resident of any county comprising the third circuit; *Provided, however*, That if the highest vote

recipients in both divisions are also both residents of the same county, then the candidate with the highest overall number of votes shall be declared the winner of the division in which he or she ran; *Provided, further*, That the candidate who has the highest number of votes in the other division who is not a resident of the same county as the highest overall vote recipient shall be declared the winner of the division in which he or she ran;

(4) The county of Wood shall constitute the fourth circuit and shall have three judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(5) The counties of Calhoun, Jackson, Mason, and Roane shall constitute the fifth circuit and shall have three judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter; *Provided*, That Division 1 in the fifth circuit shall be for a judge who resides in Jackson County at the time of his or her filing and for the duration of his or her service, Division 2 in the fifth circuit shall be for a judge who resides in Mason County at the time of his or her filing and for the duration of his or her service, and Division 3 in the fifth circuit shall be for a judge who resides in either Calhoun County or Roane County at the time of his or her filing and for the duration of his or her service;

(6) The county of Cabell shall constitute the sixth circuit and shall have four judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(7) The county of Putnam shall constitute the seventh circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(8) The county of Kanawha shall constitute the eighth circuit and shall have eight judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(9) The counties of Boone and Lincoln shall constitute the ninth circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(10) The county of Wayne shall constitute the tenth circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(11) The counties of Logan and Mingo shall constitute the eleventh circuit and shall have three judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter; *Provided*, That Division 1 in the eleventh circuit shall be for a judge who will reside at the time of his or her filing and during his or her service in Mingo County, Division 2 in the eleventh circuit shall be for a judge who will reside at the time of his or her filing and during his or her service in Logan County, and Division 3 in the eleventh circuit shall be for a judge who will reside at the time of his or her filing and during his or her service in Logan County;

(12) The counties of McDowell and Wyoming shall constitute the twelfth circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter; *Provided*, That Division 1 in the twelfth circuit shall be for a judge who will reside at the time of his or her filing and during his or her service in McDowell County, and Division 2 in the twelfth circuit shall be for a judge who will reside at the time of his or her filing and during his or her service in Wyoming County;

(13) The county of Mercer shall constitute the thirteenth circuit and shall have three judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(14) The county of Raleigh shall constitute the fourteenth circuit and shall have four judges, who shall be elected at the

regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(15) The county of Fayette shall constitute the fifteenth circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(16) The county of Nicholas shall constitute the sixteenth circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(17) The counties of Braxton, Clay, Gilmer, and Webster shall constitute the seventeenth circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter: *Provided*, That no more than one judge shall be a resident of any county comprising the seventeenth circuit; *Provided, however*, That if the highest vote recipients in both divisions are also both residents of the same county, then the candidate with the highest overall number of votes shall be declared the winner of the division in which he or she ran; *Provided, further*, That the candidate who has the highest number of votes in the other division who is not a resident of the same county as the highest overall vote recipient shall be declared the winner of the division in which he or she ran;

(18) The counties of Lewis and Upshur shall constitute the eighteenth circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter; *Provided*, That Division 1 in the eighteenth circuit shall be for a judge who will reside at the time of his or her filing and during his or her service in Upshur County, and Division 2 in the eighteenth circuit shall be for a judge who will reside at the time of his or her filing and during his or her service in Lewis County;

(19) The county of Harrison shall constitute the nineteenth circuit and shall have three judges, who shall be elected at the

regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(20) The county of Marion shall constitute the twentieth circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(21) The county of Monongalia shall constitute the twenty-first circuit and shall have three judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(22) The counties of Preston and Tucker shall constitute the twenty-second circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(23) The counties of Barbour and Taylor shall constitute the twenty-third circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(24) The county of Randolph shall constitute the twenty-fourth circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(25) The counties of Grant and Mineral shall constitute the twenty-fifth circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(26) The counties of Hampshire, Hardy, and Pendelton shall constitute the twenty-sixth circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(27) The counties of Berkley and Morgan shall constitute the twenty-seventh circuit and shall have five judges, who shall be

elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(28) The county of Jefferson shall constitute the twenty-eighth circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(29) The counties of Greenbrier and Pocahontas shall constitute the twenty-ninth circuit and shall have two judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter; and

(30) The counties of Monroe and Summers shall constitute the thirtieth circuit and shall have one judge, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter.

~~(b)~~ (c) The ~~Kanawha~~ Raleigh County circuit court shall be a court of concurrent jurisdiction with ~~each~~ the remaining single-judge circuit where the sitting judge in the single-judge circuit is unavailable by reason of sickness, vacation, or other reason.

~~(c)~~ (d) Any judge in office on the effective date of the reenactment of this section shall continue as a judge of the circuit as constituted under prior enactments of this section, unless sooner removed or retired as provided by law, until December 31, ~~2016~~ 2024.

~~(d)~~ (e) The term of office of all circuit court judges shall be for eight years. The term of office for all circuit court judges elected during an election conducted in the year ~~2016~~ 2024, shall commence on January 1, ~~2017~~, 2025, and end on December 31, ~~2024~~ 2032.

~~(e)~~ (f) For election purposes, in every judicial circuit having two or more judges there shall be numbered divisions corresponding to the number of circuit judges in each circuit. Each judge shall be elected at large from the entire circuit. In each numbered division of a judicial circuit, the candidates for ~~nomination or~~ election shall be voted upon, and the votes cast for

the candidates in each division shall be tallied separately from the votes cast for candidates in other numbered divisions within the circuit. The candidate receiving the highest number of the votes cast within a numbered division shall be ~~nominated or~~ elected, ~~as the case may be~~ except as provided above with respect to the third and seventeenth circuits.

~~(f) Judges serving a judicial circuit comprised of four or more counties with two or more judges shall not be residents of the same county.~~

(g) The Supreme Court of Appeals shall, by rule, establish the terms of court of circuit judges.

ARTICLE 2A. FAMILY COURTS.

§51-2A-3. Number of family court judges; assignment of family court judges by family court circuits.

~~(a) Beginning on January 1, 2009, forty-five family court judges shall serve throughout the state, allocated among a total of twenty-seven family court circuits as follows:~~

~~(1) The counties of Brooke, Hancock and Ohio shall constitute the first family court circuit and have two family court judges;~~

~~(2) The counties of Marshall, Wetzel and Tyler shall constitute the second family court circuit and have one family court judge;~~

~~(3) The counties of Pleasants and Wood shall constitute the third family court circuit and have two family court judges;~~

~~(4) The counties of Roane, Calhoun, Gilmer and Ritchie shall constitute the fourth family court circuit and have one family court judge;~~

~~(5) The counties of Mason, Jackson and Wirt shall constitute the fifth family court circuit and have two family court judges;~~

~~(6) The county of Cabell shall constitute the sixth family court circuit and have two family court judges;~~

~~(7) The county of Wayne shall constitute the seventh family court circuit and have one family court judge;~~

~~(8) The county of Mingo shall constitute the eighth family court circuit and have one family court judge;~~

~~(9) The county of Logan shall constitute the ninth family court circuit and have two family court judges;~~

~~(10) The counties of Lincoln and Boone shall constitute the tenth family court circuit and have two family court judges;~~

~~(11) The county of Kanawha shall constitute the eleventh family court circuit and have five family court judges;~~

~~(12) The counties of McDowell and Mercer shall constitute the twelfth family court circuit and have three family court judges;~~

~~(13) The counties of Raleigh, Summers and Wyoming shall constitute the thirteenth family court circuit and have three family court judges;~~

~~(14) The county of Fayette shall constitute the fourteenth family court circuit and have one family court judge;~~

~~(15) The counties of Greenbrier and Monroe shall constitute the fifteenth family court circuit and have one family court judge;~~

~~(16) The counties of Clay and Nicholas shall constitute the sixteenth family court circuit and have one family court judge;~~

~~(17) The counties of Braxton, Lewis and Upshur shall constitute the seventeenth family court circuit and have one family court judge;~~

~~(18) The counties of Harrison and Doddridge shall constitute the eighteenth family court circuit and have two family court judges;~~

~~(19) The county of Marion shall constitute the nineteenth family court circuit and have one family court judge;~~

~~(20) The counties of Monongalia and Preston shall constitute the twentieth family court circuit and have two family court judges;~~

~~(21) The counties of Barbour and Taylor shall constitute the twenty-first family court circuit and have one family court judge;~~

~~(22) The counties of Tucker and Randolph shall constitute the twenty-second family court circuit and have one family court judge;~~

~~(23) The counties of Mineral, Hampshire and Morgan shall constitute the twenty-third family court circuit and have one family court judge;~~

~~(24) The counties of Berkeley and Jefferson shall constitute the twenty-fourth family court circuit and have three family court judges;~~

~~(25) The counties of Hardy, Pendleton and Grant shall constitute the twenty-fifth family court circuit and have one family court judge;~~

~~(26) The county of Putnam shall constitute the twenty-sixth family court circuit and have one family court judge; and~~

~~(27) The counties of Webster and Pocahontas shall constitute the twenty-seventh family court circuit and have one family court judge.~~

~~(b)~~ (a) ~~Beginning on January 1, 2017~~ Beginning on the effective date of this subsection and until December 31, 2024, 47 family court judges shall serve throughout the state, allocated among a total of 27 family court circuits as follows:

(1) The counties of Brooke, Hancock, and Ohio shall constitute the first family court circuit and have two family court judges;

(2) The counties of Marshall, Wetzel, and Tyler shall constitute the second family court circuit and have one family court judge;

(3) The counties of Pleasants and Wood shall constitute the third family court circuit and have two family court judges;

(4) The counties of Roane, Calhoun, Gilmer, and Ritchie shall constitute the fourth family court circuit and have one family court judge;

(5) The counties of Mason, Jackson, and Wirt shall constitute the fifth family court circuit and have two family court judges;

(6) The county of Cabell shall constitute the sixth family court circuit and have three family court judges;

(7) The county of Wayne shall constitute the seventh family court circuit and have one family court judge;

(8) The county of Mingo shall constitute the eighth family court circuit and have one family court judge;

(9) The county of Logan shall constitute the ninth family court circuit and have two family court judges;

(10) The counties of Lincoln and Boone shall constitute the tenth family court circuit and have two family court judges;

(11) The county of Kanawha shall constitute the eleventh family court circuit and have five family court judges;

(12) The counties of McDowell and Mercer shall constitute the twelfth family court circuit and have three family court judges;

(13) The counties of Raleigh, Summers, and Wyoming shall constitute the thirteenth family court circuit and have three family court judges;

(14) The county of Fayette shall constitute the fourteenth family court circuit and have one family court judge;

(15) The counties of Greenbrier and Monroe shall constitute the fifteenth family court circuit and have one family court judge;

(16) The counties of Clay and Nicholas shall constitute the sixteenth family court circuit and have one family court judge;

(17) The counties of Braxton, Lewis, and Upshur shall constitute the seventeenth family court circuit and have one family court judge;

(18) The counties of Harrison and Doddridge shall constitute the eighteenth family court circuit and have two family court judges;

(19) The county of Marion shall constitute the nineteenth family court circuit and have one family court judge;

(20) The counties of Monongalia and Preston shall constitute the twentieth family court circuit and have two family court judges;

(21) The counties of Barbour and Taylor shall constitute the twenty-first family court circuit and have one family court judge;

(22) The counties of Tucker and Randolph shall constitute the twenty-second family court circuit and have one family court judge;

(23) The counties of Mineral, Hampshire and Morgan shall constitute the twenty-third family court circuit and have two family court judges;

(24) The counties of Berkeley and Jefferson shall constitute the twenty-fourth family court circuit and have three family court judges;

(25) The counties of Hardy, Pendleton, and Grant shall constitute the twenty-fifth family court circuit and have one family court judge;

(26) The county of Putnam shall constitute the twenty-sixth family court circuit and have one family court judge; and

(27) The counties of Webster and Pocahontas shall constitute the twenty-seventh family court circuit and have one family court judge.

(b) Effective January 1, 2025, 48 family court judges shall serve throughout the state, allocated among a total of 27 family court circuits as follows:

(1) The counties of Brooke, Hancock, and Ohio shall constitute the first family court circuit and have two family court judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(2) The counties of Marshall, Wetzel, and Tyler shall constitute the second family court circuit and have one family court judge, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(3) The counties of Pleasants and Wood shall constitute the third family court circuit and have two family court judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(4) The counties of Roane, Calhoun, Gilmer, and Ritchie shall constitute the fourth family court circuit and have one family court judge, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(5) The counties of Mason, Jackson, and Wirt shall constitute the fifth family court circuit and have two family court judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(6) The county of Cabell shall constitute the sixth family court circuit and have three family court judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(7) The county of Wayne shall constitute the seventh family court circuit and have one family court judge, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(8) The county of Mingo shall constitute the eighth family court circuit and have one family court judge, who shall be elected at the

regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(9) The county of Logan shall constitute the ninth family court circuit and have two family court judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(10) The counties of Lincoln and Boone shall constitute the tenth family court circuit and have two family court judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(11) The county of Kanawha shall constitute the eleventh family court circuit and have five family court judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(12) The counties of McDowell and Mercer shall constitute the twelfth family court circuit and have three family court judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(13) The counties of Raleigh, Summers, and Wyoming shall constitute the thirteenth family court circuit and have three family court judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(14) The county of Fayette shall constitute the fourteenth family court circuit and have one family court judge, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(15) The counties of Greenbrier and Monroe shall constitute the fifteenth family court circuit and have one family court judge, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(16) The counties of Clay and Nicholas shall constitute the sixteenth family court circuit and have one family court judge, who

shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(17) The counties of Lewis and Upshur shall constitute the seventeenth family court circuit and have one family court judge, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(18) The counties of Harrison and Doddridge shall constitute the eighteenth family court circuit and have two family court judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(19) The county of Marion shall constitute the nineteenth family court circuit and have one family court judge, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(20) The counties of Monongalia and Preston shall constitute the twentieth family court circuit and have two family court judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(21) The counties of Barbour and Taylor shall constitute the twenty-first family court circuit and have one family court judge, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(22) The counties of Tucker and Randolph shall constitute the twenty-second family court circuit and have one family court judge, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(23) The counties of Mineral, Hampshire, and Morgan shall constitute the twenty-third family court circuit and have two family court judges, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(24) The counties of Berkeley and Jefferson shall constitute the twenty-fourth family court circuit and have four family court

judges with the additional family court judge to be elected at the regularly scheduled election held in 2024, and every eighth year thereafter;

(25) The counties of Hardy, Pendleton, and Grant shall constitute the twenty-fifth family court circuit and have one family court judge, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter;

(26) The county of Putnam shall constitute the twenty-sixth family court circuit and have one family court judge, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter; and

(27) The counties of Webster, Braxton, and Pocahontas shall constitute the twenty-seventh family court circuit and have one family court judge, who shall be elected at the regularly scheduled election(s) to be held in the year 2024, and every eighth year thereafter.

(c) Family court judges taking office January 1, ~~2017~~ 2025, shall be elected at the regularly scheduled election(s) occurring in the year ~~2016~~ 2024, and shall serve for a term of eight years.

(d) The Legislature has the authority and may determine to realign the family court circuits and has the authority and may determine to increase or decrease the number of family court judges within a family court circuit, from time to time. Any person appointed or elected to the office of family court judge acknowledges the authority of the Legislature to realign family court circuits and the authority of the Legislature to increase or decrease the number of family court judges within a family court circuit.

§51-2A-6. Compensation and expenses of family court judges and their staffs.

(a) A family court judge is entitled to receive as compensation for his or her services an annual salary of $62,500: *Provided*, That beginning July 1, 2005, a family court judge is entitled to receive

as compensation for his or her services an annual salary of $82,500: *Provided, however*, That beginning July 1, 2011, the annual salary of a family court judge shall be $94,500: *Provided further*, That beginning July 1, 2020, the annual salary of a family court judge shall be $103,950.

(b) The secretary-clerk of the family court judge is appointed by the family court judge and serves at his or her will and pleasure. The secretary-clerk of the family court judge is entitled to receive an annual salary of $27,036: Provided, That on and after July 1, 2006, the annual salary of the secretary-clerk shall be established by the Administrative Director of the Supreme Court of Appeals, but may not exceed $39,000. In addition, any person employed as a secretary-clerk to a family court judge on the effective date of the enactment of this section during the sixth extraordinary session of the Legislature in the year 2001 who is receiving an additional $500 per year up to 10 years of a certain period of prior employment under the provisions of the prior enactment of §51-2A-8 of this code during the second extraordinary session of the Legislature in the year 1999 shall continue to receive such additional amount. Further, the secretary-clerk will receive such percentage or proportional salary increases as may be provided by general law for other public employees and is entitled to receive the annual incremental salary increase as provided in §5-5-1 *et seq.* of this code The secretary-clerk of the family court shall be paid at least twice per month by the state. The annual salary of all secretary-clerks of the family court is $42,576. Beginning July 1, 2023, the annual salary of a family court secretary-clerk shall be $44,876. Family court secretary-clerks may receive any general salary increase granted to state employees, whose salaries are not set by statute, expressed as a percentage increase or an across-the-board increase enacted after July 1, 2023.

(c) The family court judge may employ not more than one family case coordinator who serves at his or her will and pleasure: *Provided*, That the Supreme Court of Appeals may authorize additional family case coordinators if the workload of a circuit's family court requires extra staff support. The annual salary of the family case coordinator of the family court judge shall be

established by the Administrative Director of the Supreme Court of Appeals but may not exceed $36,000 $54,576. Provided, That on and after July 1, 2006, the annual salary of the family case coordinator of the family court judge may not exceed $51,000. The family case coordinator will receive such percentage or proportional salary increases as may be provided by general law for other public employees and is entitled to receive the annual incremental salary increase as provided in §5-5-1 *et seq.* of this code Beginning July 1, 2023, the annual salary of a family court case coordinator shall not exceed $56,876. Family court case coordinators may receive any general salary increase granted to state employees, whose salaries are not set by statute, expressed as a percentage increase or an across-the-board increase enacted after July 1, 2023. If more than one family case coordinator is approved by the Supreme Court of Appeals, then the chief family court judge of that circuit shall appoint, supervise, and assign job duties for any additional family case coordinator as needed for that circuit.

(d) The sheriff or his or her designated deputy shall serve as a bailiff for a family court judge. The sheriff of each county shall serve or designate persons to serve so as to assure that a bailiff is available when a family court judge determines the same is necessary for the orderly and efficient conduct of the business of the family court.

(e) Disbursement of salaries for family court judges and members of their staffs are made by or pursuant to the order of the Director of the Administrative Office of the Supreme Court of Appeals.

(f) Family court judges and members of their staffs staff are allowed their actual and necessary expenses incurred in the performance of their duties. The expenses and compensation will be determined and paid by the Director of the Administrative Office of the Supreme Court of Appeals under such guidelines as he or she may prescribe, as approved by the Supreme Court of Appeals.

(g) Notwithstanding any other provision of law, family court judges are not eligible to participate in the retirement system for judges under the provisions of §51-9-1 *et seq.* of this code

(g) The Supreme Court of Appeals is authorized to create additional classifications of support staff that it deems necessary to adequately and efficiently staff the family courts of this state, including, but not limited to, receptionists, assistant case coordinators, and assistant secretary-clerks. The Supreme Court of Appeals may determine the authority to hire and terminate, supervise, and assign job duties for these positions pursuant to its own employment rules, policies, and procedures. The annual salary of additional support staff authorized by this section shall not exceed the regular annual salary of a secretary-clerk and shall be paid by the state on the same basis established for secretary-clerks as provided in this section."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 3332 – "A Bill to amend and reenact §3-1-16 of the Code of West Virginia, 1931, as amended; to amend and reenact §50-1-2, §50-1-8, §50-1-9, and §50-1-9a of said code; to amend said code by adding thereto a new section, designated §50-1-9c; to amend and reenact §51-2-1 of said code; and to amend and reenact §51-2A-3 and §51-2A-6 of said code; all relating generally to judicial officers and judicial staff; establishing runoff elections for circuit court judges in certain circumstances; establishing the number of magistrates per county before and after a date certain; establishing magisterial term length and election dates; setting forth process for Supreme Court of Appeals to undertake magistrate caseload study and submit administrative order regarding magistrate allocation; eliminating limit on maximum number of magistrates; eliminating restriction against reducing number of magistrates; removing payment of magistrates salaries based on population; establishing certain magistrate staff salaries and payment periods; authorizing additional magistrate assistants per magistrate based on workload, subject to certain restrictions; altering the county composition of certain circuit court

circuits; establishing the number of circuit court judges per circuit before and after a date certain; providing for concurrent jurisdiction in single judge circuit; altering the county composition of certain family court circuits; establishing the number of family court judges per family court circuit before and after a date certain; establishing salaries of family court judges; establishing certain family court staff salaries and payment periods; permitting Supreme Court of Appeals to increase number of family case coordinators; authorizing the Supreme Court of Appeals to create staff classifications and to appoint additional support staff to family court judges based on workload, subject to certain restrictions; and providing internal effective dates."

With the further amendment, sponsored by Delegate Capito, being as follows:

On page 33, section 6, line 8, by striking the sentence beginning with "The secretary-clerk" through line 19 ending with the word "code"; and, page 34, section 6, line 30, by striking the number "$36,000"; and, page 35, section 6, line 30, by striking the sentence beginning with "Provided, That on" through line 34 ending with the word "code"; and, page 35, line 53, by striking subsection "(g)".

Messages from the Executive

Two Executive Messages were laid before the House of Delegates and reported by the Clerk. Corrected versions of these messages were subsequently reported and are printed later in this Journal.

On the question of concurring in the Senate amendments to Com. Sub. for H. B. 3332, with further amendment, the same was put and prevailed.

The bill, as amended by the Senate, and further amended by the House, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 770)**, and there were—yeas 85, nays 7, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Brooks, Burkhammer, Dean, Dillon, Foster, Ridenour and Street.

Absent and Not Voting: Chiarelli, Cooper, Ellington, Mallow, Skaff, Steele, Westfall and Willis.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3332) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

At 6:37 p.m., on motion of Delegate Householder, the House of Delegates recessed until 7:30 p.m.

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Evening Session

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The Speaker called the House to order briefly for announcements.

At approximately 7:35 p.m., the House of Delegates recessed for ten minutes.

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Evening Session

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- continued -

The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

Conference Committee Report Availability

At 7:53 p.m., the Clerk announced that the reports of the committees of conference on **Com. Sub. for H. B. 3261**, Relating

to Social Workers Qualifications, and **Com. Sub. for S. B. 617**, Relating to Intellectual and Development Disabilities Waiver Program Workforce Study, would be available in the Clerk's Office.

Messages from the Executive

The following corrected communications were laid before the House of Delegates and reported by the Clerk:

Office of the Governor
1900 Kanawha Blvd., East
Charleston, WV 25305

March 11, 2023

EXECUTIVE MESSAGE NO. 4
2023 REGULAR SESSION
The Honorable Roger Hanshaw
Speaker, West Virginia House of Delegates
State Capitol, Rm 228M
Charleston, West Virginia 25305

Dear Mr. Speaker:

In accordance with the provisions of section 11, article 7 of the Constitution of the State of West Virginia, and section 16, article 1, chapter 5 of the Code of West Virginia, I hereby report that I granted no pardons or reprieves, nor commuted punishment to any person, nor remitted any fines or penalties, during the period of March 7, 2022 through March 11, 2023.

Very truly yours,

Jim Justice,
Governor.

Office of the Governor
1900 Kanawha Blvd., East
Charleston, WV 25305

March 11, 2023

Executive Message 5
2023 Regular Session
The Honorable Roger Hanshaw
Speaker, West Virginia House of Delegates
State Capitol, Rm 228M
Charleston, West Virginia 25305

Dear Mr. Speaker:

Pursuant to the provisions of section twenty, article one, chapter five of the Code of West Virginia, I hereby certify that the following annual reports have been received in the Office of the Governor:

Accountancy, West Virginia Board of; FY 2022 WV Board of Accountancy

Acupuncture, West Virginia Board; FY 2021-2022 WV Board of Acupuncture

Administration, West Virginia Department of; State Building Commission Fund May 2022

Administration, West Virginia Department of; State Building Commission Fund June 2022

Administration, West Virginia Department of; State Building Commission Fund July 2022

Administration, West Virginia Department of; State Building Commission Fund June 2022

Administration, West Virginia Department of; State Building Commission Fund August 2022

Administration, West Virginia Department of; State Building Commission Fund September 2022

Administration, West Virginia Department of; State Building Commission Fund October 2022

Administration, West Virginia Department of; State Building Commission Fund November 2022

Administration, West Virginia Department of; State Building Commission Fund December 2022

Administration, West Virginia Department of; State Building Commission Fund January 2023

Alcohol Beverage Control Administration, West Virginia; WVABCA Annual Report FY 2022

Architects, West Virginia Board of; FY2022 Annual Report Board of Architects

Insurance Commissioner, West Virginia Office of the; 2023 PTSD Annual Report

Barbers & Cosmetologists, West Virginia Board of; ANNUAL REPORT

Broadband Enhancement Council, West Virginia; West Virginia Office of Broadband and West Virginia Broadband Enhancement Council 2022 Annual Report

Catastrophic Illness Commission, James "Tiger" Morton; James "Tiger" Morton

Catastrophic Illness Commission Year 2022 Report

Commission on Special Investigations; 42nd Annual Report

Contractor Licensing Board West Virginia; Contractor Licensing Board Activity Report

Correctional Industries, West Virginia; West Virginia Correctional Industries Annual Report

Corrections, West Virginia Division of; FY 22 Annual Report WVDCR

Counseling, West Virginia Board of; 2022 Annual Report

Deaf and Hard of Hearing, West Virginia Commission for the; 2021 Annual Report

Dentists & Dental Hygienists, Board of; Report of the Biennium for Fiscal Years 2021 & 2022

Division of Justice and Community Services, West Virginia; JUSTICE REINVESTMENT INITIATIVE (S.B. 371)

Division of Justice and Community Services, West Virginia; Sexual Assault Forensic Examination SAFE Commission

Division of Justice and Community Services, West Virginia; Recommendations for Criminal Sentencing Law Reform for the State of West Virginia A Report of the Sentencing Commission Subcommittee of the Governor's Committee on Crime, Delinquency, and Correction to the West Virginia Legislature

Division of Justice and Community Services, West Virginia; Law Enforcement Professional Standards (LEPS) Subcommittee/Program

Division of Justice and Community Services, West Virginia; Juvenile Justice Subcommittee

Division of Justice and Community Services, West Virginia; WEST VIRGINIA COMMUNITY CORRECTIONS ACT

Elkins Depot Welcome Center CVB; Elkins Depot Welcome Center CVB, Inc. 2021-2022 Annual Report

Environmental Protection, West Virginia Department of; Environmental Protection

Advisory Council 2022 Annual Report

Environmental Protection, West Virginia Department of; 2022 Special Reclamation Fund

Advisory Council Annual Report

Environmental Protection, West Virginia Department of; FY 2022 Annual UST Report for

Fund 3325

Environmental Protection, West Virginia Department of; Annual OOG Report for Fund

3323 FY2022

Environmental Protection, West Virginia Department of; FY 2022 Annual Report of Aboveground Storage Tanks Fund

Environmental Protection, West Virginia Department of; FY2022 Annual Report for Fund 3016 (POW)

Environmental Protection, West Virginia Department of; Stream Restoration Fund 3349 Annual Report

Environmental Protection, West Virginia Department of; 2022 Annual Water Resources

Report

Fire Marshal's Office, West Virginia State; FY 2022 Annual Report

Fleet Management Division, West Virginia; Fleet Management Division 2022 Annual Fleet Report

Forestry, West Virginia Division of; Outdoor Heritage Conservation Fund Annual Report

Forestry, West Virginia Division of; WVDOF Managed Timberland

Forestry, West Virginia Division of; WVDOF Logging Sediment Control Act

Funeral Service Examiners, West Virginia Board of; FY2012-FY2022 Annual Report

Geological and Economic Survey, West Virginia; West Virginia Geological & Economic Survey Annual Report

Hatfield-McCoy Regional Recreation Authority; 2022 Financial and Compliance Report

Hatfield-McCoy Regional Recreation Authority; Hatfield McCoy Annual Audit

Health and Human Resources, West Virginia Department of; Office of Emergency Medical Services Annual Report 2022

Health and Human Resources, West Virginia Department of; West Virginia Office of Drug Control Policy 2022 Semi-Annual Report

Health and Human Resources, West Virginia Department of; Fatality and Mortality Review Team

Health and Human Resources, West Virginia Department of; Annual Child Care Report

Highways, West Virginia Division of; 2021 Complete Streets Advisory Board Annual Report

Human Rights Commission, West Virginia; Human Rights Commission Annual Report

Insurance Commissioner, West Virginia Office of the; West Virginia Office of Consumer Advocate Offices of the WV Insurance Commissioner 2022 Annual Report

Insurance Commissioner, West Virginia Office of the; 2022 State Agency Workers Compensation (SAWC) Annual Report

Insurance Commissioner, West Virginia Office of the; Occupational Pneumoconiosis Board 2021-2022 Annual Report

Insurance Commissioner, West Virginia Office of the; 2022 West Virginia Automobile Survey

Insurance Commissioner, West Virginia Office of the; 2022 PTSD Annual Report

Insurance Commissioner, West Virginia Office of the; 2022 Safety Initiatives Report

Investment Management Board, West Virginia; 2022 Annual Report

Landscape Architects, West Virginia Board of; Board of Landscape Architects FY 2022 Annual Report

Library Commission, West Virginia; 2022 Annual Report

Massage Therapy Licensure Board, West Virginia; Annual Report FY 2021-2022

Medical Imaging and Radiation Therapy Technology Board of Examiners, West Virginia; Annual Report FY-2022

Medicine, West Virginia Board of; West Virginia Board of Medicine Annual Report to the Legislature July 1, 2020, through June 30, 2022

Miners' Health, Safety and Training, West Virginia Office of; FY2022 Annual Report

Motor Vehicles, West Virginia Division of; Motor Vehicle Test and Lock Program (Interlock) 2022

Motor Vehicles, West Virginia Division of; 2022 WV Motorcycle Safety Program

Motor Vehicles, West Virginia Division of; DMV Safety and Treatment Program 2022

Municipal Bond Commission, West Virginia; Fiscal Year 2022 Annual Report

Natural Resources, West Virginia Division of; West Virginia Division of Natural Resources 2021-2022 Annual Report

Nursing Home Administrators Licensing Board, West Virginia; 2022 Annual Report

Occupational Therapy, West Virginia Board of; Annual Report 2022

Osteopathic Medicine, West Virginia Board of; West Virginia Board of Osteopathic Medicine - Annual Report 2022

Personnel, West Virginia Division of; West Virginia Division of Personnel Annual Report 2022

Pharmacy, West Virginia Board of; WV Board of Pharmacy Annual Report

Professional Engineers, West Virginia Board of; FY2022 ANNUAL REPORT - WV Board of Registration for Professional Engineers

Professional Surveyors, West Virginia Board of; WV Board of Professional Surveyors 2022 Annual Report

Public Service Commission, West Virginia; Management Summary Report and the Electric and Natural Gas Utilities Supply-Demand Forecast for 2023-2032

Purchasing Division; West Virginia; Semi-Annual Report on All Commodities Sold to Eligible Organizations

Real Estate Appraiser Licensing and Certification Board, West Virginia; WV Real Estate Appraiser Board Annual Report 2021-2022

Real Estate Commission, West Virginia; FY2022 Annual Report

Sanitarians, West Virginia State Board of; Annual Report 2022

Social Work Examiners, West Virginia Board of; Biennial Report FY 2022

State Police, West Virginia; 2021-2022 Annual Report

State Privacy Office, West Virginia; 2022 Annual Report

Tax Department, West Virginia State; West Virginia Children with Autism Trust Board Annual Report

Tax Department, West Virginia State; 2022 Annual Report of the Criminal Investigation Division and Special Audit Division

Tourism, West Virginia Department of; 2022 Annual Report

Water Development Authority; West Virginia; Water Development Authority Annual Report

Sincerely,

Jim Justice,
Governor.

At 8:02 p.m., on motion of Delegate Jeffries, the House of Delegates recessed for ten minutes.

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Evening Session

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- continued -

Speaker Pro Tempore Espinosa in the Chair

The House of Delegates was called to order by the Honorable Paul Espinosa, Speaker Pro Tempore.

Messages from the Senate

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3040, Supplementing and amending appropriations to the Department of Administration, Office of the Secretary.

On motion of Delegate Householder, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"That the total appropriation for the fiscal year ending June 30, 2023, to fund 0186, fiscal year 2023, organization 0201, be supplemented and amended by adding a new item of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF ADMINISTRATION

18 – Department of Administration –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0186 FY 2023 Org 0201

	Appro-priation	**General Revenue Fund**
11a Consolidated Public Retirement – Surplus	82199	$ 26,000,000

The above appropriation for Consolidated Public Retirement – Surplus (fund 0186, appropriation 82199) shall be transferred by the Secretary of Administration to the respective retirement plans in order to provide bonus payments and raise the benefit floor."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 771)**, and there were—yeas 91, nays none, absent and not voting 9, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Cooper, Mallow, Pinson, C. Pritt, Riley, Skaff, Westfall and Hanshaw (Mr. Speaker).

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker Pro Tempore declared the bill (Com. Sub. for H. B. 3040) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 772)**, and there were—yeas 92, nays none, absent and not voting 8, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Cooper, Mallow, Pinson, C. Pritt, Skaff, Westfall and Hanshaw (Mr. Speaker).

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker Pro Tempore declared the bill (Com. Sub. for H. B. 3040) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates, with further amendment, and the passage, as amended, to take effect January 1, 2024, of

Com. Sub. for S. B. 577, Reducing copay cap on insulin and devices and permitting purchase of testing equipment without prescription.

On motion of Delegate Jeffries, the House concurred in the following amendment of the bill by the Senate:

On pages 1-5, by striking out all of section 2 and inserting in lieu thereof a new section 2, to read as follows:

"**§5-16-2. Definitions.**

The following words and phrases as used in this article, unless a different meaning is clearly indicated by the context, have the following meanings:

~~(1)~~ 'Agency' or 'PEIA' means the Public Employees Insurance Agency created by this article.

'Applied behavior analysis' means the design, implementation, and evaluation of environmental modifications using behavioral stimuli and consequences in order to produce socially significant improvement in human behavior and includes the use of direct observation, measurement, and functional analysis of the relationship between environment and behavior.

'Autism spectrum disorder' means any pervasive developmental disorder, including autistic disorder, Asperger's syndrome, Rett syndrome, childhood disintegrative disorder, or Pervasive Development Disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

'Certified behavior analyst' means an individual who is certified by the Behavior Analyst Certification Board or certified by a similar nationally recognized organization.

'Dependent' includes an eligible employee's child under the age of 26 as defined in the Patient Protection and Affordable Care Act.

'Device' means a blood glucose test strip, glucometer, continuous glucose monitor (CGM), lancet, lancing device, or insulin syringe used to cure, diagnose, mitigate, prevent, or treat diabetes or low blood sugar, but does not include insulin pumps.

~~(2)~~ 'Director' means the Director of the Public Employees Insurance Agency created by this article.

'Distant site' means the telehealth site where the health care practitioner is seeing the patient at a distance or consulting with a patient's health care practitioner.

~~(3)~~ 'Employee' means any person, including an elected officer, who works regularly full-time in the service of the State of West Virginia; and, for the purpose of this article only, the term 'employee' also means any person, including an elected officer, who works regularly full-time in the service of a county board of education; a public charter school established pursuant to §18-5G-1 et seq. of this code if the charter school includes in its charter contract entered into pursuant to §18-5G-7 of this code a determination to participate in the Public Employees Insurance program; a county, city, or town in the ~~State~~ state; any separate corporation or instrumentality established by one or more counties, cities, or towns, as permitted by law; any corporation or instrumentality supported in most part by counties, cities, or towns; any public corporation charged by law with the performance of a governmental function and whose jurisdiction is coextensive with one or more counties, cities, or towns; any comprehensive community mental health center or intellectually and developmentally disabled facility established, operated, or licensed by the Secretary of the Department of Health and Human Resources pursuant to §27-2A-1 of this code and which is supported in part by state, county, or municipal funds; any person who works regularly full-time in the service of the Higher Education Policy Commission, the West Virginia Council for Community and Technical College Education, or a governing board as defined in §18B-1-2 of this code; any person who works regularly full-time in the service of a combined city-county health department created pursuant to §16-2-1 et seq. of this code; any person designated as a 21st Century Learner Fellow pursuant to §18A-3-11 of this code; and any person who works as a long-term substitute as defined in §18A-1-1 of this code in the service of a county board of education: *Provided,* That a long-term substitute who is continuously employed for at least 133

instructional days during an instructional term, and, until the end of that instructional term, is eligible for the benefits provided in this article until September 1 following that instructional term: *Provided, however,* That a long-term substitute employed fewer than 133 instructional days during an instructional term is eligible for the benefits provided in this article only during such time as he or she is actually employed as a long-term substitute. On and after January 1, 1994, and upon election by a county board of education to allow elected board members to participate in the Public Employees Insurance Program pursuant to this article, any person elected to a county board of education shall be considered to be an 'employee' during the term of office of the elected member. Upon election by the ~~state~~ State Board of Education to allow appointed board members to participate in the Public Employees Insurance Program pursuant to this article, any person appointed to the ~~state~~ State Board of Education is considered an 'employee' during the term of office of the appointed member: *Provided further,* That the elected member of a county board of education and the appointed member of the ~~state~~ State Board of Education shall pay the entire cost of the premium if he or she elects to be covered under this article. Any matters of doubt as to who is an employee within the meaning of this article shall be decided by the director.

On or after July 1, 1997, a person shall be considered an 'employee' if that person meets the following criteria:

(A) Participates in a job-sharing arrangement as defined in §18A-1-1 et seq. of this code;

(B) Has been designated, in writing, by all other participants in that job-sharing arrangement as the 'employee' for purposes of this section; and

(C) Works at least one-third of the time required for a full-time employee.

~~(4)~~ 'Employer' means the State of West Virginia, its boards, agencies, commissions, departments, institutions, or spending units; a county board of education; a public charter school

established pursuant to §18-5G-1 et seq. of this code if the charter school includes in its charter contract entered into pursuant to §18-5G-7 of this code a determination to participate in the Public Employees Insurance Program; a county, city, or town in the state; any separate corporation or instrumentality established by one or more counties, cities, or towns, as permitted by law; any corporation or instrumentality supported in most part by counties, cities, or towns; any public corporation charged by law with the performance of a governmental function and whose jurisdiction is coextensive with one or more counties, cities, or towns; any comprehensive community mental health center or intellectually and developmentally disabled facility established, operated, or licensed by the Secretary of the Department of Health and Human Resources pursuant to §27-2A-1 et seq. of this code and which is supported in part by state, county, or municipal funds; a combined city-county health department created pursuant to §16-2-1 et seq. of this code; and a corporation meeting the description set forth in §18B-12-3 of this code that is employing a 21st Century Learner Fellow pursuant to §18A-3-11 of this code but the corporation is not considered an employer with respect to any employee other than a 21st Century Learner Fellow. Any matters of doubt as to who is an 'employer' within the meaning of this article shall be decided by the director. The term 'employer' does not include within its meaning the National Guard.

'Established patient' means a patient who has received professional services, face-to-face, from the physician, qualified health care professional, or another physician or qualified health care professional of the exact same specialty and subspecialty who belongs to the same group practice, within the past three years.

~~(5)~~ 'Finance board' means the Public Employees Insurance Agency finance board created by this article.

'Health care practitioner' means a person licensed under §30-1-1 et seq. of this code who provides health care services.

'Originating site' means the location where the patient is located, whether or not accompanied by a health care practitioner, at the time services are provided by a health care practitioner

through telehealth, including, but not limited to, a health care practitioner's office, hospital, critical access hospital, rural health clinic, federally qualified health center, a patient's home, and other nonmedical environments such as school-based health centers, university-based health centers, or the work location of a patient.

'Objective evidence' means standardized patient assessment instruments, outcome measurements tools, or measurable assessments of functional outcome. Use of objective measures at the beginning of treatment, during, and after treatment is recommended to quantify progress and support justifications for continued treatment. The tools are not required but their use will enhance the justification for continued treatment.

~~(6)~~ 'Person' means any individual, company, association, organization, corporation, or other legal entity. ~~including but not limited to, hospital, medical or dental service corporation; health maintenance organization or similar organization providing prepaid health benefits; or individuals entitled to benefits under the provisions of this article.~~

~~(7)~~ 'Plan' ~~unless the context indicates otherwise,~~ means ~~the medical indemnity plan. The managed care plan option, or the group life insurance plan offered by the agency.~~ a group hospital and surgical insurance plan or plans, a group prescription drug insurance plan or plans, a group major medical insurance plan or plans, and a group life and accidental death insurance plan or plans.

'Prescription insulin drug' means a prescription drug that contains insulin and is used to treat diabetes, and includes at least one type of insulin in all of the following categories:

(1) Rapid-acting;

(2) Short-acting;

(3) Intermediate-acting;

(4) Long-acting;

(5) Pre-mixed insulin products;

(6) Pre-mixed insulin/GLP-1 RA products; and

(7) Concentrated human regular insulin.

'Primary coverage' means individual or group hospital and surgical insurance coverage or individual or group major medical insurance coverage or group prescription drug coverage in which the spouse or dependent is the named insured or certificate holder.

'Remote patient monitoring services' means the delivery of home health services using telecommunications technology to enhance the delivery of home health care, including monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other condition-specific data; medication adherence monitoring; and interactive video conferencing with or without digital image upload.

~~(8)~~ 'Retired employee' means an employee of the state who retired after April 29, 1971, and an employee of the Higher Education Policy Commission, the Council for Community and Technical College Education, a state institution of higher education, or a county board of education who retires on or after April 21, 1972, and all additional eligible employees who retire on or after the effective date of this article, meet the minimum eligibility requirements for their respective state retirement system, and whose last employer immediately prior to retirement under the state retirement system is a participating employer in the state retirement system and in the Public Employees Insurance Agency: *Provided,* That for the purposes of this article, the employees who are not covered by a state retirement system, but who are covered by a state-approved or state-contracted retirement program or a system approved by the director, shall, in the case of education employees, meet the minimum eligibility requirements of the State Teachers Retirement System, and in all other cases, meet the minimum eligibility requirements of the Public Employees Retirement System and may participate in the Public Employees Insurance Agency as retired employees upon terms as the director sets by rule as authorized in this article. Employers with employees who are, or who are eligible to become, retired employees under this article shall be mandatory participants in the

Retiree Health Benefit Trust Fund created pursuant to §5-16D-1 et seq. of this code. Nonstate employers may opt out of the West Virginia other post-employment benefits plan of the Retiree Health Benefit Trust Fund and elect to not provide benefits under the Public Employees Insurance Agency to retirees of the nonstate employer, but may do so only upon the written certification, under oath, of an authorized officer of the employer that the employer has no employees who are, or who are eligible to become, retired employees and that the employer will defend and hold harmless the Public Employees Insurance Agency from any claim by one of the employer's past, present, or future employees for eligibility to participate in the Public Employees Insurance Agency as a retired employee. As a matter of law, the Public Employees Insurance Agency shall not be liable in any respect to provide plan benefits to a retired employee of a nonstate employer which has opted out of the West Virginia other post-employment benefits plan of the Retiree Health Benefit Trust Fund pursuant to this section.

'Telehealth services' means the use of synchronous or asynchronous telecommunications technology or audio-only telephone calls by a health care practitioner to provide health care services, including, but not limited to, assessment, diagnosis, consultation, treatment, and monitoring of a patient; transfer of medical data; patient and professional health-related education; public health services; and health administration. The term does not include e-mail messages or facsimile transmissions.

'Virtual telehealth' means a new patient or follow-up patient for acute care that does not require chronic management or scheduled medications.;"

And,

On pages 5-7, by striking out all of section 7g and inserting in lieu thereof a new section 7g, to read as follows:

"**§5-16-7g. Coverage for prescription insulin drugs.**

(a) ~~A policy, plan, or contract that is issued or renewed on or after July 1, 2020, shall provide coverage for prescription insulin~~

~~drugs pursuant to this section.~~ A policy, plan, or contract that is issued or renewed on or after January 1, 2024, shall provide coverage for prescription insulin drugs and equipment to this section.

~~(b) For the purposes of this subdivision, "prescription insulin drug" means a prescription drug that contains insulin and is used to treat diabetes, and includes at least one type of insulin in all of the following categories:~~

~~(1) Rapid-acting;~~

~~(2) Short-acting;~~

~~(3) Intermediate-acting;~~

~~(4) Long-acting;~~

~~(5) Pre-mixed insulin products;~~

~~(6) Pre-mixed insulin/GLP-1 RA products; and~~

~~(7) Concentrated human regular insulin~~

~~(c)~~ (b) ~~Cost sharing for a 30-day supply of a covered prescription insulin drug shall not exceed $100 for a 30-day supply of a covered prescription insulin, regardless of the quantity or type of prescription insulin used to fill the covered person's prescription needs.~~ Cost sharing for a 30-day supply of a covered prescription insulin drug may not exceed $35 in aggregate, including situations where the covered person is prescribed more than one insulin drug, per 30-day supply, regardless of the amount or type of insulin needed to fill such covered person's prescription. Cost sharing for a 30-day supply of covered device(s) may not exceed $100 in aggregate, including situations where the covered person is prescribed more than one device, per 30-day supply. Each cost-share maximum is covered regardless of the person's deductible, copayment, coinsurance, or any other cost-sharing requirement.

~~(d)~~ (c) Nothing in this section prevents the agency from reducing a covered person's cost sharing by an amount greater than the amount specified in this subsection.

~~(e)~~ (d) No contract between the agency or its pharmacy benefits manager and a pharmacy or its contracting agent shall contain a provision: (i) Authorizing the agency's pharmacy benefits manager or the pharmacy to charge; (ii) requiring the pharmacy to collect; or (iii) requiring a covered person to make a cost-sharing payment for a covered prescription insulin drug in an amount that exceeds the amount of the cost-sharing payment for the covered prescription insulin drug established by the agency as provided in subsection (b) of this section.

~~(f)~~ (e) The agency shall provide coverage for the following equipment and supplies for the treatment or management of diabetes for both insulin-dependent and noninsulin-dependent persons with diabetes and those with gestational diabetes: Blood glucose monitors, monitor supplies, insulin, injection aids, syringes, insulin infusion devices, pharmacological agents for controlling blood sugar, and orthotics.

~~(g)~~ (f) The agency shall provide coverage for diabetes self-management education to ensure that persons with diabetes are educated as to the proper self-management and treatment of their diabetes, including information on proper diets. Coverage for self-management education and education relating to diet shall be provided by a health care practitioner who has been appropriately trained as provided in §33-53-1(k) of this code.

~~(h)~~ (g) The education may be provided by a health care practitioner as part of an office visit for diabetes diagnosis or treatment, or by a licensed pharmacist for instructing and monitoring a patient regarding the proper use of covered equipment, supplies, and medications, or by a certified diabetes educator or registered dietitian.

~~(i)~~ (h) A pharmacy benefits manager, a health plan, or any other third party that reimburses a pharmacy for drugs or services shall not reimburse a pharmacy at a lower rate and shall not assess any

fee, charge-back, or adjustment upon a pharmacy on the basis that a covered person's costs sharing is being impacted."

And,

By amending the title of the bill to read as follows:

Com. Sub. for S. B. 577 – "A Bill to amend and reenact §5-16-2 and §5-16-7g of the Code of West Virginia, 1931, as amended, and to amend and reenact §33-59-1 of said code; all relating to diabetes; defining terms; reducing copayments; adding coverage for devices; permitting testing equipment to be purchased without a prescription; and providing for effective date."

The bill, as amended by the House, and further amended by the Senate, was put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 773)**, and there were—yeas 85, nays 9, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Butler, Coop-Gonzalez, Dillon, Foster, A. Hall, Horst, Kimble, Kirby and Ridenour.

Absent and Not Voting: Bridges, Cooper, Mallow, C. Pritt, Westfall and Hanshaw (Mr. Speaker).

So, a majority of the members present having voted in the affirmative, the Speaker Pro Tempore declared the bill (Com. Sub. for S. B. 577) passed.

Delegate Jeffries moved that the bill take effect January 1, 2024.

On this question, the yeas and nays were taken **(Roll No. 774)**, and there were—yeas 87, nays 7, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Butler, Dillon, Foster, A. Hall, Horst, Kimble and Steele.

Absent and Not Voting: Bridges, Cooper, Mallow, C. Pritt, Westfall and Hanshaw (Mr. Speaker).

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker Pro Tempore declared the bill (Com. Sub. for S. B. 577) takes effect January 1, 2024.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had refused to concur in the amendments of the House of Delegates and requested the House to recede from its amendments to

S. B. 625, Requiring certain transcripts to be accepted as record of student's performance for placement in micro school programs.

On motion of Delegate Jeffries, the House receded from its position.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 775)**, and there were—yeas 82, nays 13, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Fluharty, Garcia, Griffith, Hansen, Hornbuckle, E. Pritt, Pushkin, Rowe, Skaff, Vance, Walker, Williams and Young.

Absent and Not Voting: Bridges, Cooper, Mallow, Westfall and Hanshaw (Mr. Speaker).

So, a majority of the members present having voted in the affirmative, the Speaker Pro Tempore declared the bill (S. B. 625) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Senate reconsidered, concurred in the amendments of the House of Delegates, with further amendment, and passed, as amended

S. B. 559, Relating to spousal privilege.

Delegate Ward inquired of the Chair regarding an effective date motion Delegate Jeffries had made on S. B. 625 and the Speaker Pro Tempore noted that the motion had not been in order.

Delegate Kimble moved that the House of Delegates concur in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 3. COMPETENCY OF WITNESSES.**

§57-3-3. Testimony of husband and wife in criminal cases.

In criminal cases husband and wife shall be allowed, and, subject to the rules of evidence governing other witnesses, may be compelled to testify ~~in~~ on behalf of each other, but neither shall be compelled, nor, without the consent of the other, allowed to be called as a witness against the other except in the case of a prosecution for an offense committed by one against the other, or against the child, father, mother, sister or brother of either of them or any minor. The failure of either husband or wife to testify, however, shall create no presumption against the accused, nor be the subject of any comment before the court or jury by anyone."

And,

By amending the title of the bill to read as follows:

Com. Sub. for S. B. 559 – "A Bill to amend and reenact §57-3-3 of the Code of West Virginia, 1931, as amended, relating to spousal privilege; and expanding the exceptions to spousal privilege to exclude therefrom cases in which the offense at issue was committed against any minor."

The motion by Delegate Kimble to concur in the Senate amendments did not prevail.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request the Senate to recede therefrom.

A message from the Senate, by
The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates, with further amendment, and the passage, as amended, of

Com. Sub. for S. B. 426, Banning use of certain products and platforms deemed unsafe or high risk on government systems.

On motion of Delegate Householder, the House refused to concur in the following amendment of the bill by the Senate, and requested the Senate to recede therefrom:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 6B. CYBER SECURITY PROGRAM.**

§5A-6B-4a. High-risk platforms, services, applications, programs, and products.

(a) The Legislature hereby finds and declares that it is in the best interest of the citizens of West Virginia and to national security to enact measures designed to safeguard against untrustworthy and high-risk technology and to block such technology from interfering with or damaging critical state networks and infrastructure, including, without limitation, election systems. The use of certain information and communication technologies and services can create opportunities for hostile actors to exploit vulnerabilities and take adverse action against the United States or allies, which could directly or indirectly affect the safety and security of West Virginia citizens, and such use also creates opportunities for adversaries to exploit vulnerabilities and take adverse action against state or local government networks and infrastructure within or connected to West Virginia. As the threat

landscape evolves, West Virginia shall work in cooperation with the federal government to implement appropriate safeguards to defend government networks in West Virginia and in the United States from technology threats posed by hostile actors.

(b) Notwithstanding the provision of §5A-6B-1(b) of this code, all state agencies and instrumentalities, including without limitation agencies within the executive, legislative, and judicial branches, all constitutional officers, local government entities as defined by §7-1-1 or §8-1-2 of this code, county boards of education as defined by §18-1-1 of this code, and all state institutions of higher education as defined by §18B-1-2 of this code, shall enforce statewide standards developed by the Chief Information Security Officer regarding high-risk technology platforms, services, applications, programs, or products. Additionally, all government entities subject to this subsection must, consistent with those standards and any other applicable state or federal law, restrict, remove, ban or otherwise block access to high-risk technology platforms, services, applications, programs, or products on all government systems, services, networks, devices, or locations. For purposes of this subsection, high-risk technology platforms, services, applications, programs, or products are those designated as such in the Statewide Cybersecurity Standard published and maintained by the Chief Information Security Officer: *Provided,* That any standards developed by the Chief Information Security Officer regarding high-risk technology platforms, services, applications, programs, or products shall contain exceptions permitting, in appropriate circumstances, the use of those platforms, services, applications, programs, or products for law enforcement activities, national security interests and activities, security research, investigative efforts authorized by this code, and for other purposes related to actual or potential litigation involving the state or one of its agencies or officers: *Provided, however*, that the Chief Information Security Officer shall develop standards and requirements designed to mitigate the risk of the authorized use of a high-risk platform, service, application, program, or product pursuant to the exceptions set forth in this section: *Provided, further* that the Chief Information Security Officer shall, after consultation with the affected entities,

exempt law enforcement agencies and other instrumentalities from the provisions of this section to the extent that the use of high-risk technology platforms, services, applications, programs, or products is determined to be necessary to performance of their official duties.

(C) The Secretary of the Department of Administration may propose rules for legislative approval in accordance with the provisions of §29A-3-1 *et seq.* of this code and may also promulgate emergency rules pursuant to the provisions of §29A-3-15 of this code when necessary to facilitate:

(1) completion of the duties imposed on the Chief Information Security Officer by this section, and

(2) enforcement of the standards referenced in this section.

(d) The Chief Information Security Officer will provide an annual report by June 1 of each year on threats posed by untrustworthy and high-risk platforms, services, applications, programs, or products, and the actions required to mitigate those threats to the Joint Interim Committee on Government Operations."

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request the Senate to recede therefrom.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had refused to concur in the amendment of the House of Delegates and requested the House to recede from its amendments to

Com. Sub. for S. B. 187, Making it felony offense for school employee or volunteer to engage in sexual contact with students.

On motion of Delegate Kelly, the House receded from its amendment and title amendment.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 776)**, and there were—yeas 93, nays none,

absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Ellington, Mallow, Statler, Toney, Westfall and Hanshaw (Mr. Speaker).

So, a majority of the members present having voted in the affirmative, the Speaker Pro Tempore declared the bill (Com. Sub. for S. B. 187) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2900, Relating to the Deputy Sheriff Retirement System.

On motion of Delegate Kelly, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 14D. DEPUTY SHERIFF RETIREMENT SYSTEM ACT.**

§7-14D-24a. Return to covered employment by retired member.

(a) The annuity of any member who retires under the provisions of this article and who resumes service in covered employment shall be suspended while the member continues in covered employment. The monthly annuity payment for the month in which the service resumes shall be prorated to the date of commencement of service, and the member shall again become a contributing member during resumption of service. At the conclusion of resumed service in covered employment the member shall have his

or her annuity recalculated to take into account the entirety of service in covered employment.

(b) Notwithstanding the provisions of subsection (a) of this section, the annuity of a member who retires under the provisions of this article shall not be suspended if the member resumes covered employment and the following conditions are met:

(1) The member has been retired for at least 180 days;

(2) The retired member did not retire as a result of a disability pursuant to the provisions of §7-14D-14 of this code;

(3) The retired member is a certified, or certifiable, law-enforcement officer as provided in §30-29-5 of this code;

(4) The sheriff of the county seeking to re-employ the retired member has fewer than five deputies in his or her employ and has been unable to recruit additional qualified deputy sheriffs despite the exercise of due diligence;

(5) The re-employment of the retired member is for a period not to exceed five years or until such time as the sheriff may recruit additional deputy sheriffs to provide for five full-time deputy sheriffs not hired pursuant to this subsection, whichever is sooner; and the sheriff is required to post the vacancy until it is filled by a non-retirant;

(6) The retired member may not again become a contributing member of the Deputy Sheriff Retirement System while performing services under the provisions of this subsection; and

(7) The employer of any deputy sheriff rehired pursuant to this subsection shall remit an employer contribution pursuant to §7-14D-7 of this code on the deputy sheriff's monthly salary.

(c) Any retired member who is seeking re-employment pursuant to the provisions of this section shall not be subject to the maximum age restriction set forth in §7-14-8 of this code.

(d) Unless acted upon by the Legislature, the provisions of subsections (b) and (c) of this section will sunset on July 1, 2026. On or before October 1, 2025, any employer of a member of the Deputy Sheriff Retirement System rehired pursuant to subsection (b) of this section must make a report to the Joint Standing Committee on Pensions and Retirement."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 2900 – "A Bill to amend and reenact §7-14D-24a of the Code of West Virginia, 1931, as amended, relating to the Deputy Sheriff Retirement System; allowing certain retired members to be re-employed without the suspension of annuity benefits; setting forth conditions for the re-employment of retired members; and providing a sunset date."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 777)**, and there were—yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Ellington, Mallow, Statler, Toney, Westfall and Hanshaw (Mr. Speaker).

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker Pro Tempore declared the bill (Com. Sub. for H. B. 2900) passed.

Delegate Kelly moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 778)**, and there were—yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Ellington, Mallow, Statler, Toney, Westfall and Hanshaw (Mr. Speaker).

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker Pro Tempore declared the bill (Com. Sub. for H. B. 2900) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3153, Relating to distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers.

Delegate Kelly moved that the House concur in the following amendment by the Senate, with further amendment:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**CHAPTER 33. INSURANCE.**

ARTICLE 3. LICENSING, FEES, AND TAXATION OF INSURERS.

"**§33-3-14d. Additional fire and casualty insurance premium tax; allocation of proceeds; effective date.**

(a) (1) For the purpose of providing additional revenue for municipal policemen's and firemen's pension and relief funds and the Teachers Retirement System Reserve Fund and for volunteer and part-volunteer fire companies and departments, there is hereby levied and imposed an additional premium tax equal to one percent of taxable premiums for fire insurance and casualty insurance policies. For purposes of this section, casualty insurance does not include insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transaction or insurance on a debtor to provide indemnity for payments becoming

due on a specific loan or other credit transaction while the debtor is disabled as defined in the policy.

(2) All moneys collected from this additional tax shall be received by the commissioner and paid by him or her into a special account in the State Treasury, designated the Municipal Pensions and Protection Fund, to be allocated as follows: ~~*Provided,* That on or after January 1, 2010, the commissioner shall pay~~

(A) Ten percent of the amount collected ~~to~~ shall be deposited in the Teachers Retirement System Reserve Fund created in §18-7A-18 of this code~~;~~: *Provided*, That if the Teachers Retirement System demonstrates an unfunded liability of 20% or less for two consecutive years, the ten percent of the amount collected provided for in this paragraph shall be deposited instead in the Fire Protection Fund as provided in paragraph (B) of this subdivision.

(B) Twenty-five percent of the amount collected ~~to~~ shall be deposited in the Fire Protection Fund c~~reated in section 33 of this article~~ for ~~allocation~~ distribution by the State Treasurer to volunteer and part-volunteer fire companies and departments according to the requirements of §33-3-33 of this code; and

~~65% of the amount collected to the Municipal Pensions and Protection Fund: *Provided, however,* That upon notification by the Municipal Pensions Oversight Board pursuant to the provisions of §8-22-18b of this code, on or after January 1, 2010, or as soon thereafter as the Municipal Pensions Oversight Board is prepared to receive the funds,~~

(C) Sixty-five percent of the amount collected by the commissioner shall be deposited in the Municipal Pensions Security Fund created in §8-22-18b of this code ~~the net proceeds of this tax after appropriation thereof by the Legislature is~~ to be distributed in accordance with the provisions of this section, except for distribution from proceeds pursuant to §8-22-18a(d) of this code.

(b) *Municipal Pensions Security Fund allocation and distribution —*

(1) Before August 1 of each year, the treasurer of each municipality in which a municipal policemen's or firemen's pension and relief fund is established shall report to the ~~State Treasurer~~ Municipal Pensions Oversight Board the average monthly number of members who worked at least 100 hours per month and the average monthly number of retired members of municipal policemen's or firemen's pension and relief fund or the Municipal Police Officers and Firefighters Retirement System during the preceding fiscal year. ~~*Provided,* That beginning in the year 2010 and continuing thereafter, the report shall be made to the oversight board created in §8-22-18a of this code. These reports received by the oversight board shall be provided~~ The reports received by the Municipal Pensions Oversight Board shall be provided annually to the State Treasurer by September 1.

(2) ~~Before September 1 of each calendar year, the State Treasurer, or the Municipal Pensions Oversight Board once in operation, shall allocate and authorize for distribution the revenues in the Municipal Pensions and Protection Fund which were collected during the preceding calendar year for the purposes set forth in this section.~~ Before September 1 of each calendar year, ~~and after the Municipal Pensions Oversight Board has notified the Treasurer and commissioner pursuant to §8-22-18b of this code,~~ the Municipal Pensions Oversight Board shall allocate and authorize for distribution the revenues in the Municipal Pensions Security Fund which were collected during the preceding calendar year for the purposes set forth in this section. In any year the actuarial report required by §8-22-20 of this code indicates no actuarial deficiency exists in the municipal policemen's or firemen's pension and relief fund and that no pension funding revenue bonds of the building commission of such municipality remain outstanding, no revenues may be allocated from ~~the Municipal Pensions and Protection Fund or~~ the Municipal Pensions Security Fund to that fund. The revenues from the Municipal Pensions ~~and Protection~~ Security Fund shall then be allocated to all other pension and relief funds which have an

actuarial deficiency. Pension funding revenue bonds include bonds of a municipality's building commission the net proceeds of which were used to fund either or both of a municipality's policemen's or firemen's pension and relief fund or bonds issued to refinance such bonds.

~~(3) The Municipal Pensions Oversight Board shall annually review the investment performance of each municipal policemen's or firemen's pension and relief fund. If the municipal pension and relief fund's board fails for three consecutive years to comply with the investment provisions established by §8-22-22a of this code, the oversight board may require the municipal policemen's or firemen's pension and relief fund to invest with the Investment Management Board to continue to receive its allocation of funds from the premium tax. If the municipal pension and relief fund fails to move its investments to the Investment Management Fund within the 18-month drawdown period, provided in §8-22-19(e) of this code, the revenues shall be reallocated to all other municipal policemen's or firemen's pension and relief funds that have drawn down one hundred percent of their allocations.~~

~~(4) The moneys, and the interest earned thereon, in the Municipal Pensions and Protection Fund allocated to volunteer and part-volunteer fire companies and departments shall be allocated and distributed quarterly to the volunteer fire companies and departments. Before each distribution date, the State Fire Marshal shall report to the State Treasurer the names and addresses of all volunteer and part-volunteer fire companies and departments within the state which meet the eligibility requirements established in §8-15-8a of this code.~~

~~(e)~~ ~~(1)~~ (3) Each municipal pension and relief fund shall have allocated and authorized for distribution a pro rata share of the revenues, the amount of which was the tax collected during the fiscal year ending June 30, 1996, allocated to municipal policemen's and firemen's pension and relief funds based on the corresponding municipality's average monthly number of police officers and firefighters who worked at least one hundred hours per month during the preceding fiscal year. On and after July 1, 1997, from ~~(3) The Municipal Pensions Oversight Board shall allocate~~

~~and distribute~~ the growth in any moneys collected pursuant to a pro rata share of the tax imposed by this section and earnings and interest thereon, there shall be allocated and authorized for distribution to each municipal policemen's or municipal firemen's pension and relief fund, a pro rata share of the revenues ~~allocated to municipal policemen's and firemen's pension and relief funds~~ based on the corresponding municipality's average number of police officers and firefighters who worked at least 100 hours per month during the preceding fiscal year and the average monthly number of retired police officers and firefighters during the preceding fiscal year. For the purposes of this subsection, the growth in moneys collected and earnings from the tax collected pursuant to this section is determined by subtracting the amount of the tax collected during the fiscal year ending June 30, 1996, which was $8,709,689.42, from the tax collected during the fiscal year for which the allocation is being made and interest thereon. All moneys received by municipal pension and relief funds under this section may be expended only for those purposes described in §8-22-16 through §8-22-28a of this code. Notwithstanding the foregoing provision of this subdivision, if a municipality has outstanding pension funding revenue bonds and continues to pay the normal cost of its policemen's and firemen's pension and relief funds, then the allocable share of revenues to be allocated which would otherwise have been allocated to a municipal policemen's or firemen's pension and relief fund shall instead be allocated to the trustee of any outstanding pension funding revenue bonds.

~~(2) Each volunteer fire company or department shall receive an equal share of the revenues allocated for volunteer and part-volunteer fire companies and departments.~~

~~(3) In addition to the share allocated and distributed in accordance with subdivision (1) of this subsection, each municipal fire department composed of full-time paid members and volunteers and part-volunteer fire companies and departments shall receive a share equal to the share distributed to volunteer fire companies under subdivision (2) of this subsection reduced by an amount equal to the share multiplied by the ratio of the number of full-time paid fire department members who are also members of a~~

~~municipal firemen's pension and relief fund or the Municipal Police Officers and Firefighters Retirement System to the total number of members of the fire department. If a municipality has outstanding pension funding revenue bonds and continues to pay the normal cost of its policemen's and firemen's pension and relief funds, then the share that would otherwise be payable to the municipality's firemen's pension and relief fund pursuant to this subsection shall be paid to the trustee of such outstanding pension funding revenue bonds.~~

~~(d)~~ (4) The allocation and distribution of revenues provided in this section are subject to the provisions of §8-22-20, §8-15-8a, and §8-15-8b of ~~said chapter~~ this code.

~~(e) Based upon the findings of an audit by the Treasurer, the Legislature hereby finds and declares that during the period of 1982 through April 27, 2012, allocations from the Municipal Pensions and Protection Fund were miscalculated and errors were made in amounts transferred, resulting in overpayments and underpayments to the relief and pension funds and to the Teachers Retirement System, and that the relief and pension funds and the Teachers Retirement System were not at fault for any of the overpayments and underpayments. The Legislature hereby further finds and declares that any attempt by the Municipal Pension Oversight Board or other entity to recover any of the overpayments would be unjust and create economic hardship for the entities that received overpayments. No entity, including, without limitation, the Municipal Pension Oversight Board, may seek to recover from a relief or pension fund, the Teachers Retirement System or the state any overpayments received from the Municipal Pensions and Protection Fund and the overpayments are not subject to recovery, offset or litigation. Pursuant to the audit by the Treasurer, the amount of $3,631,846.55 is determined owed to specific relief and pension funds through the period of April 27, 2012. The Treasurer is hereby authorized to transfer the amount of $3,631,846.55 from the Unclaimed Property Trust Fund to the Municipal Pensions and Protection Fund, which is hereby reopened for the sole purpose of the transfer and remittances pursuant to this subsection, and to use the amount transferred to remit the amounts due to the pension and~~

~~relief funds. The payment of $3,631,846.55 to the pension and relief funds is complete satisfaction of any amounts due and no entity, including, without limitation, the Municipal Pension Oversight Board and any pension or relief fund, may seek to recover any further amounts.~~

(c) The Municipal Pensions Oversight Board shall annually review the investment performance of each municipal policemen's or firemen's pension and relief fund. If a municipal pension and relief fund's board fails for three consecutive years to comply with the investment provisions established by §8-22-22a of this code, the oversight board may require the municipal policemen's or firemen's pension and relief fund to invest with the Investment Management Board to continue to receive its allocation of funds from the premium tax. If the municipal pension and relief fund fails to move its investments to the Investment Management Fund within the 18-month drawdown period provided in §8-22-19(e) of this code, the revenues shall be reallocated to all other municipal policemen's or firemen's pension and relief funds that have drawn down 100 percent of their allocations.

§33-3-33. Surcharge on fire and casualty insurance policies to benefit volunteer and part-volunteer fire departments and emergency medical services providers; ~~Public Employees Insurance Agency and municipal pension plans; special fund created;~~ Fire Protection Fund; allocation of proceeds. ~~effective date.~~

~~(a)(1) For the purpose of providing additional revenue for volunteer fire departments, part volunteer fire departments and certain retired teachers and the teachers retirement reserve fund, there is hereby authorized and imposed on and after July 1, 1992, on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to one percent of the taxable premium for each such policy. After June 30, 2005, the surcharge shall be imposed as specified in subdivisions (2) and (3) of this subsection.~~

~~(2) After June 30, 2005, through December 31, 2005, for the purpose of providing additional revenue for volunteer fire departments, part volunteer fire departments and to provide additional revenue to the Public Employees Insurance Agency and municipal pension plans, there is hereby authorized and imposed on and after July 1, 2005, on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to one percent of the taxable premium for each such policy.~~

(a) For the purposes of this section:

(1) 'Full-time paid members' means the members of a fire department who are compensated to provide services to the department on a full-time basis and are also members of a municipal firemen's pension and relief fund or the Municipal Police Officers and Firefighters Retirement System.

(2) The 'policy surcharge' refers to the surcharge on certain insurance policies imposed by subsection (b) of this section.

(3) 'Volunteer fire departments' or 'departments' includes volunteer and part-volunteer fire departments and companies, as described in §18-15-1 *et seq.* of this code.

~~(3)~~ (b) ~~After December 31, 2005,~~ For the purpose of providing additional revenue for volunteer fire departments and ~~part-volunteer fire departments~~ emergency medical services providers, there is hereby authorized and imposed on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to ~~0.055%~~ one percent of the taxable premium for each such policy. The policy surcharge is separate from and in addition to the tax imposed by §33-3-14d of this code.

~~(4)~~ (c) For purposes of this section, casualty insurance ~~may~~ does not include insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transaction or insurance on a debtor to provide indemnity for payments becoming

due on a specific loan or other credit transaction while the debtor is disabled as defined in the policy. The policy surcharge ~~may~~ is not ~~be~~ subject to premium taxes, agent commissions, or any other assessment against premiums.

~~(b)~~ (d) The policy surcharge imposed by this section shall be collected and remitted to the commissioner by the insurer, or in the case of surplus lines coverage, by the surplus lines licensee, or if the policy is issued by a risk retention group, by the risk retention group. The amount required to be collected under this section shall be remitted to the commissioner on a quarterly basis on or before the 25th day of the month succeeding the end of the quarter in which they are collected, except for the fourth quarter for which the surcharge shall be remitted on or before March 1 of the succeeding year. All money from the policy surcharge shall be collected by the commissioner, who shall disburse 77.5 percent of the money received from the surcharge into the Fire Protection Fund for distribution as provided in subsection (f) of this section. The commissioner shall disburse 22.5 percent of the money received from the surcharge into the Emergency Medical Services Equipment and Training Fund established in §16-4C-24 of this code for disbursement in accordance with the provisions of that section.

~~(c)~~ (e) Any person failing or refusing to collect and remit to the commissioner any policy surcharge and whose surcharge payments are not postmarked by the due dates for quarterly filing is liable for a civil penalty of up to $100 for each day of delinquency, to be assessed by the commissioner. The commissioner may suspend the insurer, broker, or risk retention group until all surcharge payments and penalties are remitted in full to the commissioner.

~~(d)~~ (f) *Fire Protection Fund allocation and distribution. —*

(1) ~~All money from the policy surcharge shall be collected by the Commissioner who shall disburse the money received from the surcharge into a special account in the state Treasury, designated the Fire Protection Fund.~~ The State Treasurer's Office shall distribute the net proceeds of ~~this portion of the tax~~ the portion of the policy surcharge deposited into the Fire Protection Fund

pursuant to §33-3-33 of this code, the amount deposited into the Fire Protection Fund pursuant to §29-3E-7 of this code, the amount deposited into the Fire Protection Fund pursuant to §33-3-14d of this code, and the amount deposited into the Fire Protection Fund pursuant to §33-12C-7 of this code, and the interest thereon on a quarterly basis, after appropriation by the Legislature. ~~shall be distributed quarterly~~ The distributions shall occur on the first day of the months of January, April, July, and October to each eligible volunteer fire ~~company or~~ department, ~~on an equal share basis by the state Treasurer. After June 30, 2005, the money received from the surcharge shall be distributed as specified in subdivisions (2) and (3) of~~ as provided in this subsection.

~~(2)(A) After June 30, 2005, through December 31, 2005, all money from the policy surcharge shall be collected by the Commissioner who shall disburse one half of the money received from the surcharge into the Fire Protection Fund for distribution as provided in subdivision (1) of this subsection.~~

~~(B) The remaining portion of moneys collected shall be transferred into the fund in the state Treasury of the Public Employees Insurance Agency into which are deposited the proportionate shares made by agencies of this state of the Public Employees Insurance Agency costs of those agencies, until November 1, 2005. After the October 31, 2005, through December 31, 2005, the remain portion shall be transferred to the special account in the state Treasury, known as the Municipal Pensions and Protection Fund.~~

~~(3) After December 31, 2005, all money from the policy surcharge shall be collected by the Commissioner who shall disburse all of the money received from the surcharge into the Fire Protection Fund for distribution as provided in subdivision (1) of this subsection.~~

~~(4)~~ (2) Before each distribution date to volunteer fire ~~companies or~~ departments, the State Fire Marshal shall report to the State Treasurer:

(A) The names and addresses of all volunteer ~~and part-volunteer~~ fire ~~companies and~~ departments within the state which ~~meet~~ met the eligibility requirements established in §8-15-8a of this code during the preceding quarter;

(B) The number of volunteer firefighters and the number of full-time paid members providing services to each volunteer and part-volunteer department during the preceding quarter; and

(C) A full accounting of each fire department eligible to receive a distribution under this section's revenues and expenditures for the last two calendar years.

(3) Each eligible volunteer fire department shall receive an equal share of the amount of proceeds to be distributed each quarter: *Provided*, That each part-volunteer department's share will be reduced by a percentage amount equal to the percentage of the members of the fire department who are full-time paid members of the department, according to the report described in subdivision (2) of this subsection. *Provided further*, *however*, That the pro rata reduction to part-volunteer departments provided for in this subdivision shall not apply to county part-volunteer departments which employ full-time paid county employees.

(4) Notwithstanding any other provision of this section, a firefighter department must implement the State Auditor's West Virginia Checkbook fiscal reporting system on or before January 1, 2026, in order to remain eligible to receive any funds pursuant to this section.

~~(e)~~ (g) The allocation, distribution, and use of revenues provided in the Fire Protection Fund are subject to the provisions of §8-15-8a and §8-15-8b of this code.

(h) The State Treasurer may propose legislative rules for legislative approval pursuant to §29A-3-1 *et seq.* of this code for the auditing of individual fire departments to ensure compliance with the requirements of this section.

ARTICLE 12C. SURPLUS LINE.

§33-12C-7. Surplus lines tax.

(a) In addition to the full amount of gross premiums charged by the insurer for the insurance, every person licensed pursuant to §33-12C-8 of this code shall collect and pay to the commissioner a sum equal to ~~4.55~~ five percent of the gross premiums and gross fees charged, less any return premiums, for surplus lines insurance provided by the licensee pursuant to the license. Where the insurance covers properties, risks, or exposures located or to be performed both in and out of this state and this state is the insured's home state, the sum payable shall be computed on that portion of the gross premiums allocated to this state, plus an amount equal to the portion of the gross premiums allocated to other states or territories on the basis of the tax rates and fees applicable to properties, risks or exposures located or to be performed outside of this state, and less the amount of gross premiums allocated to this state and returned to the insured due to cancellation of policy: *Provided,* That the surcharge imposed by ~~section thirty-three, article three of this chapter~~ §33-3-33 of this code on surplus lines policies shall no longer be effective with respect to premium attributable to coverage under such policies for periods after June 30, 2011: *Provided, however,* That ~~12 per cent~~ 16 percent of taxes collected under this subsection with respect to premium attributable to coverage under such policies after June 30, 2011, shall be disbursed into the Fire Protection Fund and distributed in accordance with ~~subsection (d), section thirty-three, article three of this chapter~~ §33-3-33 of this code, four percent of taxes collected under this subsection shall be disbursed into the Emergency Medical Services Equipment and Training Fund established in §16-4C-24 of this code for disbursement in accordance with the provisions of that section, and ~~88 per cent~~ the remaining 80 percent of the taxes collected under this subsection shall be disbursed in accordance with subdivision (2), subsection (f) of this section. The tax on any portion of the premium unearned at termination of insurance having been credited by the state to the licensee shall be returned to the policyholder directly by the surplus lines licensee or through the producing broker, if any.

(b) The individual insurance producer may not:

(1) Pay directly or indirectly the tax or any portion thereof, either as an inducement to the policyholder to purchase the insurance or for any other reason; or

(2) Rebate all or part of the tax or the surplus lines licensee's commission, either as an inducement to the policyholder to purchase the insurance or for any reason.

(c) The surplus lines licensee may charge the prospective policyholder a fee for the cost of underwriting, issuing, processing, inspecting, service, or auditing the policy for placement with the surplus lines insurer if:

(1) The service is required by the surplus lines insurer;

(2) The service is actually provided by the individual insurance producer or the cost of the service is actually incurred by the surplus lines licensee; and

(3) The provision or cost of the service is reasonable, documented, and verifiable.

(d) The surplus lines licensee shall make a clear and conspicuous written disclosure to the policyholder of:

(1) The total amount of premium for the policy;

(2) Any fee charged;

(3) The total amount of any fee charged; and

(4) The total amount of tax on the premium and fee.

(e) The clear and conspicuous written disclosure required by subdivision (4) of this subsection is subject to the record maintenance requirements of §33-12C-8 of this code.

(f)(1) This tax is imposed for the purpose of providing additional revenue for municipal policemen's and firemen's pension and relief funds and additional revenue for volunteer and

part-volunteer fire companies and departments. This tax is required to be paid and remitted, on a calendar year basis and in quarterly estimated installments due and payable on or before the 25th day of the month succeeding the close of the quarter in which they accrued, except for the fourth quarter, in respect of which taxes shall be due and payable and final computation of actual total liability for the prior calendar year shall be made, less credit for the three quarterly estimated payments prior made, and filed with the annual return to be made on or before March 1 of the succeeding year. Provisions of this chapter relating to the levy, imposition, and collection of the regular premium tax are applicable to the levy, imposition, and collection of this tax to the extent that the provisions are not in conflict with this section.

(2) Except as provided in subsection (a) of this section, all taxes remitted to the commissioner pursuant to subdivision (1) of this subsection shall be paid by him or her into a special account in the State Treasury, designated Municipal Pensions and Protection Fund, or pursuant to §8-22-18b of this code, the Municipal Pensions Security Fund, and after appropriation by the Legislature, shall be distributed in accordance with ~~the provisions of subsection (c), section fourteen-d, article three of this chapter~~ §33-3-14d of this code. The surplus lines licensee shall return to the policyholder the tax on any unearned portion of the premium returned to the policyholder because of cancellation of policy.

(g) In determining the amount of gross premiums taxable in this state for a placement of surplus lines insurance covering properties, risks, or exposures only partially located or to be performed in this state, the tax due shall be computed on the portions of the premiums which are attributable to properties, risks, or exposures located or to be performed in this state and which relates to the kinds of insurance being placed as determined by reference to an appropriate allocation table.

(1) If a policy covers more than one classification:

(A) For any portion of the coverage identified by a classification on the allocation schedule, the tax shall be computed

by using the allocation schedule for the corresponding portion of the premium;

(B) For any portion of the coverage not identified by a classification on the allocation schedule, the tax shall be computed by using an alternative equitable method of allocation for the property or risk;

(C) For any portion of the coverage where the premium is indivisible, the tax shall be computed by using the method of allocation which pertains to the classification describing the predominant coverage.

(2) If the information provided by the surplus lines licensee is insufficient to substantiate the method of allocation used by the surplus lines licensee, or if the commissioner determines that the licensee's method is incorrect, the commissioner shall determine the equitable and appropriate amount of tax due to this state as follows:

(A) By use of the allocation schedule where the risk is appropriately identified in the schedule;

(B) Where the allocation schedule does not identify a classification appropriate to the coverage, the commissioner may give significant weight to documented evidence of the underwriting bases and other criteria used by the insurer. The commissioner may also consider other available information to the extent sufficient and relevant, including the percentage of the insured's physical assets in this state, the percentage of the insured's sales in this state, the percentage of income or resources derived from this state, and the amount of premium tax paid to another jurisdiction for the policy.

(h) The commissioner is authorized to participate in a clearinghouse established through NIMA or in a similar allocation procedure for the purpose of collecting and disbursing to signatory states any funds collected pursuant to this section that are allocable to properties, risks, or exposures located or to be performed outside of this state: *Provided,* That ~~twelve per cent~~ 16 percent of any

moneys received from a clearinghouse or through a similar allocation procedure ~~is~~ are subject to the provisions of ~~subsection (d), section thirty-three, article three of this chapter~~ §33-3-33(d) of this code, four percent of such moneys are subject to the provisions of §16-4C-24 of this code, and ~~88 per cent~~ 80 percent of such moneys ~~is~~ are subject to the provisions of subdivision (2), subsection (f) of this section: *Provided, however,* That to the extent other states where portions of the properties, risks, or exposures reside have failed to enter into NIMA or a similar allocation procedure with this state, the net premium tax collected shall be retained by this state and shall be disbursed and distributed in the same manner as moneys received through a clearinghouse or similar allocation procedure.

(i) Collection of tax.

If the tax owed by a surplus lines licensee under this section has been collected and is not paid within the time prescribed, the same shall be recoverable in a suit brought by the commissioner against the surplus lines licensee. The commissioner may charge interest for any unpaid tax, fee, financial assessment or penalty, or portion thereof: *Provided,* That interest may not be charged on interest. Interest shall be calculated using the annual rates which are established by the Tax Commissioner pursuant to §11-10-17a of this code and shall accrue daily."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 3153 – "A Bill to amend and reenact §29-3E-7 of the Code of West Virginia, 1931, as amended; to amend and reenact §33-3-14d and §33-3-33 of said code; and to amend and reenact §33-12C-7 of said code, all relating to distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers; defining terms; providing method of allocation and distribution for proceeds of fireworks safety fee deposited in the Fire Protection Fund; eliminating obsolete language; increasing surcharge on fire and casualty policies; providing method of allocation of policy

surcharge; requiring the State Fire Marshal provide certain information to the State Treasurer; requiring fire departments eligible to receive policy surcharge funds implement the State Auditor's West Virginia Checkbook fiscal reporting system; granting rulemaking authority to the State Treasurer; increasing tax on surplus lines policies; providing method of allocation of surplus lines policy tax; and clarifying requirements for distribution of funds in the Fire Protection Fund."

With the further amendment, sponsored by Delegates Criss and Householder, being as follows:

On page 2, following section 7, by striking the remainder of the bill and inserting in lieu thereof the following:

"**CHAPTER 33. INSURANCE.**

ARTICLE 3. LICENSING, FEES, AND TAXATION OF INSURERS.

§33-3-14d. Additional fire and casualty insurance premium tax; allocation of proceeds; effective date.

(a) (1) For the purpose of providing additional revenue for municipal policemen's and firemen's pension and relief funds and the Teachers Retirement System Reserve Fund and for volunteer and part-volunteer fire companies and departments, there is hereby levied and imposed an additional premium tax equal to one percent of taxable premiums for fire insurance and casualty insurance policies. For purposes of this section, casualty insurance does not include insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transaction or insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction while the debtor is disabled as defined in the policy.

(2) All moneys collected from this additional tax shall be received by the commissioner and paid by him or her into a special account in the State Treasury, designated the Municipal Pensions and Protection Fund, to be allocated as follows: ~~*Provided,* That on or after January 1, 2010, the commissioner shall pay~~

(A) Ten percent of the amount collected ~~to~~ shall be deposited in the Teachers Retirement System Reserve Fund created in §18-7A-18 of this code;

(B) Twenty-five percent of the amount collected ~~to~~ shall be deposited in the Fire Protection Fund ~~created in section 33 of this article~~ for ~~allocation~~ distribution by the State Treasurer to volunteer and part-volunteer fire companies and departments according to the requirements of §33-3-33 of this code; and

~~65% of the amount collected to the Municipal Pensions and Protection Fund: *Provided, however,* That upon notification by the Municipal Pensions Oversight Board pursuant to the provisions of §8-22-18b of this code, on or after January 1, 2010, or as soon thereafter as the Municipal Pensions Oversight Board is prepared to receive the funds,~~

(C) Sixty-five percent of the amount collected by the commissioner shall be deposited in the Municipal Pensions Security Fund created in §8-22-18b of this code the net proceeds of this tax after appropriation thereof by the Legislature is to be distributed in accordance with the provisions of this section, except for distribution from proceeds pursuant to §8-22-18a(d) of this code.

(b) *Municipal Pensions Security Fund allocation and distribution —*

(1) Before August 1 of each year, the treasurer of each municipality in which a municipal policemen's or firemen's pension and relief fund is established shall report to the ~~State Treasurer~~ Municipal Pensions Oversight Board the average monthly number of members who worked at least 100 hours per month and the average monthly number of retired members of municipal policemen's or firemen's pension and relief fund or the Municipal Police Officers and Firefighters Retirement System during the preceding fiscal year. ~~*Provided,* That beginning in the year 2010 and continuing thereafter, the report shall be made to the oversight board created in §8-22-18a of this code. These reports received by the oversight board shall be provided~~ The reports

received by the Municipal Pensions Oversight Board shall be provided annually to the State Treasurer by September 1.

(2) ~~Before September 1 of each calendar year, the State Treasurer, or the Municipal Pensions Oversight Board once in operation, shall allocate and authorize for distribution the revenues in the Municipal Pensions and Protection Fund which were collected during the preceding calendar year for the purposes set forth in this section.~~ Before September 1 of each calendar year, ~~and after the Municipal Pensions Oversight Board has notified the Treasurer and commissioner pursuant to §8-22-18b of this code, the~~ The Municipal Pensions Oversight Board shall allocate and authorize for distribution the revenues in the Municipal Pensions Security Fund which were collected during the preceding calendar year for the purposes set forth in this section. In any year the actuarial report required by §8-22-20 of this code indicates no actuarial deficiency in the municipal policemen's or firemen's pension and relief fund and that no pensions funding revenue bonds of the building commission of such municipality remain outstanding, no revenues may be allocated from ~~the Municipal Pensions and Protection Fund or~~ the Municipal Pensions Security Fund to that fund. The revenues from the Municipal Pensions ~~and Protection~~ Security Fund shall then be allocated to all other pension and relief funds which have an actuarial deficiency. Pension funding revenue bonds include bonds of a municipality's building commission the net proceeds of which were used to fund either or both of a municipality's policemen's or firemen's pension and relief fund or bonds issued to refinance such bonds.

(3) ~~The Municipal Pensions Oversight Board shall annually review the investment performance of each municipal policemen's or firemen's pension and relief fund. If the municipal pension and relief fund's board fails for three consecutive years to comply with the investment provisions established by §8-22-22a of this code, the oversight board may require the municipal policemen's or firemen's pension and relief fund to invest with the Investment Management Board to continue to receive its allocation of funds from the premium tax. If the municipal pension and relief fund fails to move its investments to the Investment Management Fund~~

~~within the 18-month drawdown period, provided in §8-22-19(e) of this code, the revenues shall be reallocated to all other municipal policemen's or firemen's pension and relief funds that have drawn down one hundred percent of their allocations.~~

~~(4) The moneys, and the interest earned thereon, in the Municipal Pensions and Protection Fund allocated to volunteer and part volunteer fire companies and departments shall be allocated and distributed quarterly to the volunteer fire companies and departments. Before each distribution date, the State Fire Marshal shall report to the State Treasurer the names and addresses of all volunteer and part volunteer fire companies and departments within the state which meet the eligibility requirements established in §8-15-8a of this code.~~

~~(c)~~ (1) Each municipal pension and relief fund shall have allocated and authorized for distribution a pro rata share of ~~the revenues~~ $8,709,689.42 allocated to municipal policemen's and firemen's pension and relief funds based on the corresponding municipality's average monthly number of police officers and firefighters who worked at least one hundred hours per month during the preceding fiscal year. On and after July 1, 1997, from ~~the growth in any moneys collected pursuant to the tax imposed by this section~~ any amount of the collections of the tax imposed by this section in excess of $8,709,689.42 and interest thereon, there shall be allocated and authorized for distribution to each municipal policemen's or firemen's pension and relief fund, a pro rata share of the revenues ~~allocated to municipal policemen's and firemen's pension and relief funds~~ based on the corresponding municipality's average number of police officers and firefighters who are members of a municipal policemen's or firemen's pension and relief fund or the Municipal Police Officers and Firefighters Retirement System and who worked at least 100 hours per month during the preceding fiscal year and average monthly number of retired police officers and firefighters during the preceding fiscal year. ~~For the purposes of this subsection, the growth in moneys collected from the tax collected pursuant to this section is determined by subtracting the amount of the tax collected during the fiscal year ending June 30, 1996, from the tax collected during~~

~~the fiscal year for which the allocation is being made and interest thereon.~~ All moneys received by municipal pension and relief funds under this section may be expended only for those purposes described in §8-22-16 through §8-22-28a of this code. Notwithstanding the foregoing provision of this subdivision, if a municipality has outstanding pension funding revenue bonds and continues to pay the normal cost of its policemen's and firemen's pension and relief funds, then the allocable share of revenues to be allocated which would otherwise have been allocated to a municipal policemen's or firemen's pension and relief fund shall instead be allocated to the trustee of any outstanding pension funding revenue bonds.

~~(2) Each volunteer fire company or department shall receive an equal share of the revenues allocated for volunteer and part-volunteer fire companies and departments.~~

~~(3) In addition to the share allocated and distributed in accordance with subdivision (1) of this subsection, each municipal fire department composed of full-time paid members and volunteers and part-volunteer fire companies and departments shall receive a share equal to the share distributed to volunteer fire companies under subdivision (2) of this subsection reduced by an amount equal to the share multiplied by the ratio of the number of full-time paid fire department members who are also members of a municipal firemen's pension and relief fund or the Municipal Police Officers and Firefighters Retirement System to the total number of members of the fire department.~~ (4) If a municipality has outstanding pension funding revenue bonds and continues to pay the normal cost of its policemen's and firemen's pension and relief funds, then the share that would otherwise be payable to the municipality's firemen's pension and relief fund pursuant to this subsection shall be paid to the trustee of such outstanding pension funding revenue bonds.

~~(d)~~ (5) The allocation and distribution of revenues provided in this section are subject to the provisions of §8-22-20, §8-15-8a, and §8-15-8b of ~~said chapter~~ this code.

(c) Based upon the findings of an audit by the Treasurer, the Legislature hereby finds and declares that during the period of 1982 through April 27, 2012, allocations from the Municipal Pensions and Protection Fund were miscalculated and errors were made in amounts transferred, resulting in overpayments and underpayments to the relief and pension funds and to the Teachers Retirement System, and that the relief and pension funds and the Teachers Retirement System were not at fault for any of the overpayments and underpayments. The Legislature hereby further finds and declares that any attempt by the Municipal Pension Oversight Board or other entity to recover any of the overpayments would be unjust and create economic hardship for the entities that received overpayments. No entity, including, without limitation, the Municipal Pension Oversight Board, may seek to recover from a relief or pension fund, the Teachers Retirement System or the state any overpayments received from the Municipal Pensions and Protection Fund and the overpayments are not subject to recovery, offset or litigation. Pursuant to the audit by the Treasurer, the amount of $3,631,846.55 is determined owed to specific relief and pension funds through the period of April 27, 2012. The Treasurer is hereby authorized to transfer the amount of $3,631,846.55 from the Unclaimed Property Trust Fund to the Municipal Pensions and Protection Fund, which is hereby reopened for the sole purpose of the transfer and remittances pursuant to this subsection, and to use the amount transferred to remit the amounts due to the pension and relief funds. The payment of $3,631,846.55 to the pension and relief funds is complete satisfaction of any amounts due and no entity, including, without limitation, the Municipal Pension Oversight Board and any pension or relief fund, may seek to recover any further amounts.

(d) The Municipal Pensions Oversight Board shall annually review the investment performance of each municipal policemen's or firemen's pension and relief fund. If a municipal pension and relief fund's board fails for three consecutive years to comply with the investment provisions established by §8-22-22a of this code, the oversight board may require the municipal policemen's or firemen's pension and relief fund to invest with the Investment Management Board to continue to receive its allocation of funds

from the premium tax. If the municipal pension and relief fund fails to move its investments to the Investment Management Fund within the 18-month drawdown period provided in §8-22-19(e) of this code, the revenues shall be reallocated to all other municipal policemen's or firemen's pension and relief funds that have drawn down 100 percent of their allocations.

§33-3-33. Surcharge on fire and casualty insurance policies to benefit volunteer and part-volunteer fire departments and emergency medical services providers; ~~Public Employees Insurance Agency and municipal pension plans; special fund created;~~ Fire Protection Fund; allocation of proceeds. ~~effective date.~~

(a) For the purposes of this section:

(1) 'Full-time paid members' means the members of a fire department who are compensated to provide services to the department on a full-time basis and are also members of a municipal firemen's pension and relief fund or the Municipal Police Officers and Firefighters Retirement System.

(2) The 'policy surcharge' refers to the surcharge on certain insurance policies imposed by subsection (b) of this section.

(3) 'Volunteer fire departments' or 'departments' includes volunteer and part-volunteer fire departments and companies, as described in §18-15-1 *et seq.* of this code.

(b) (1) For the purpose of providing additional revenue for volunteer fire departments, part-volunteer fire departments and certain retired teachers and the teachers retirement reserve fund, there is hereby authorized and imposed on and after July 1, 1992, on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to one percent of the taxable premium for each such policy. After June 30, 2005, the surcharge shall be imposed as specified in subdivisions (2), (3) and ~~(3)~~ (4) of this subsection.

(2) After June 30, 2005, through December 31, 2005, for the purpose of providing additional revenue for volunteer fire departments, part-volunteer fire departments and to provide additional revenue to the Public Employees Insurance Agency and municipal pension plans, there is hereby authorized and imposed on and after July 1, 2005, on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to one percent of the taxable premium for each such policy.

(3) After December 31, 2005, through December 31, 2023, for the purpose of providing additional revenue for volunteer fire departments and part-volunteer fire departments, there is hereby authorized and imposed on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to 0.55% of the taxable premium for each such policy.

(4) After December 31, 2023, for the purpose of providing additional revenue for volunteer fire departments and emergency medical services providers, there is hereby authorized and imposed on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to one percent of the taxable premium for each such policy. The policy surcharge is separate from and in addition to the tax imposed by §33-3-14d of this code.

~~(4)~~ (c) For purposes of this section, casualty insurance ~~may~~ does not include insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transaction or insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction while the debtor is disabled as defined in the policy. The policy surcharge ~~may~~ is not ~~be~~ subject to premium taxes, agent commissions, or any other assessment against premiums.

~~(b)~~ (d) The policy surcharge imposed by this section shall be collected and remitted to the commissioner by the insurer, or in the case of surplus lines coverage, by the surplus lines licensee, or if the policy is issued by a risk retention group, by the risk retention group. The amount required to be collected under this section shall be remitted to the commissioner on a quarterly basis on or before the 25th day of the month succeeding the end of the quarter in which they are collected, except for the fourth quarter for which the surcharge shall be remitted on or before March 1 of the succeeding year. All money from the policy surcharge shall be collected by the commissioner, who shall disburse 77.5 percent of the money received from the surcharge into the Fire Protection Fund for distribution as provided in subsection (f) of this section. The commissioner shall disburse 22.5 percent of the money received from the surcharge into the Emergency Medical Services Equipment and Training Fund established in §16-4C-24 of this code for disbursement in accordance with the provisions of that section.

~~(c)~~ (e) Any person failing or refusing to collect and remit to the commissioner any policy surcharge and whose surcharge payments are not postmarked by the due dates for quarterly filing is liable for a civil penalty of up to $100 for each day of delinquency, to be assessed by the commissioner. The commissioner may suspend the insurer, broker, or risk retention group until all surcharge payments and penalties are remitted in full to the commissioner.

~~(d)~~ (f) *Fire Protection Fund allocation and distribution. —*

(1) ~~All money from the policy surcharge shall be collected by the Commissioner who shall disburse the money received from the surcharge into a special account in the state Treasury, designated the Fire Protection Fund.~~ The State Treasurer's Office shall distribute the net proceeds of ~~this portion of the tax~~ the portion of the policy surcharge deposited into the Fire Protection Fund pursuant to §33-3-33 of this code, the amount deposited into the Fire Protection Fund pursuant to §29-3E-7 of this code, the amount deposited into the Fire Protection Fund pursuant to §33-3-14d of this code, and the amount deposited into the Fire Protection Fund pursuant to §33-12C-7 of this code, and the interest thereon on a

quarterly basis, after appropriation by the Legislature. ~~shall be distributed quarterly~~ The distributions shall occur on the first day of the months of January, April, July, and October to each eligible volunteer fire ~~company or~~ department, ~~on an equal share basis by the state Treasurer~~. After June 30, 2005, the money received from the surcharge shall be distributed as specified in subdivisions (2) and (3) of this subsection.

(2)(A) After June 30, 2005, through December 31, 2005, all money from the policy surcharge shall be collected by the Commissioner who shall disburse one half of the money received from the surcharge into the Fire Protection Fund for distribution as provided in subdivision (1) of this subsection.

(B) The remaining portion of moneys collected shall be transferred into the fund in the state Treasury of the Public Employees Insurance Agency into which are deposited the proportionate shares made by agencies of this state of the Public Employees Insurance Agency costs of those agencies, until November 1, 2005. After the October 31, 2005, through December 31, 2005, the remain portion shall be transferred to the special account in the state Treasury, known as the Municipal Pensions and Protection Fund.

(3) After December 31, 2005, all money from the policy surcharge shall be collected by the Commissioner who shall disburse all of the money received from the surcharge into the Fire Protection Fund for distribution as provided in subdivision (1) of this subsection.

(4) Before each distribution date to volunteer fire ~~companies or~~ departments, the State Fire Marshal shall report to the State Treasurer:

(A) The names and addresses of all volunteer ~~and part-volunteer~~ fire ~~companies and~~ departments within the state which ~~meet~~ met the eligibility requirements established in §8-15-8a of this code during the preceding quarter; and

(B) The number of volunteer firefighters and the number of full-time paid members providing services to each volunteer and part-volunteer department during the preceding quarter.

(5) Each eligible volunteer fire department shall receive an equal share of the amount of proceeds to be distributed each quarter: *Provided*, That each part-volunteer department's share will be reduced by a percentage amount equal to the percentage of the members of the fire department who are full-time paid members of the department, according to the report described in subdivision (4) of this subsection.

~~(e)~~ (g) The allocation, distribution, and use of revenues provided in the Fire Protection Fund are subject to the provisions of §8-15-8a and §8-15-8b of this code.

ARTICLE 12C. SURPLUS LINE.

§33-12C-7. Surplus lines tax.

(a) In addition to the full amount of gross premiums charged by the insurer for the insurance, every person licensed pursuant to §33-12C-8 of this code shall collect and pay to the commissioner a sum equal to 4.55 percent of the gross premiums and gross fees charged, less any return premiums, for surplus lines insurance provided by the licensee pursuant to the license: *Provided,* That after December 31, 2023, the sum collected by the licensee pursuant to this subsection shall be equal to 5 percent of the gross premiums and gross fees charged, less any return premiums. Where the insurance covers properties, risks, or exposures located or to be performed both in and out of this state and this state is the insured's home state, the sum payable shall be computed on that portion of the gross premiums allocated to this state, plus an amount equal to the portion of the gross premiums allocated to other states or territories on the basis of the tax rates and fees applicable to properties, risks or exposures located or to be performed outside of this state, and less the amount of gross premiums allocated to this state and returned to the insured due to cancellation of policy: *Provided,* That the surcharge imposed by ~~section thirty-three, article three of this chapter~~ §33-3-33 of this code on surplus lines

policies shall no longer be effective with respect to premium attributable to coverage under such policies for periods after June 30, 2011: *Provided, however,* That 12 percent of taxes collected under this subsection with respect to premium attributable to coverage under such policies after June 30, 2011, shall be disbursed and distributed in accordance with subsection ~~(d)~~ (f), section thirty-three, article three of this chapter and 88 per cent in accordance with subdivision (2), subsection (f) of this section: *Provided further,* That beginning January 1, 2024, 16 percent of taxes collected under this subsection with respect to premium attributable to coverage under such policies, shall be disbursed and distributed in accordance with §33-3-33 of this code, 4 percent of taxes collected under this subsection shall be disbursed into the Emergency Medical Services Equipment and Training Fund established in §16-4C-24 of this code for distribution in accordance with the provisions of that section, and 80 percent of the taxes collected under this subsection shall be disbursed in accordance with subdivision (2), subsection (f) of this section. The tax on any portion of the premium unearned at termination of insurance having been credited by the state to the licensee shall be returned to the policyholder directly by the surplus lines licensee or through the producing broker, if any.

(b) The individual insurance producer may not:

(1) Pay directly or indirectly the tax or any portion thereof, either as an inducement to the policyholder to purchase the insurance or for any other reason; or

(2) Rebate all or part of the tax or the surplus lines licensee's commission, either as an inducement to the policyholder to purchase the insurance or for any reason.

(c) The surplus lines licensee may charge the prospective policyholder a fee for the cost of underwriting, issuing, processing, inspecting, service, or auditing the policy for placement with the surplus lines insurer if:

(1) The service is required by the surplus lines insurer;

(2) The service is actually provided by the individual insurance producer or the cost of the service is actually incurred by the surplus lines licensee; and

(3) The provision or cost of the service is reasonable, documented, and verifiable.

(d) The surplus lines licensee shall make a clear and conspicuous written disclosure to the policyholder of:

(1) The total amount of premium for the policy;

(2) Any fee charged;

(3) The total amount of any fee charged; and

(4) The total amount of tax on the premium and fee.

(e) The clear and conspicuous written disclosure required by ~~subdivision (4) of this~~ subsection (d) of this section is subject to the record maintenance requirements of §33-12C-8 of this code.

(f)(1) This tax is imposed for the purpose of providing additional revenue for municipal policemen's and firemen's pension and relief funds and additional revenue for volunteer and part-volunteer fire companies and departments. This tax is required to be paid and remitted, on a calendar year basis and in quarterly estimated installments due and payable on or before the 25th day of the month succeeding the close of the quarter in which they accrued, except for the fourth quarter, in respect of which taxes shall be due and payable and final computation of actual total liability for the prior calendar year shall be made, less credit for the three quarterly estimated payments prior made, and filed with the annual return to be made on or before March 1 of the succeeding year. Provisions of this chapter relating to the levy, imposition, and collection of the regular premium tax are applicable to the levy, imposition, and collection of this tax to the extent that the provisions are not in conflict with this section.

(2) Except as provided in subsection (a) of this section, all taxes remitted to the commissioner pursuant to subdivision (1) of this

subsection shall be paid by him or her into a special account in the State Treasury, designated Municipal Pensions and Protection Fund, or pursuant to §8-22-18b of this code, the Municipal Pensions Security Fund, and after appropriation by the Legislature, shall be distributed in accordance with ~~the provisions of subsection (c), section fourteen-d, article three of this chapter~~ §33-3-14d of this code. The surplus lines licensee shall return to the policyholder the tax on any unearned portion of the premium returned to the policyholder because of cancellation of policy.

(g) In determining the amount of gross premiums taxable in this state for a placement of surplus lines insurance covering properties, risks, or exposures only partially located or to be performed in this state, the tax due shall be computed on the portions of the premiums which are attributable to properties, risks, or exposures located or to be performed in this state and which relates to the kinds of insurance being placed as determined by reference to an appropriate allocation table.

(1) If a policy covers more than one classification:

(A) For any portion of the coverage identified by a classification on the allocation schedule, the tax shall be computed by using the allocation schedule for the corresponding portion of the premium;

(B) For any portion of the coverage not identified by a classification on the allocation schedule, the tax shall be computed by using an alternative equitable method of allocation for the property or risk;

(C) For any portion of the coverage where the premium is indivisible, the tax shall be computed by using the method of allocation which pertains to the classification describing the predominant coverage.

(2) If the information provided by the surplus lines licensee is insufficient to substantiate the method of allocation used by the surplus lines licensee, or if the commissioner determines that the licensee's method is incorrect, the commissioner shall determine

the equitable and appropriate amount of tax due to this state as follows:

(A) By use of the allocation schedule where the risk is appropriately identified in the schedule;

(B) Where the allocation schedule does not identify a classification appropriate to the coverage, the commissioner may give significant weight to documented evidence of the underwriting bases and other criteria used by the insurer. The commissioner may also consider other available information to the extent sufficient and relevant, including the percentage of the insured's physical assets in this state, the percentage of the insured's sales in this state, the percentage of income or resources derived from this state, and the amount of premium tax paid to another jurisdiction for the policy.

(h) The commissioner is authorized to participate in a clearinghouse established through NIMA or in a similar allocation procedure for the purpose of collecting and disbursing to signatory states any funds collected pursuant to this section that are allocable to properties, risks, or exposures located or to be performed outside of this state: *Provided,* That twelve per cent of any moneys received from a clearinghouse or through a similar allocation procedure is are subject to the provisions of subsection ~~(d)~~ (f), section thirty-three, article three of this chapter and 88 percent of such moneys ~~is~~ are subject to the provisions of subdivision (2), subsection (f) of this section: *Provided, however,* That beginning January 1, 2024, 16 percent of any moneys received from a clearinghouse or through a similar allocation procedure is are subject to the provisions of §33-3-33 of this code, four percent of such moneys are subject to the provisions of §16-4C-24 of this code, and 80 percent of such moneys ~~is~~ are subject to the provisions of subdivision (2), subsection (f) of this section: *Provided, further,* That to the extent other states where portions of the properties, risks, or exposures reside have failed to enter into NIMA or a similar allocation procedure with this state, the net premium tax collected shall be retained by this state and shall be disbursed and distributed in the same manner as moneys received through a clearinghouse or similar allocation procedure.

(i) Collection of tax.

If the tax owed by a surplus lines licensee under this section has been collected and is not paid within the time prescribed, the same shall be recoverable in a suit brought by the commissioner against the surplus lines licensee. The commissioner may charge interest for any unpaid tax, fee, financial assessment or penalty, or portion thereof: *Provided,* That interest may not be charged on interest. Interest shall be calculated using the annual rates which are established by the Tax Commissioner pursuant to §11-10-17a of this code and shall accrue daily."

And,

With the further title amendment, sponsored by Delegates Criss and Householder, amending the title of the bill to read as follows:

Com. Sub. for H. B. 3153 - "A Bill to amend and reenact §29-3E-7 of the Code of West Virginia, 1931, as amended; to amend and reenact §33-3-14d and §33-3-33 of said code; and to amend and reenact §33-12C-7 of said code, all relating to distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers; defining terms; providing method of allocation and distribution for proceeds of fireworks safety fee deposited in Fire Protection Fund; eliminating obsolete language; increasing surcharge on fire and casualty policies; providing method of allocation of policy surcharge; requiring the State Fire Marshal provide certain information to the State Treasurer; increasing tax on surplus lines policies; providing method of allocation of surplus lines policy tax; and clarifying requirements for distribution of funds in Fire Protection Fund."

On the motion to concur, with further amendment, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken **(Roll No. 779)**, and there were—yeas 82, nays 11, absent and not voting 7, with the nays and the absent and not voting being as follows:

Nays: Cannon, Dillon, Foster, Gearheart, A. Hall, Horst, Householder, Kimble, Linville, McGeehan and C. Pritt.

Absent and Not Voting: Cooper, Foggin, Kump, Mallow, Toney, Westfall and Hanshaw (Mr. Speaker).

So, a majority of the members present having voted in the affirmative, the motion to concur, with further amendment, prevailed.

The bill, as amended by the Senate, and further amended by the House, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 780)**, and there were—yeas 82, nays 11, absent and not voting 7, with the nays and the absent and not voting being as follows:

Nays: Cannon, Foster, Gearheart, Hardy, Horst, Householder, Kimble, Linville, Martin, McGeehan and C. Pritt.

Absent and Not Voting: Capito, Cooper, Foggin, Kump, Mallow, Westfall and Hanshaw (Mr. Speaker).

So, a majority of the members elected to the House having voted in the affirmative, the Speaker Pro Tempore declared the bill (Com. Sub. for H. B. 3153) passed.

Delegate Kelly moved that the bill take effect January 1, 2024.

On this question, the yeas and nays were taken **(Roll No. 781)**, and there were—yeas 86, nays 6, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Horst, Kimble, Martin, McGeehan, C. Pritt and Pushkin.

Absent and Not Voting: Capito, Cooper, Foggin, Forsht, Kump, Mallow, Westfall and Hanshaw (Mr. Speaker).

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker Pro

Tempore declared the bill (Com. Sub. for H. B. 3153) takes effect January 1, 2024.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

At 9:43 p.m., on motion of Delegate Householder, the House of Delegates recessed until 10:30 p.m.

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Evening Session

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-continued-

Speaker Hanshaw in the Chair

The House of Delegates came to order with the Honorable Roger Hanshaw, Speaker, presiding.

There being no objections, the House returned to further consideration of **Com. Sub. for H. B. 3035**, Relating generally to high-quality education programs and school operations.

On motion of Delegate Kimble, the House reconsidered the action on the vote on passage of the bill.

On motion of Delegate Kimble, the House reconsidered the action on the vote to concur with the Senate amendment and title amendment with further amendment and title amendment.

There being no objection, the motion to concur in the Senate amendment and title amendment with further amendment and title amendment was withdrawn.

On motion of Delegate Kimble, the House concurred in the following amendment by the Senate, with further amendment:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

"**§18-2E-10. Third Grade Success Act; ~~transformative~~ multi-tiered system of support for early literacy and numeracy in kindergarten through grade three; pre-service and in-service teacher training; notice to parent or guardian; third grade retention policy with exceptions; interventions continuing in fourth grade for students below proficient.**

(a) This section shall be known and may be cited as the Third Grade Success Act.

~~(a)~~ (b) The Legislature finds that:

(1) In the early learning years, ensuring that each student masters the content and skills needed for mastery at the next grade level is critically important for student success;

(2) Students who do not demonstrate grade-level proficiency in reading by the end of third grade become increasingly less likely to succeed at each successive grade level and often drop out of school prior to graduation;

(3) State board policy requires every school to establish a process for ensuring the developmental and academic progress of all students. This process is to be coordinated by a school student assistance team that reviews student developmental and academic needs that have persisted despite being addressed through instruction, multi-tiered system of support for intervention, and as applicable, supports for personalized learning. Ensuring the developmental and academic success of all students requires every school to implement, in an equitable manner, programs during and after the instructional day at the appropriate instructional levels that contribute to the success of students; and

(4) To ensure that all students read and perform mathematics proficiently by the end of third grade, a statewide comprehensive approach to early literacy and numeracy is required. This approach shall focus on intensive supports during the early learning years which include schools and engaged communities mobilized to

remove barriers, expand opportunities, and assist parents in fulfilling their roles and responsibilities to serve as full partners in the success of their children.

(c) 'Science of reading' means evidence-based reading instruction practices that address the acquisition of language, phonological and phonemic awareness, phonics and spelling, fluency, vocabulary, oral language, comprehension, and writing that can be differentiated to meet the needs of individual students.

~~(b)~~ (d) The state board shall, in accordance with ~~the provisions of article three-b, chapter twenty-nine-a~~ §29A-3B-1 *et seq.* of this code, promulgate legislative rules as necessary to effectuate the provisions of this section. The rules shall provide for at least the following:

(1) Development of a statewide comprehensive, systemic approach to close the reading and mathematics achievement ~~gap~~ gaps by third grade, which targets school readiness, the attendance gap, science of reading instruction (phonics, phonemic awareness, vocabulary, fluency, comprehension, and writing), summer learning loss, the use of screeners and/or benchmark assessments in English language arts and mathematics for students in grades kindergarten through three, and a multi-tiered system of support for students exhibiting a substantial reading or mathematics deficiency; ~~transformative intervention framework for student and learning supports;~~

(2) Ensuring all West Virginia children have access to high-quality early learning experiences that focus on healthy learners as part of the school readiness model, resulting in increased populations of children on target for healthy development prior to entering first grade;

(3) Closing the attendance gap to certify West Virginia children attend school regularly and limit chronic absenteeism in the early grades;

(4) Providing assistance to county boards with the training and implementation of the science of reading training for all

kindergarten through grade three educators, early childhood classroom assistant teachers, aides, and any interventionists that a county board may choose to employ instead of an early childhood classroom assistant teacher or aide pursuant to §18-5-18a(b) of this code;

(5) ~~(4)~~ Assisting county boards in establishing and operating targeted, sustained extended day and extended year reading and mathematics programs to ensure grade level proficiency and battle summer learning loss;

(6) Establishing an approved list of screeners and/or benchmark assessments in English language arts and mathematics for students in grades kindergarten through three for the purpose of identifying students with a significant reading and/or mathematics deficiency. The screener and/or benchmark assessments shall be given in the first 30 days of the school year and repeated at mid-year and at the end of the school year to determine student progression in reading and mathematics in kindergarten through third grade;

(7) Establishing an approved list of dyslexia screeners to be administered to students no less than twice per year in kindergarten through third grade and any time students with identified deficiencies are not responding to interventions;

(8) Any student in kindergarten or grades one through three who exhibits a deficiency in reading at any time, based upon the screeners and/or benchmark assessments, and/or the comprehensive statewide student assessment, and any fourth-grade student promoted for good cause shall receive an individual reading improvement plan no later than 30 days after the identification of the reading deficiency. The reading improvement plan shall be created by the teacher, principal, other pertinent school personnel, and the parent(s), and shall describe the research-based reading intervention services the student will receive to remedy the reading deficit. Each student shall receive intensive reading intervention until the student no longer has a deficiency in reading. Reading interventions may include evidence-based strategies frequently used to remediate reading deficiencies and

includes, but is not limited to, individual instruction, small-group instruction, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities;

~~(5)~~ (9) Maximizing family engagement to result in the development of a culture of literacy and numeracy, ~~from birth through third grade~~ which shall at least include:

(A) Providing parents or guardians with regular updates to inform them of their child's progress toward proficiency in reading and mathematics;

(B) Ensuring parents or guardians are informed of and have access to resources which they may utilize to improve their child's literacy and numeracy skills;

(C) Ensuring the parent or guardian is informed of the importance of their child being able to demonstrate grade level reading and mathematics skills by the end of the third grade and the measures that will be employed pursuant to this section to improve the reading and mathematics skills of children who are not meeting the standards; and

(D) The parent or guardian of any student in kindergarten through grade three who exhibits a deficiency in reading or mathematics at any time during the school year must be notified in writing no later than 15 days after the identification of the deficiency, and the written notification must include the following:

(i) That the student has been identified as having a deficiency in reading and/or mathematics;

(ii) A description of the proposed research-based reading and/or mathematics interventions and/or supplemental instructional services and supports that will be provided to the child to address the identified area(s) of deficiency;

(iii) Strategies for the parent or guardian to use at home to help their child succeed in reading and/or mathematics; and

(iv) That if the child's reading deficiency is not corrected by the end of grade three, the child may not be promoted to grade four unless an exemption is met;

~~(6)~~ (10) Supporting high-quality schools and a workforce prepared to address early literacy and numeracy by the provision of professional development for administrators, kindergarten, first, second, and third grade teachers including, but not limited to, the following: ~~identification of interventions, and implementation of a system of intervention for children not reaching grade level proficiency~~

(A) The approved benchmark assessment and/or screener tools to ensure teachers have the knowledge and skill to administer the assessment and/or screener, analyze the data to inform instruction, and identify students exhibiting substantial deficiencies in reading or mathematics;

(B) Comprehensive training on the science of reading and numeracy instruction to ensure all kindergarten through grade three teachers, early childhood classroom assistant teachers, and aides, have the knowledge and skill to teach and/or support all students to read and perform mathematics at grade level. The rules also shall provide that any interventionist a county chooses to employ instead of an early childhood classroom assistant teacher or aid pursuant to §18-5-18a(b) receives this comprehensive training;

(C) Training and materials to inform classroom teachers of the characteristics of dyslexia and dyscalculia in students, components of benchmarks and screeners that may indicate dyslexia or dyscalculia, and strategies for instruction; and

(D) Job-embedded, on-site teacher training on evidence-based reading and mathematics instruction and data-driven decision-making that provides kindergarten through grade three teachers with immediate feedback for improving instruction;

~~(7)~~ (11) Ensuring the employment of qualified teachers and service personnel in accordance with ~~the provisions of section thirty-nine, article five of this chapter and section seven-c, article~~

~~four, chapter eighteen-a~~ §18-5-39 and §18A-4-7c of this code to provide instruction to students enrolled in early literacy and numeracy support programs including, but not limited to, ensuring that educator preparation programs prepare candidates seeking licensure for elementary education with training and instruction to:

(A) Include instruction in state-adopted grade-level content standards, foundational reading and mathematics skills, and how to implement reading instruction using high-quality instructional materials;

(B) Provide effective instruction and intervention for students with reading and math deficiencies, including students with characteristics of dyslexia or dyscalculia; and

(C) Understand and use student data to make instructional decisions;

~~(8)~~ (12) Creating a formula or grant-based program for the distribution of funds appropriated specifically for the purposes of this section or otherwise available for the support of a targeted, multi-tiered system of support intervention ~~comprehensive system of support~~ for early literacy and numeracy;

~~(9)~~ (13) Providing support for transportation and healthy foods for students required to attend after-school and extended year early literacy and numeracy instructional support programs and supervision at the school that accommodates the typical work schedules of parents; and

~~(10)~~ (14) Receiving from county boards any applications and annual reports required by rule of the state board.

~~(c)~~ (e) A student in grades kindergarten through grade three ~~who is recommended by the student assistance team or the student's classroom teacher for additional assistance in one or more of the key standards of English Language Arts including reading, speaking and listening, writing or language may~~ shall be required to attend an extended year early literacy and numeracy instructional support program as a condition for promotion if:

(1) The student has been provided additional academic assistance ~~help~~ through interventions offered during the school day ~~in school~~ or after-school in early literacy and numeracy ~~instructional support program~~ and, prior to the end of the school year, the student assistance team or the student's classroom teacher recommends that further additional academic help is needed for the student to be successful at the next grade level; and

(2) The county board has established a~~n early~~ a literacy and numeracy instructional support program during the extended year for the student's grade level.

~~(d)~~ (f) County boards shall provide high-quality educational facilities, equipment, and services to support ~~early~~ literacy and numeracy instructional support programs established pursuant to this section. Extended year programs may be provided at a central location for kindergarten through third graders who qualify for the program.

(g) Each county board shall adopt high-quality instructional materials grounded in scientifically-based reading research and aligned to state standards to be used as the core curriculum. The instructional materials shall not include practices that are aligned with the Three-Cueing Systems Model of teaching reading.

~~(e)~~ (h) This section may not be construed to prohibit a classroom teacher from recommending the grade level retention of a student in any of the grades kindergarten through grade three based upon the student's lack of mastery of the subject matter and preparation for the subject matter at the next grade level. Benchmark and/or screener data shall be used to inform the classroom teacher's recommendation.

~~(f)~~ (i) This section may not be construed to affect the individualized education plans of exceptional students.

~~(g)~~ (j) This section may not be construed to limit the authority of the county board to establish an extended year program in accordance with ~~section thirty-nine, article five of this chapter~~ §18-5-39 of this code. County boards may not charge tuition for

enrollment in early literacy and numeracy instructional support programs established pursuant to this section.

~~(h)~~ (k) Each county board shall ~~prepare to~~ implement the provisions of this section and the provisions of the state board rule required by subsection (b) of this section. ~~The preparations shall at least include planning, ensuring~~ The county board shall establish a process for ensuring the developmental and academic progress of all students through the auspices of student assistance teams as currently required by state board policy and ~~performing~~ perform a needs assessment to determine the potential capacity requirements for the multi-tiered system of support for early learners. Each county board also shall provide in-service training:

(1) For kindergarten through grade three early childhood classroom assistant teachers, and aides, specifically related to literacy, numeracy, and their responsibilities and appropriate measures for exercising authority and control over students. The county board shall also provide this training to any interventionists it chooses to employ instead of an early childhood classroom assistant teacher or aide pursuant to §18-5-18a(b) of this code; and

(2) For classroom teachers in grades kindergarten through three to help the classroom teachers gain a strong understanding of how to best utilize the early childhood classroom assistant teachers, aides, or interventionists during classroom instruction and during other periods of the day.

~~(i)~~ (l) The state board shall provide a report describing the proposed implementation of the ~~transformative~~ multi-tiered system of support for early literacy and numeracy to the Legislative Oversight Commission on Education Accountability on or before ~~July 1, 2014~~ July 1, 2023.

~~(j)~~ (m) The state board shall provide a comprehensive report regarding the status of the ~~transformative~~ multi-tiered system of support for literacy and numeracy to the Legislative Oversight Commission on Education Accountability, the Joint Committee on Government and Finance, and the Governor on or before ~~November 1, 2014~~ November 1, 2023, and annually on or before

November 1 ~~on~~ of each year thereafter. The report shall address, at a minimum, the progress of the program throughout the state, its effect on student achievement, and the sources of the funding both available to and used by the program.

~~(k)~~ (n) ~~The provisions of this section are subject to the availability of funds from legislative appropriation or other sources specifically designated for the purposes of this section. If a county board determines that adequate funds are not available for full implementation of a transformative system of support for early literacy in the county, the county board may implement its program in phases by first establishing early literacy instructional support programs in the early readiness grades (Kindergarten), then the primary grades (Grades 1-2), and then establishing an early literacy instructional support program for the third grade once~~ Legislative appropriations to the State Board of Education – State Department of Education Elementary Literacy and Numeracy Program shall be used for the implementation of the provisions of this section along with other funds available for providing a high-quality education.

~~(l)~~ (o) Effective for the school year beginning July 1, 2026, and thereafter, a public school student who generally demonstrates a minimal understanding of, and ability to apply, grade level English language arts knowledge, skills, and abilities, or both, as indicated on the West Virginia General Summative Assessment relative to the West Virginia College and Career Readiness Standards at the end of third grade, shall upon the recommendation of the teacher and the student assistance team, be retained in the third grade for the ensuing school year subject to the following exceptions:

(1) A student with disabilities whose Individual Education Plan indicates participation in the statewide alternate summative assessment;

(2) A student identified as an English language learner who has had less than three years instruction in English as a second language;

(3) A student with disabilities who participates in the statewide summative assessment, has an Individual Education Plan or

Section 504 plan that reflects that the student has received intensive intervention for more than two years and still demonstrates a deficiency or who was previously retained in any of the grades kindergarten through grade three;

(4) A student who is in the process of a special education referral or evaluation for placement in special education, has been diagnosed as having a significant impairment, including dyslexia or dyscalculia, or is a child with a disability if the student's individualized education program team and the student's parent or guardian agree that promotion is appropriate based on the student's Individualized Education Plan;

(5) A student who has received intensive intervention for two or more years, still demonstrates a deficiency, and who was previously retained in any of the grades kindergarten through grade three for a total of two years: *Provided,* That the student shall continue to receive intensive intervention in grade four;

(6) A student who demonstrates an acceptable level of performance on an alternative standardized assessment approved by the state board;

(7) A student who attends an extended year learning program following the third grade and has attained proficiency; and

(8) A student whose parent or guardian has requested a good cause exemption within the time period established by the county board and the superintendent, or his or her designee, determines that the good cause exemption is in the best interests of the child: *Provided,* That a good cause exemption may not prohibit the grade level retention of a student by a classroom teacher based upon the student's lack of mastery of the subject matter and preparation for the subject matter at the next grade level.

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-18a. Maximum teacher-pupil ratio.

(a) County boards of education shall provide sufficient personnel, equipment, and facilities as will ensure that each ~~first~~

~~through sixth grade~~ classroom, or classrooms having two or more grades that include one or more of the ~~first~~ kindergarten through sixth grades shall not have more ~~than 25~~ pupils for each teacher ~~of the grade or grades and shall not have more than 20 pupils for each kindergarten teacher per session~~ as follows, unless the state superintendent has excepted a specific classroom upon application therefor by a county board as provided in this section:

(1) For kindergarten, not more than 20 pupils for each teacher and one early childhood classroom assistant teacher or aide in classrooms with more than 10 pupils;

(2) For first, second, and third grades, not more than 25 pupils for each teacher and one early childhood classroom assistant teacher or aide in classrooms with more than 12 pupils: *Provided,* That the early childhood classroom assistant teacher/aide requirement for classrooms with more than 12 pupils shall not be effective until July 1, 2023, for first grade classrooms; July 1, 2024, for second grade classrooms; and July 1, 2025, for third grade classrooms; and

(3) For grades four, five, and six, not more than 25 pupils for each teacher.

(b) County boards may satisfy the requirements of subsection (a) of this section by employing a full-time interventionist instead of an early childhood assistant teacher or aide, subject to the following:

(1) If no full-time interventionist is available, a county board may satisfy the requirements of subsection (a) of this section by employing a part-time interventionist; and

(2) County boards are not required to employ an interventionist even if there are an insufficient number of early childhood assistant teachers and aides available to fill all the positions required by subsection (a) of this section.

~~(b)~~ (c) County school boards may not maintain a greater number of classrooms having two or more grades that include one

or more of the grade levels referred to in this section than were in existence in said county as of January 1, 1983.

~~(c)~~ (d) The state superintendent is authorized, consistent with sound educational policy, to:

(1) Permit on a statewide basis, in grades four through six, more than 25 pupils per teacher in a classroom for the purposes of instruction in physical education; and

(2) Permit more than 20 pupils per teacher in a specific kindergarten classroom and 25 pupils per teacher in a specific classroom in grades four through six during a school year in the event of extraordinary circumstances as determined by the state superintendent after application by a county board of education.

~~(d)~~ (e) The state board shall establish guidelines for the exceptions authorized in this section, but in no event shall the superintendent except classrooms having more than three pupils above the pupil-teacher ratio as set forth in this section.

~~(e)~~ (f) The requirement for approval of an exception to exceed the 20 pupils per kindergarten teacher per session limit or the 25 pupils per teacher limit in grades ~~one~~ four through six is waived in schools where the schoolwide pupil-teacher ratio is 25 or less in grades ~~one~~ four through six: *Provided,* That a teacher shall not have more than three pupils above the teacher/pupil ratio as set forth in this section. Any kindergarten teacher who has more than 20 pupils per session and any classroom teacher of grades ~~one~~ four through six who has more than 25 pupils, shall be paid additional compensation based on the affected classroom teacher's average daily salary divided by 20 for kindergarten teachers, or 25 for teachers of grades ~~one~~ four through six, for every day times the number of additional pupils enrolled up to the maximum pupils permitted in the teacher's classroom. All such additional compensation shall be paid from county funds exclusively.

Notwithstanding any other provision of this section to the contrary, commencing with the school year beginning on ~~July 1, 1994~~ July 1, 1996, a teacher in grades one, two, or three, or

classrooms having two or more such grade levels, ~~shall not have more than two pupils above the teacher/pupil ratio as set forth in this section: *Provided,* That commencing with the school year beginning on July 1, 1995, such teacher shall not have more than one pupil above the teacher/pupil ratio as set forth in this section: *Provided, however,* That commencing with the school year beginning on July 1, 1996, such teacher~~ shall not have any pupils above the teacher/pupil ratio as set forth in this section.

~~(f)~~ (g) No provision of this section is intended to limit the number of pupils per teacher in a classroom for the purpose of instruction in choral, band, or orchestra music.

~~(g)~~ (h) Each school principal shall assign students equitably among the classroom teachers, taking into consideration reasonable differences due to subject areas and/or grade levels.

~~(h)~~ (i) The state board shall collect from each county board of education information on class size and the number of pupils per teacher for all classes in grades seven through 12. The state board shall report such information to the Legislative Oversight Commission on Education Accountability before January 1, of each year.

~~(i) The West Virginia Department of Education shall survey districts to determine those grade levels, content areas, and geographic locations where class overcrowding is impeding student achievement and report to the Legislature by July 1, 2020 a tailored plan for reducing class overcrowding in such areas.~~

~~The study shall include, but is not limited to, an examination of the following issues:~~

~~(1) The effect on student learning of limits on the number of pupils per teacher in a classroom in elementary classes and in a middle and high school format in which students have different teachers for different subject matter instruction;~~

~~(2) The effect on the equity among teachers in a middle school in which the number of pupils per teacher in a classroom is limited for some teachers and not for others, including the additional pay~~

~~for certain teachers in whose classrooms the limits are exceeded; and~~

~~(3) The effect limits on the number of pupils per teacher in a classroom have on the ability of school systems to offer elective courses in secondary school~~

ARTICLE 9A. PUBLIC SCHOOL SUPPORT.

§18-9A-5. Foundation allowance for service personnel.

(a) The basic foundation allowance to the county for service personnel shall be the amount of money required to pay the annual state minimum salaries in accordance with the provisions of ~~article four, chapter eighteen a~~ §18A-4-1 *et seq.* of this code to such service personnel employed, subject to the following:

(1) A county shall receive an allowance for state aid eligible service personnel positions per 1,000 students in net enrollment, as follows:

(A) For each high-density county, ~~forty-three and ninety-seven one hundredths~~ 43.97 service personnel per 1,000 students in net enrollment: *Provided*, That this ratio of service personnel per 1,000 students in net enrollment shall increase to 47.39 beginning July 1, 2023; 50.65 beginning July 1, 2024; and 53.79 beginning July 1, 2025;

(B) For each medium-density county, ~~forty-four and fifty-three one hundredths~~ 44.53 service personnel per 1,000 students in net enrollment: *Provided*, That this ratio of service personnel per 1,000 students in net enrollment shall increase to 47.95 beginning July 1, 2023; 51.21 beginning July 1, 2024; and 54.35 beginning July 1, 2025;

(C) For each low-density county, ~~forty-five and one tenth~~ 45.10 service personnel per 1,000 students in net enrollment: *Provided*, That this ratio of service personnel per 1,000 students in net enrollment shall increase to 48.52 beginning July 1, 2023; 51.78 beginning July 1, 2024; and 54.92 beginning July 1, 2025;

(D) For each sparse-density county, ~~forty-five and sixty-eight one hundredths~~ 45.68 service personnel per 1,000 students in net enrollment: *Provided*, That this ratio of service personnel per 1,000 students in net enrollment shall increase to 49.10 beginning July 1, 2023; 52.36 beginning July 1, 2024; and 55.50 beginning July 1, 2025; and

(E) For any service personnel positions, or fraction thereof, determined for a county pursuant to subdivision (1) of this subsection that exceed the number employed, the county's allowance for these positions shall be determined using the average state funded minimum salary of service personnel for the county;

(2) The number of and the allowance for personnel paid in part by state and county funds shall be prorated; and

(3) Where two or more counties join together in support of a vocational or comprehensive high school or any other program or service, the service personnel for the school or program may be prorated among the participating counties on the basis of each one's enrollment therein and that the personnel shall be considered within the above-stated limit.

ARTICLE 20. EDUCATION OF EXCEPTIONAL CHILDREN.

§18-20-10. Dyslexia and dyscalculia defined.

(a) The Legislature finds as follows:

(1) Reading difficulties are the most common cause of academic failure and underachievement;

(2) There are many students who demonstrate significant weaknesses with reading, writing and mathematics that are ~~the root causes of~~ influenced by specific learning disabilities, including dyslexia, dyscalculia, and related learning difficulties. Of those who are referred to special education services in public schools, the majority are referred because of problems with language, reading, writing, or a combination of each;

(3) Teaching reading effectively, especially to students experiencing difficulty, requires considerable knowledge and skill. Informed and effective classroom instruction, especially in the early grades, can prevent and relieve the severity of language difficulties, and significantly improve literacy development;

(4) For those students with specific learning disabilities, including dyslexia and dyscalculia, who need specialized instruction, competent intervention can lessen the impact of the disorder and help the student overcome the most debilitating symptoms;

(5) While programs for specific learning disabilities, including dyslexia and dyscalculia, that certify or support teachers, clinicians or specialists differ in their preparation methodologies, teaching approaches and organizational purposes, they should ascribe to a common set of professional standards for the benefit of the students they serve. Compliance with such standards can assure the public that individuals who serve students with specific learning disabilities in public schools are prepared to implement scientifically based and clinically proven practices;

(6) ~~The American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5), and the federal Individuals with Disabilities Education and Improvement Act of 2004 (IDEA) offer~~ The International Dyslexia Association (IDA) offers widely-adopted and consistent standards to guide the preparation, certification, and professional development for teachers of reading and related literacy skills in classroom, remedial and clinical settings; and

(7) The basis of ascribing to common standards to benefit students with specific learning disabilities, including dyslexia and dyscalculia, requires recognizing common characteristics of the disabilities. The Legislature finds that the definitions of dyslexia and dyscalculia prescribed by ~~IDEA and DSM-5~~ the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, Text Revision (DSM-5-TR) are the appropriate ~~measure~~ measures for recognizing characteristics of dyslexia and dyscalculia in students.

(b) The Legislature recognizes the following regarding dyslexia and dyscalculia:

(1) Dyslexia and dyscalculia are conditions that may be considered under the specific learning disability category, and their definitions are consistent with IDEA and state board policy. State board policy provides that 'specific learning disability' means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia;

(2) Dyslexia is an alternative term used to refer to a pattern of learning difficulties characterized by problems with accurate or fluent word recognition, poor decoding, and poor spelling abilities. If dyslexia is used to specify this particular pattern of difficulties, it is important also to specify any additional difficulties that are present, such as difficulties with reading comprehension or math reasoning; and

(3) Dyscalculia is an alternative term used to refer to a pattern of learning difficulties characterized by problems processing numerical information, learning arithmetic facts, and performing accurate or fluent calculations. If dyscalculia is used to specify this particular pattern of mathematic difficulties, it is important also to specify any additional difficulties that are present, such as difficulties with math reasoning or word reasoning accuracy.

~~(c) the state board is responsible for the following:~~

~~(1) Ensuring that all students receive the necessary and appropriate screenings, evaluations and early assessments for specific learning disabilities, including dyslexia and dyscalculia;~~

~~(2) Ensuring that any Individualized Education Program regarding specific learning disabilities, including dyslexia or dyscalculia, which is developed or implemented, is consistent with the provisions of this section; and~~

~~(3) Providing ongoing information and education to parents regarding specific learning disabilities, including dyslexia and dyscalculia, and the services available to students with such disabilities.~~

(c) The state board shall:

(1) Develop a list of appropriate screeners, early assessments, and professional development that address and ensure that all students receive the necessary and appropriate screenings, evaluations, and early assessments for specific learning disabilities, including dyslexia and dyscalculia which contain information related to the following:

(A) Appropriate literacy and numeracy screening tools for identifying students who are at risk for academic difficulty in reading and/or math, including dyslexia and dyscalculia, and who require tiered intervention;

(B) Appropriate diagnostic assessment components that can be used to help identify and diagnose;

(C) Appropriate evidence-based instruction and intervention strategies for students who are at risk for academic difficulty in reading and/or mathematics, including students who exhibit possible indicators of risk for dyslexia and/or dyscalculia;

(D) Appropriate accommodations for students who exhibit possible indicators of risk for, or who have been diagnosed with, dyslexia, dyscalculia, and/or other specific learning disabilities;

(E) Connecting a multi-tiered system of support framework to specific learning disability identification; and

(F) The use of the terms "dyslexia" and "dyscalculia" in Individualized Education Programs, and in evaluation reports by professionals qualified to render these diagnoses; and

(2) Explore options to assist any LEA with acquiring approved literacy and/or numeracy screening tools: *Provided,* That the local educational agency is unable to acquire its own literacy and/or

numeracy screening tools that are consistent with state educational agency recommendations;

(3) Adopt and make publicly available guidelines for including dyslexia diagnostic evaluation components in comprehensive assessments for special education and related services. These guidelines shall:

(A) Recommend at least one person on each multidisciplinary evaluation team be knowledgeable about dyslexia and be able to recognize when a dyslexia diagnostic component should be requested in the evaluation process;

(B) Recommend that a diagnosis of dyslexia be given when the data from the comprehensive evaluation components indicate such a diagnosis is appropriate;

(C) Include recommendations for how to document a dyslexia diagnosis in an IEP; and

(D) Include that a Section 504 Plan be considered if a student has a dyslexia diagnosis but does not qualify for special education services;

(4) Adopt and make publicly available a list of approved diagnostic assessment components that can be used to help identify and diagnose dyslexia during comprehensive multidisciplinary evaluations;

(5) Adopt and make publicly available guidelines and a list of resources for dyslexia intervention practices that are evidence-based, including practices consistent with the Science of Reading and Structured Literacy, that are explicit, direct, sequential, systematic, and multisensory;

(6) Adopt and make publicly available a list of recommended accommodations and instructional practices to be used with students who exhibit signs of dyslexia or have been diagnosed with dyslexia. These shall reflect contemporary research and guidelines of the Science of Reading related to dyslexia. These recommendations shall include, but are not limited to, structured

literacy approaches that are explicit, direct, sequential, systematic, and multisensory;

(7) Adopt and make publicly available a list of available professional development resources that support evidence-based intervention for struggling readers, including the Science of Reading and Structured Literacy. This list shall be made publicly available and include resources endorsed or espoused by technical assistance centers, research organizations, and professional associations that support the Science of Reading and Structured Literacy regarding dyslexia, including the International Dyslexia Association; and

(8) Develop and make publicly available informational materials related to dyslexia for parents and guardians that include information about the multidisciplinary evaluation process, updated regularly.

(d) The local education agency shall:

(1) Develop a system for parents and guardians to annually receive digital and print informational materials related to dyslexia;

(2) Ensure at least one educator at each school is trained to administer, score, and interpret the data from the literacy screening instrument or instruments, and to recognize signs of dyslexia;

(3) Notify parents of the results of these literacy screeners while emphasizing that not all students who perform poorly on these screening instruments have dyslexia. Also, not all students with dyslexia will perform poorly on the screeners;

(4) Provide evidence-based reading intervention to students who exhibit academic risk in future reading performance, including indicators of dyslexia;

(5) Conduct comprehensive assessments to determine eligibility for special education services when a child does not respond or only minimally responds to intervention strategies and/or when there is a suspected disability of dyslexia. If a determination is made through the evaluation process that a student

needs assessed for dyslexia, provide assessment and diagnosis as necessary per West Virginia Department of Education guidelines;

(6) Employ appropriate accommodations and instructional practices recommended by the West Virginia Department of Education based upon the students' needs. When those needs are related to dyslexia, these accommodations and instructional techniques or strategies shall also meet the West Virginia Department of Education-approved guidelines for dyslexia accommodations and instructional practices;

(7) Require all elementary educators, special educators, reading interventionists or specialists, and other personnel determined appropriate by the local education agency to receive professional development on the possible signs of dyslexia and the related classroom accommodations and instructional practices approved by the West Virginia Department of Education;

(8) Administer a literacy screening instrument or instruments to students in grades 3-5 who transfer from a local education agency where literacy screening instruments were not administered. If the literacy screening instrument indicates a deficit in reading, the school will provide intervention according to current policy. If a student does not respond or only minimally responds to intervention, a referral for multidisciplinary evaluation shall be made; and

(9) Require all appropriate personnel, as determined by the local education agency, to annually receive professional development relating to the possible indicators for dyslexia and dyscalculia, accommodations and modifications in the classroom environment, proper instructional practices for educating students who exhibit possible indicators of risk for, or who have been, diagnosed with dyslexia, dyscalculia, and/or other specific learning disabilities. Local education agencies may create more than one module to satisfy the requirements of this subdivision.

(e) The state board shall promulgate a rule pursuant to §29A-3B-1 *et seq.* of this code to implement this section. In addition to

other provisions to implement this section, the rule shall at least include the following:

(1) If a student is reading substantially below grade level according to formal and/or informal assessments, including benchmark assessments, and has never been evaluated for special education, a request may be made by a school, parent, or teacher for the administration of an age- or grade-appropriate West Virginia Department of Education-approved literacy screening instrument or instruments. These points of data may be used to either start intervention and progress monitoring per West Virginia Department of Education guidance, or make a referral for a special education evaluation;

(2) Acknowledgement that each local education agency may have one certified Literacy and Numeracy Specialist in each local education agency, or another appropriate professional designated by relevant local education agency leadership, to be appropriately trained, or be seeking appropriate training, in intervention, accommodations, and instructional strategies for students with dyslexia or a related disorder. The trained individual(s) shall serve as an advisor and trainer for dyslexia and related disorders for the local education agency. The reading specialist(s) or other designated professional(s) shall have an understanding of the definition of dyslexia and a working knowledge of:

(A) Techniques to help a student on the continuum of skills with dyslexia;

(B) Dyslexia characteristics that may manifest at different ages and levels;

(C) The basic foundation of the keys to reading, including multisensory, explicit, systematic, and structured literacy instruction; and

(D) Appropriate interventions, accommodations, and assistive technology supports for students with dyslexia.

(f) *Legislative Oversight Commission on Education Accountability (LOCEA):*

(1) The final draft of the state board's literacy and numeracy rule shall be submitted to the Legislative Oversight Commission on Education Accountability (LOCEA) by August 1, 2023.

(2) The following shall be submitted to the Legislative Oversight Commission on Education Accountability (LOCEA) annually:

(A) Disaggregated data concerning literacy and numeracy patterns statewide;

(B) Statewide interventions implemented; and

(C) The statewide professional development plan.

(3) Progress monitoring regarding K-2 screening and 3-8 formative assessments shall be presented to the Legislative Oversight Commission on Education Accountability (LOCEA) after data is collected for the beginning, middle, and end of the school year."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 3035 - "A Bill to amend and reenact §18-2E-10 of the Code of West Virginia, 1931, as amended; to amend and reenact §18-5-18a of said code; to amend and reenact §18-9A-5 of said code; and to amend and reenact §18-20-10 of said code, all relating to enhancing academic achievement of students including those with learning disabilities; establishing the Third Grade Success Act; replacing transformative system of support for early literacy with multi-tiered system of support for early literacy and numeracy in kindergarten through grade three; revising findings; defining 'science of reading'; revising inclusions in West Virginia Board of Education rules required to effectuate Third Grade Success Act section; requiring each county board to adopt high-quality instructional materials; specifying data to be used to inform the classroom teacher's recommendation on grade level retention; requiring county boards of education to provide in-service training for early childhood classroom assistant teachers,

aides, classroom teachers, and in certain instances, interventionists in grades kindergarten through three; updating deadlines for West Virginia Board of Education multi-tiered system of support for early literacy and numeracy reports; modifying provisions pertaining to funding for Third Grade Success Act section; requiring retention in the third grade in certain circumstances; specifying exceptions to third grade retention requirement; adding maximum teacher-pupil ratio for pre-kindergarten; adding maximum early childhood classroom assistant teacher or aide-pupil ratio for kindergarten through grade three; phasing in early childhood classroom assistant teacher/aide requirement for grades one through three; allowing county boards to employ an interventionist instead of an early childhood assistant teacher or aide; removing requirement for survey of districts on class overcrowding and report to the Legislative Oversight Commission on Education Accountability a tailored plan for reducing class overcrowding; phasing in increased ratios of service personnel per 1,000 students for the purpose of determining the basic foundation allowance for service personnel; revising findings pertaining to standards to guide the preparation, certification, and professional development for teachers of reading and related literacy skills and appropriate measures for recognizing characteristics of dyslexia and dyscalculia; replacing responsibilities of the West Virginia Board of Education pertaining to specific learning disabilities, including dyslexia and dyscalculia, with duties of the state board and the local education agencies; requiring state board rule to implement section pertaining to dyslexia and dyscalculia; stating minimum inclusions for rule; and requiring report of certain information to the Legislative Oversight Commission on Education Accountability."

With the further amendment, sponsored by Delegate Ellington, being as follows:

On page 1, section 10, line 5, after the word "reading" by inserting the word "and mathematics";

On page 2, section 10, line 43, after the word, "aides", by inserting the word "paraprofessionals";

On page 2, section 10, line 44, after the word, "teacher", by striking out the words "or aides" and inserting a comma and the words "aides, or paraprofessionals";

On page 2, section 10, line 63, after the word "parent(s)" by inserting the word "or guardians";

On page 3, section 10, line 91, after the word "reading" by inserting the word "or mathematics";

On page 4, section, 10, lines 102-103, after the words "assistant teachers" by striking out the words "and aides" and inserting a comma and the words "aides and paraprofessionals";

On page 4, section 10, line 105, after the word "teacher" by striking out the words "or aid" and inserting a comma and the words "aides or paraprofessionals";

On page 7, section 10, line 173, by striking out the words "and aides" and inserting in lieu thereof "aides and paraprofessionals";

On page 7, section 10, line 176, after the word "teacher", by striking out the words "or aide" and inserting a comma and the words "aide or professional";

On page 7, section 10, line 179, after the word "aides" by inserting the word "paraprofessionals";

On page 8, section 10, line 203, after the word "arts" by inserting the word "or mathematics";

On pages 10-11, section 18a, lines 9-13, by striking out subdivision (2) in its entirety, and inserting in lieu thereof the following:

(2) For first, second, and third grades, not more than 25 pupils for each teacher and one early childhood classroom assistant teacher, aide or paraprofessional in classrooms with more than 12 pupils: *Provided,* That the early childhood classroom assistant teacher/aide/paraprofessional requirement for classrooms with more than 12 pupils shall be effective beginning the 2023-2024

school year, for first grade classrooms; shall be effective beginning the 2024-2025 school year, for second grade classrooms; and shall be effective beginning the 2025-2026 school year, for third grade classrooms; *Provided however*: That if all grade level classrooms are already being served by an early childhood classroom assistant teacher/aide/paraprofessional by the school year required, the county board has the discretion to add the assistant teachers/ aides/paraprofessionals in first, second and third grade classrooms of the greatest need beginning July 1, 2023 and completing full implementation by July 1, 2026 ; and

On page 10, section 18a, line 16, after the word "teacher" by striking out the words "or aide" and inserting a comma and the words "aide or paraprofessional";

And,

On page 10, section 18a, line 21, after the word "teachers" by striking out the words "and aides" and inserting a comma and the words "aides and paraprofessionals".

And,

With the further title amendment, sponsored by Delegate Ellington, amending the title of the bill to read as follows:

Com. Sub. for H. B. 3035 – "A Bill to amend and reenact §18-2E-10 of the Code of West Virginia, 1931, as amended; to amend and reenact §18-5-18a of said code; to amend and reenact §18-9A-5 of said code; and to amend and reenact §18-20-10 of said code, all relating to enhancing academic achievement of students including those with learning disabilities; establishing the Third Grade Success Act; replacing transformative system of support for early literacy with multi-tiered system of support for early literacy and numeracy in kindergarten through grade three; revising findings; defining 'science of reading'; revising inclusions in West Virginia Board of Education rules required to effectuate Third Grade Success Act section; requiring each county board to adopt high-quality instructional materials; specifying data to be used to inform the classroom teacher's recommendation on grade level retention; requiring county boards of education to provide in-

service training for early childhood classroom assistant teachers, aides, paraprofessionals, classroom teachers, and in certain instances, interventionists in grades kindergarten through three; updating deadlines for West Virginia Board of Education multi-tiered system of support for early literacy and numeracy reports; modifying provisions pertaining to funding for Third Grade Success Act section; requiring retention in the third grade in certain circumstances; specifying exceptions to third grade retention requirement; adding maximum early childhood classroom assistant teacher or aide-pupil ratio for kindergarten; adding maximum early childhood classroom assistant teacher, paraprofessional, or aide-pupil ratio for grades one through three; requiring ratios to be by grade level with flexibility once grade level requirement is met for full implementation by 2026; allowing county boards to employ an interventionist instead of an early childhood assistant teacher, paraprofessional or aide; removing requirement for survey of districts on class overcrowding and report to the Legislative Oversight Commission on Education Accountability a tailored plan for reducing class overcrowding; phasing in increased ratios of service personnel per 1,000 students for the purpose of determining the basic foundation allowance for service personnel; revising findings pertaining to standards to guide the preparation, certification, and professional development for teachers of reading and related literacy skills and appropriate measures for recognizing characteristics of dyslexia and dyscalculia; replacing responsibilities of the West Virginia Board of Education pertaining to specific learning disabilities, including dyslexia and dyscalculia, with duties of the state board and the local education agencies; requiring state board rule to implement section pertaining to dyslexia and dyscalculia; stating minimum inclusions for rule; requiring report of certain information to the Legislative Oversight Commission on Education Accountability."

The bill, as amended by the Senate, and further amended by the House, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 782)**, and there were—yeas 93, nays 2, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Dillon and Vance.

Absent and Not Voting: Cooper, Garcia, Kump, Mallow and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3035) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3135, To modify the salaries of the Governor and Constitutional officers beginning January 1, 2025.

On motion of Delegate Kelly, the House concurred in the following amendment by the Senate, with further amendment:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**§6-7-2. Salaries of certain state officers.**

(a) Beginning in the calendar year 2005, and for each calendar year after that, salaries for each of the state Constitutional officers are as follows:

(1) The salary of the Governor is $95,000 per year;

(2) The salary of the Attorney General is $80,000 per year;

(3) The salary of the Auditor is $75,000 per year;

(4) The salary of the Secretary of State is $70,000 per year;

(5) The salary of the Commissioner of Agriculture is $75,000 per year; and

(6) The salary of the state Treasurer is $75,000 per year.

(b) Notwithstanding the provisions of subsection (a) of this section, beginning in the calendar year 2009, and for each calendar year thereafter, salaries for each of the state Constitutional officers shall be as follows:

(1) The salary of the Governor shall be $150,000 per year;

(2) The salary of the Attorney General shall be $95,000 per year;

(3) The salary of the Auditor shall be $95,000 per year;

(4) The salary of the Secretary of State shall be $95,000 per year;

(5) The salary of the Commissioner of Agriculture shall be $95,000 per year; and

(6) The salary of the state Treasurer shall be $95,000 per year.

(c) Notwithstanding the provisions of subsection (a) or subsection (b) of this section, beginning calendar year 2025, and for each calendar year thereafter, the salary for the Governor shall be set by the Salary Table For Locality Pay Area of Rest of U.S. as published by the United States Office of Personnel Management. The salary of the Governor shall be equal to the amount set as Grade 15, Step 10 on the Salary Table For Locality Pay Area of Rest of U.S. The salary of the Governor shall be adjusted at the beginning of any calendar year when any modifications become effective to the Salary Table For Locality Pay Area of Rest of U.S table by the United State Office of Personnel Management.

(d) (c) Notwithstanding the provisions of subsection (a) or subsection (b) of this section, beginning calendar year 2025, and for each calendar year thereafter, the salary for the Attorney General, Auditor, Secretary of State, Commissioner of Agriculture, and the Treasurer shall be set by the Salary Table General Schedule Increase as published by the United States Office of Personnel Management. The salary of the Attorney General, Auditor,

Secretary of State, Commissioner of Agriculture, and the Treasurer shall be equal to the amount set as Grade 15, Step 4 on the Salary Table General Schedule Increase. The salary of the General Schedule Increase shall each be adjusted at the beginning of any calendar year when any modifications become effective to the Salary Table General Schedule Increase table by the United State Office of Personnel Management."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 3135 – "A Bill to amend and reenact §6-7-2 of the Code of West Virginia, 1931, as amended, relating to compensation of designated constitutional officers, including for the Governor, Attorney General, Auditor, Secretary of State, Commissioner of Agriculture, and State Treasurer, beginning in the calendar year 2025, and for each calendar year after that; providing for a means to calculate salaries of constitutional officers based upon federal salary tables; and providing for a salary increase when modifications are made to salary tables."

With the further amendment, sponsored by Delegates Householder and Criss, being as follows:

On page one, following line seventeen, by striking out subsections (c) and (d) in their entirety and inserting in lieu thereof new subsections (c) and (d) to read as follows:

"(c) Notwithstanding the provisions of subsection (a) or subsection (b) of this section, beginning calendar year 2025, and beginning in the calendar year of each fourth year thereafter, the salary of the Governor shall be set by the Salary Table For Locality Pay Area of Rest of U.S. as published by the United States Office of Personnel Management. The salary of the Governor shall be equal to the amount set as Grade 15, Step 10 on the Salary Table For Locality Pay Area of Rest of U.S. at the beginning of that calendar year and shall not be increased or diminished for the duration of the four year term of office beginning in that calendar year.

(d) Notwithstanding the provisions of subsection (a) or subsection (b) of this section, beginning calendar year 2025, and beginning in the calendar year of each fourth year thereafter, the salary of the Attorney General, Auditor, Secretary of State, Commissioner of Agriculture, and the Treasurer shall be set by the Salary Table General Schedule Increase as published by the United States Office of Personnel Management. The salary of the Attorney General, Auditor, Secretary of State, Commissioner of Agriculture, and the Treasurer shall be equal to the amount set as Grade 15, Step 4 on the Salary Table General Schedule Increase at the beginning of that calendar year and shall not be increased or diminished for the duration of the four year terms of each of those offices beginning in that calendar year."

And,

With the further title amendment sponsored by Delegates Householder and Criss, amending the title of the bill to read as follows:

Com. Sub. for H. B. 3135 – "A Bill to amend and reenact §6-7-2 of the Code of West Virginia, 1931, as amended, relating to compensation of designated constitutional officers, including for the Governor, Attorney General, Auditor, Secretary of State, Commissioner of Agriculture, and State Treasurer, beginning in the calendar year 2025, and beginning in the calendar year of each fourth year thereafter; providing for a means to calculate salaries of constitutional officers based upon certain federal salary tables; and providing for a salary modification when modifications are made to those salary tables at the beginning of each calendar year in which those officers' terms begin."

The bill, as amended by the Senate, and further amended by the House, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 783)**, and there were—yeas 53, nays 40, absent and not voting 7, with the nays and the absent and not voting being as follows:

Nays: Bridges, Brooks, Butler, Cannon, Capito, Chiarelli, Coop-Gonzalez, Dean, Dillon, Ferrell, Fluharty, Foster, Gearheart, Griffith, A. Hall, W. Hall, Hansen, Hillenbrand, Holstein, Hornbuckle, Horst, Householder, Kirby, Linville, Longanacre, C. Pritt, E. Pritt, Pushkin, Rohrbach, Ross, Rowe, Shamblin, Skaff, Street, Toney, Vance, Walker, Williams, Worrell and Young.

Absent and Not Voting: Cooper, Garcia, Hanna, Kump, Mallow, Ridenour and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3135) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3354, To authorize municipalities to combine operations with other municipalities and counties to provide governmental services.

Delegate Jeffries moved that the House of Delegates concur in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"**ARTICLE 12. GENERAL AND SPECIFIC POWERS, DUTIES AND ALLIED RELATIONS OF MUNICIPALITIES, GOVERNING BODIES AND MUNICIPAL OFFICERS AND EMPLOYEES; SUITS AGAINST MUNICIPALITIES.**

§8-12-5. General powers of every municipality and the governing body thereof.

In addition to the powers and authority granted by: (i) The Constitution of this state; (ii) other provisions of this chapter; (iii)

other general law; and (iv) any charter, and to the extent not inconsistent or in conflict with any of the foregoing except special legislative charters, every municipality and the governing body thereof shall have plenary power and authority therein by ordinance or resolution, as the case may require, and by appropriate action based thereon:

(1) To lay off, establish, construct, open, alter, curb, recurb, pave or repave and keep in good repair, or vacate, discontinue and close, streets, avenues, roads, alleys, ways, sidewalks, drains and gutters, for the use of the public, and to improve and light the same, and have them kept free from obstructions on or over them which have not been authorized pursuant to the succeeding provisions of this subdivision; and, subject to such terms and conditions as the governing body shall prescribe, to permit, without in any way limiting the power and authority granted by the provisions of ~~article sixteen of this chapter~~ §12-16-1 *et seq.* of this code, any person to construct and maintain a passageway, building, or other structure overhanging or crossing the airspace above a public street, avenue, road, alley, way, sidewalk, or crosswalk, but before any permission for any person to construct and maintain a passageway, building, or other structure overhanging or crossing any airspace is granted, a public hearing thereon shall be held by the governing body after publication of a notice of the date, time, place and purpose of the public hearing has been published as a Class I legal advertisement in compliance with the provisions of ~~article three, chapter fifty-nine~~ §59-3-1 *et seq.* of this code and the publication area for the publication shall be the municipality: *Provided,* That any permit so granted shall automatically cease and terminate in the event of abandonment and nonuse thereof for the purposes intended for a period of ~~ninety~~ 90 days, and all rights therein or thereto shall revert to the municipality for its use and benefit;

(2) To provide for the opening and excavation of streets, avenues, roads, alleys, ways, sidewalks, crosswalks, and public places belonging to the municipality and regulate the conditions under which any such opening may be made;

(3) To prevent by proper penalties the throwing, depositing or permitting to remain on any street, avenue, road, alley, way,

sidewalk, square, or other public place any glass, scrap iron, nails, tacks, wire, other litter, or any offensive matter or anything likely to injure the feet of individuals, ~~or~~ animals, or the tires of vehicles;

(4) To regulate the use of streets, avenues, roads, alleys, ways, sidewalks, crosswalks, and public places belonging to the municipality, including the naming or renaming thereof, and to consult with local postal authorities, the Division of Highways, and the directors of county emergency communications centers to assure uniform, nonduplicative addressing on a permanent basis;

(5) To regulate the width of streets, avenues and roads, and, subject to the provisions of article eighteen of this chapter, to order the sidewalks, footways, and crosswalks to be paved, repaved, curbed, or recurbed and kept in good order, free and clean, by the owners or occupants thereof or of the real property next adjacent thereto;

(6) To establish, construct, alter, operate, and maintain, or discontinue, bridges, tunnels, and ferries and approaches thereto;

(7) To provide for the construction and maintenance of water drains, the drainage of swamps or marshlands, and drainage systems;

(8) To provide for the construction, maintenance, and covering over of watercourses;

(9) To control and administer the waterfront and waterways of the municipality and to acquire, establish, construct, operate, and maintain and regulate flood control works, wharves and public landings, warehouses, and all adjuncts and facilities for navigation and commerce and the utilization of the waterfront and waterways and adjacent property;

(10) To prohibit the accumulation and require the disposal of garbage, refuse, debris, wastes, ashes, trash, and other similar accumulations whether on private or public property: *Provided,* That, in the event the municipality annexes an area which has been receiving solid waste collection services from a certificated solid waste motor carrier, the municipality and the solid waste motor

carrier may negotiate an agreement for continuation of the private solid waste motor carrier services for a period of time, not to exceed three years, during which time the certificated solid waste motor carrier may continue to provide exclusive solid waste collection services in the annexed territory;

(11) To construct, establish, acquire, equip, maintain, and operate incinerator plants and equipment and all other facilities for the efficient removal and destruction of garbage, refuse, wastes, ashes, trash, and other similar matters;

(12) To regulate or prohibit the purchase or sale of articles intended for human use or consumption which are unfit for use or consumption, or which may be contaminated or otherwise unsanitary;

(13) To prevent injury or annoyance to the public or individuals from anything dangerous, offensive or unwholesome;

(14) To regulate the keeping of gunpowder and other combustibles;

(15) To make regulations guarding against danger or damage by fire;

(16) To arrest, convict, and punish any individual for carrying about his or her person any revolver or other pistol, dirk, bowie knife, razor, slingshot, billy, metallic or other false knuckles, or any other dangerous or other deadly weapon of like kind or character: *Provided*, That with respect to any firearm a municipality may only arrest, convict, and punish someone if they are in violation of an ordinance authorized by ~~subsection five-a of this article~~ §8-12-5(a) of this code, a state law proscribing certain conduct with a firearm or applicable federal law;

(17) To arrest, convict, and punish any person for importing, printing, publishing, selling, or distributing any pornographic publications;

(18) To arrest, convict, and punish any person for keeping a house of ill fame, or for letting to another person any house or other

building for the purpose of being used or kept as a house of ill fame, or for knowingly permitting any house owned by him or her or under his or her control to be kept or used as a house of ill fame, or for loafing, boarding, or loitering in a house of ill fame, or frequenting same;

(19) To prevent and suppress conduct and practices which are immoral, disorderly, lewd, obscene, and indecent;

(20) To prevent the illegal sale of intoxicating liquors, drinks, mixtures, and preparations;

(21) To arrest, convict, and punish any individual for driving or operating a motor vehicle while intoxicated or under the influence of liquor, drugs, or narcotics;

(22) To arrest, convict, and punish any person for gambling or keeping any gaming tables, commonly called "A, B, C," or "E, O," table or faro bank or keno table, or table of like kind, under any denomination, whether the gaming table be played with cards, dice, or otherwise, or any person who shall be a partner or concerned in interest, in keeping or exhibiting the table or bank, or keeping or maintaining any gaming house or place, or betting or gambling for money or anything of value;

(23) To provide for the elimination of hazards to public health and safety and to abate or cause to be abated anything which in the opinion of a majority of the governing body is a public nuisance;

(24) To license, or for good cause to refuse to license in a particular case, or in its discretion to prohibit in all cases, the operation of pool and billiard rooms and the maintaining for hire of pool and billiard tables notwithstanding the general law as to state licenses for any such business and the provisions of ~~section four, article thirteen of this chapter~~ §8-13-4 of this code; and when the municipality, in the exercise of its discretion, refuses to grant a license to operate a pool or billiard room, mandamus may not lie to compel the municipality to grant the license unless it shall clearly appear that the refusal of the municipality to grant a license is discriminatory or arbitrary; and in the event that the municipality

determines to license any business, the municipality has plenary power and authority and it shall be the duty of its governing body to make and enforce reasonable ordinances regulating the licensing and operation of the businesses;

(25) To protect places of divine worship and to preserve peace and order in and about the premises where held;

(26) To regulate or prohibit the keeping of animals or fowls and to provide for the impounding, sale, or destruction of animals or fowls kept contrary to law or found running at large;

(27) To arrest, convict, and punish any person for cruelly, unnecessarily or needlessly beating, torturing, mutilating, killing, ~~or~~ overloading or overdriving, or willfully depriving of necessary sustenance any domestic animal;

(28) To provide for the regular building of houses or other structures, for the making of division fences by the owners of adjacent premises and for the drainage of lots by proper drains and ditches;

(29) To provide for the protection and conservation of shade or ornamental trees, whether on public or private property, and for the removal of trees or limbs of trees in a dangerous condition;

(30) To prohibit with or without zoning the location of occupied house trailers or mobile homes in certain residential areas;

(31) To regulate the location and placing of signs, billboards, posters, and similar advertising;

(32) To erect, establish, construct, acquire, improve, maintain, and operate a gas system, a waterworks system, an electric system, or sewer system and sewage treatment and disposal system, or any combination of the foregoing (subject to all of the pertinent provisions of ~~articles nineteen and twenty of this chapter~~ §8-19-1 *et seq.* and §8-20- *et seq.* of this code and particularly to the limitations or qualifications on the right of eminent domain set forth in ~~articles nineteen and twenty~~ §8-19-1 *et seq.* and §8-20- *et*

seq. of this code), within or without the corporate limits of the municipality, except that the municipality may not erect any system partly without the corporate limits of the municipality to serve persons already obtaining service from an existing system of the character proposed and where the system is by the municipality erected, or has heretofore been so erected, partly within and partly without the corporate limits of the municipality, the municipality has the right to lay and collect charges for service rendered to those served within and those served without the corporate limits of the municipality and to prevent injury to the system or the pollution of the water thereof and its maintenance in a healthful condition for public use within the corporate limits of the municipality;

(33) To acquire watersheds, water and riparian rights, plant sites, rights-of-way, and any and all other property and appurtenances necessary, appropriate, useful, convenient, or incidental to any system, waterworks or sewage treatment and disposal works, as aforesaid, subject to all of the pertinent provisions of ~~articles nineteen and twenty of this chapter~~ §8-19-1 *et seq.* and §8-20- *et seq.* of this code;

(34) To establish, construct, acquire, maintain, and operate and regulate markets and prescribe the time of holding the same;

(35) To regulate and provide for the weighing of articles sold or for sale;

(36) To establish, construct, acquire, maintain and operate public buildings, municipal buildings or city halls, auditoriums, arenas, jails, juvenile detention centers or homes, motor vehicle parking lots, or any other public works;

(37) To establish, construct, acquire, provide, equip, maintain, and operate recreational parks, playgrounds, and other recreational facilities for public use and in this connection also to proceed in accordance with the provisions of ~~article two, chapter ten~~ §10-2-1 *et seq.* of this code;

(38) To establish, construct, acquire, maintain, and operate a public library, ~~or~~ museum, or both for public use;

(39) To provide for the appointment and financial support of a library board in accordance with the provisions of ~~article one, chapter ten~~ §10-1-1 *et seq.* of this code;

(40) To establish and maintain a public health unit in accordance with the provisions of ~~section two, article two, chapter sixteen~~ §16-2-2 of this code, which unit shall exercise its powers and perform its duties subject to the supervision and control of the West Virginia Board of Health and State Bureau for Public Health;

(41) To establish, construct, acquire, maintain, and operate hospitals, sanitarians, and dispensaries;

(42) To acquire, by purchase, condemnation or otherwise, land within or near the corporate limits of the municipality for providing and maintaining proper places for the burial of the dead and to maintain and operate the same and regulate interments therein upon terms and conditions as to price and otherwise as may be determined by the governing body and, in order to carry into effect the authority, the governing body may acquire any cemetery or cemeteries already established;

(43) To exercise general police jurisdiction over any territory without the corporate limits owned by the municipality or over which it has a right-of-way;

(44) To protect and promote the public morals, safety, health, welfare, and good order;

(45) To adopt rules for the transaction of business and the government and regulation of its governing body;

(46) Except as otherwise provided, to require and take bonds from any officers, when considered necessary, payable to the municipality, in its corporate name, with such sureties and in a penalty as the governing body may see fit, conditioned upon the faithful discharge of their duties;

(47) To require and take from the employees and contractors such bonds in a penalty, with such sureties and with such conditions, as the governing body may see fit;

(48) To investigate and inquire into all matters of concern to the municipality or its inhabitants;

(49) To establish, construct, require, maintain, and operate such instrumentalities, other than free public schools, for the instruction, enlightenment, improvement, entertainment, recreation, and welfare of the municipality's inhabitants as the governing body may consider necessary or appropriate for the public interest;

(50) To create, maintain, and operate a system for the enumeration, identification, and registration, or either, of the inhabitants of the municipality and visitors thereto, or the classes thereof as may be considered advisable;

(51) To require owners, residents or occupants of factory-built homes situated in a factory-built rental home community with at least ten factory-built homes, to visibly post the specific numeric portion of the address of each factory-built home on the immediate premises of the factory-built home of sufficient size to be visible from the adjoining street: *Provided,* That in the event no numeric or other specific designation of an address exists for a factory-built home subject to the authorization granted by this subdivision, the municipality has the authority to provide a numeric or other specific designation of an address for the factory-built home and require that it be posted in accordance with the authority otherwise granted by this section.

(52) To appropriate and expend not exceeding ~~twenty-five~~ 25 cents per capita per annum for advertising the municipality and the entertainment of visitors;

(53) To conduct programs to improve community relations and public relations generally and to expend municipal revenue for such purposes;

(54) To reimburse applicants for employment by the municipality for travel and other reasonable and necessary expenses actually incurred by the applicants in traveling to and from the municipality to be interviewed;

(55) To provide revenue for the municipality and appropriate the same to its expenses;

(56) To create and maintain an employee benefits fund which may not exceed one tenth of one percent of the annual payroll budget for general employee benefits and which is set up for the purpose of stimulating and encouraging employees to develop and implement cost-saving ideas and programs and to expend moneys from the fund for these purposes;

(57) To enter into reciprocal agreements with governmental subdivisions or agencies of any state sharing a common border for the protection of people and property from fire and for emergency medical services and for the reciprocal use of equipment and personnel for these purposes;

(58) To provide penalties for the offenses and violations of law mentioned in this section, subject to the provisions of ~~section one, article eleven of this chapter~~ §8-11-1 of this code, and such penalties may not exceed any penalties provided in this chapter and ~~chapter sixty-one~~ §61-1-1 *et seq.* of this code for like offenses and violations; ~~and~~

(59) To participate in a purchasing card program for local governments authorized and administered by the State Auditor as an alternative payment method; and

(60) To enter into agreements with one or more other municipalities, and with county commissions to combine and share selected governmental services by combining operations, equipment, and employees into a unified government service."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 3354 – "A Bill to amend and reenact §8-12-5 of the Code of West Virginia, 1931, as amended, relating to allowing municipalities to combine operations with other municipalities and counties to provide governmental services."

During debate, Delegate Martin moved the previous question, which demand was sustained.

On this question, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken **(Roll No. 784)**, and there were—yeas 81, nays 14, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Anderson, Dean, DeVault, Dillon, Fast, Griffith, Hansen, Honaker, Hornbuckle, Kirby, Pushkin, Statler, Walker and Worrell.

Absent and Not Voting: Cooper, Jennings, Kump, Mallow and Westfall.

So, a majority of the members present having voted in the affirmative, the previous question was ordered.

On the motion to concur in the Senate amendments, the yeas and nays were demanded, which demand was sustained.

The yeas and nays have been ordered, they were taken **(Roll No. 785)**, and there were—yeas 41, nays 54, absent and not voting 5, with the yeas and the absent and not voting being as follows:

Yeas: Anderson, Capito, Clark, Dittman, Ellington, Fehrenbacher, Ferrell, Fluharty, Garcia, Gearheart, W. Hall, Hansen, Hardy, Hornbuckle, Kelly, Kirby, Marple, Maynor, McGeehan, Miller, Petitto, Phillips, Pinson, E. Pritt, Pushkin, Riley, Rowe, Shamblin, Sheedy, Skaff, Smith, Statler, Storch, Summers, Thorne, Walker, Warner, Williams, Young, Zatezalo and Hanshaw (Mr. Speaker).

Absent and Not Voting: Cooper, Jennings, Kump, Mallow and Westfall.

So, a majority of the members present not having voted in the affirmative, the motion to concur was rejected.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

Conference Committee Reports

Delegate Kelly, from the committee of conference on matters of disagreement between the two houses, as to

Com. Sub. for H. B. 3302, To recognize unborn child as distinct victim in a DUI causing death.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendment of the Senate to Committee Substitute for House Bill 3302 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses as follows:

That the Senate recede from its amendment striking everything after the enacting clause;

And,

That both houses recede from their respective positions as to the title of the bill and agree to a new title to read as follows:

Eng. Com. Sub. for House Bill 3302— A Bill to amend and reenact §17C-5-2 of the Code of West Virginia, 1931, as amended, and to amend and reenact §61-2-30 of said code; all relating to including an embryo or fetus as a distinct unborn victim for certain driving under the influence of alcohol or drugs offenses; including an embryo or fetus as a distinct unborn victim for the offenses of driving under the influence of alcohol or drugs causing death and driving under the influence of alcohol or drugs causing serious bodily injury; clarifying that a pregnant woman and the embryo or fetus she is carrying in the womb constitute separate and distinct victims as applied to the offenses of driving under the influence of alcohol or drugs causing death and driving under the influence of alcohol or drugs causing serious bodily injury; and establishing criminal penalties. *PREAMBLE: THIS LAW SHALL BE KNOWN AS LIAM'S LAW*

Respectfully submitted,

Vince Deeds *Chair.*	David Kelly, *Chair.*
Bill Hamilton,	Bryan Ward,
Mike Woeful	Joey Garcia.
Conferees on the part of the Senate.	*Conferees on the part of the House of Delegates.*

On the question of adoption of the report of the committee of conference, the same was put and the Speaker declared the motion adopted.

The bill, as amended by said report, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 786)**, and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Cooper, Jennings, Kump, Mallow and Westfall.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3302) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

Delegate Phillips from the committee of conference on matters of disagreement between the two houses, as to

Com. Sub. for H. B. 3261, Relating to Social Workers Qualifications.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendment of the Senate to the Committee Substitute for House Bill 3261 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses as follows:

That both houses recede from their respective positions as to the amendment of the Senate on pages 3 through 4, by striking out all of section 110a, and that the Senate and House agree to an amendment as follows:

CHAPTER 49. CHILD WELFARE.

ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.

§49-2-110a Bureau of Social Service authority to hire and employ workers who are not social workers in geographical areas of critical shortage.

(a) The Legislature hereby finds that there is a crisis in West Virginia in certain geographical regions of the state, that is caused by an absence of people employed by the Department of Health and Human Resources as child protective services workers, youth case workers, and support staff for these positions.

(b) Notwithstanding any other provisions of this code to the contrary, the Bureau of Social Services, pursuant to the provisions of this section, may establish a pilot program to employ persons who do not hold a social worker's license and persons who are not on the social work register to work for the bureau as child protective services workers, youth case workers and support staff, in geographical areas of critical shortage of this state.

(c) For purposes of this pilot program and this section, "geographical areas of critical shortage" means the counties comprising the 14th judicial circuit and the 23rd judicial circuit as of the effective date of the amendments to the section enacted during the 2023 regular session of the Legislature.

(d) Workers hired by the bureau under this section to work in geographical areas of critical shortage may be employed by the bureau and work in said geographical areas as child protective services workers, youth service workers, case managers, clerical staff and in other related positions for the bureau. Wherever possible, workers hired pursuant to this section shall be supervised by a licensed social worker.

(e) The provisions of this section shall operate independently of, and in addition to, any other provisions of law or policy that allow persons to be employed in these jobs, and the provisions of this section do not eliminate any other provisions of law that permit persons to be employed in the jobs described in this section.

(f) In order for a person to be eligible for employment under this section, he or she shall:

(1) Be at least 18 years of age.

(2)(A) Have an associate's degree or higher in social work, human services, sociology, psychology, or social services from an accredited college, university, community and technical college, community college or junior college; or

(B) Be an honorably retired law enforcement officer or be an honorably retired parole officer or honorably retired federal or state probation officer.

(3) Provide to the bureau three letters of recommendation from persons not related to the applicant.

(4) Not be an alcohol or drug abuser, as these terms are defined in §27-1A-11 of this code: *Provided*, That an applicant in an active recovery process, which may, in the discretion of the bureau, be evidenced by participation in an acknowledged substance abuse treatment and/or recovery program, may be considered;

(5) Satisfy the requirements of the West Virginia Clearance for Access Registry and Employment Screening Act, §16-49-1 *et seq.* of this code; and

(6) Satisfy the requirements provided in §30-1-24 of this code.

(C) Meet any other requirements established by the bureau.

(g) The bureau shall provide training to any and all persons hired and employed hereunder, as the bureau deems appropriate.

(h) The provisions of this section authorizing the hiring of persons shall sunset, expire, and be of no force and effect on or after the 31st day of December 2026, but shall not serve to require the termination of persons hired pursuant to this section.

And,

That both houses recede from their respective positions as to the title of the bill and agree to the same as follows:

Eng. Com. Sub. for House Bill 3261— A Bill to amend and reenact §30-30-16 of the Code of West Virginia, 1931, as amended; and to further amend said code by adding thereto a new section, designated §49-2-110a all relating to social work and child welfare generally; directing that provisional social workers who are laid off or ill during the four year provisional licensure period may request the West Virginia Board of Social Work allow a reasonable interruption in service and allow additional time to complete the licensure requirements; declaring a crisis exists in certain parts of the state due to an absence of child protective services, youth services workers, youth case workers and support staff; defining affected geographical areas; establishing a three year pilot program in two judicial circuits; designating the 14th and 23rd judicial circuits as the pilot program judicial circuits; authorizing the hiring of persons not on the

Respectfully submitted,

Charles S. Trump,
Chair.

Chris Phillips,
Chair.

Tom Takubo,

Pat McGeehan,

Robert Plymale,

Kayla Young,

Conferees on the part of the Senate.

Conferees on the part of the House of Delegates.

On the question of adoption of the report of the Committee of Conference, the same was put and the Speaker declared the motion adopted.

The bill, as amended by said report, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 787)**, and there were—yeas 90, nays 5, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Garcia, Gearheart, Rowe, Walker and Young.

Absent and Not Voting: Bridges, Cooper, Kump, Mallow and Westfall.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3261) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by

The Clerk of the Senate, announced the adoption of the report of the committee of conference on, and the passage, as amended by said report, of

Com. Sub. for S. B. 617, Relating to Intellectual and Development Disabilities Waiver Program Workforce Study.

Delegate Summers, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Senate Bill No. 617, Relating to Intellectual and Development Disabilities Waiver Program Workforce Study.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendments of the House to Engrossed Committee Substitute for Senate Bill 617 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

ARTICLE 5W. REGULATION OF BEHAVIORAL HEALTH.

§16-5W-1. Reporting.

(a) The Office of the Inspector General shall send to county prosecutors any findings that may be subject to criminal prosecution in cases of abuse and neglect with IDD. The Office of the Inspector General shall send to the P&A the findings of any cases involving instances of substantiated abuse or neglect involving a person with a developmental disability.

(b) An annual report shall be submitted to the Legislative Oversight Commission on Health and Human Resources Accountability including:

(1) All instances where abuse and neglect cases involving IDD at any location has been substantiated by the Office of the Inspector General.

(2) The county or region where the substantiated abuse or neglect occurred;

(2) The descriptive category of the abuse and neglect;

(3) The type of setting where the abuse and neglect occurred;

(4) Whether the abuse and neglect information was turned over to the county prosecutor and law enforcement;

(5) The name of the provider, if the provider is involved, who is charged with the care of the individual; and

(6) The age range and gender of the individual.

(c) In instances where abuse and/or neglect leads to the death of an individual, the department shall send a letter, within 30 days after the findings where substantiated, to the Senate President, the Speaker of the House, and the chairs of LOCHHRA outlining the information above about the case.

§16-5W-2. Independent Mental Health Ombudsman.

(a) (1) The Office of the Inspector General shall continue an independent mental health ombudsman;

(2) The duties of the mental health ombudsman shall include, but are not limited to, the following:

(A) Advocating for the well-being, treatment, safety, and rights of consumers of mental health care facilities or psychiatric hospital;

(B) Participating in any procedure to investigate, and resolve complaints filed on behalf of a consumer of a mental health care facility or psychiatric hospital, relating to action, inaction, or decisions of providers of mental and behavioral health, of public agencies, or social service agencies, which may adversely affect the health, safety, welfare, and rights of a consumer of a mental health care facility or psychiatric hospital; and

(C) Monitoring the development and implementation of federal, sate, and local legislation, regulations, and policies with respect to mental and behavioral health care and services;

(3) The mental health ombudsman shall participate in ongoing training programs related to his or her duties or responsibilities;

(4)(A) Information relating to any investigation of a complaint that contains the identity of the complainant or consumer shall remain confidential except:

(i) Where imminent risk of serious harm is communicated directly to the mental health ombudsman or his or her staff; or

(ii) Where disclosure is necessary to the Office of Health Facility Licensure and Certification in order for such office to determine the appropriateness of initiating an investigation to determine facility compliance with applicable rules of licensure, certification, or both;

(B) The mental health ombudsman shall maintain confidentiality with respect to all matters including the identities of complainants, witnesses, or others from whom information is acquired, except insofar as disclosures may be necessary to enable the mental health care ombudsman to carry out duties of the office or to support recommendations;

(C) All information, records, and reports received by or developed by the mental health ombudsman program which relate to a consumer of a mental health care facility or psychiatric hospital, including written material identifying a consumer are confidential, and are not subject to the provisions of §29-1-1, *et seq.* of this code, and may not be disclosed or released by the mental health ombudsman program, except under the circumstances enumerated in this section;

(D) Nothing in this section prohibits the preparation and submission by the mental health ombudsman of statistical data and reports, as required to implement the provisions of this section or any applicable federal law, exclusive of any material that identifies any consumer or complainant; and

(E) The Inspector General shall have access to the records and files of the mental health ombudsman program to verify its effectiveness and quality.

§16-5W-3. Intellectual and Developmental Disabilities Waiver Program workforce study.

(a) By July 1, 2023, the Legislative Oversight Commission on Health and Human Resources Accountability shall conduct a workforce study pertaining to the Intellectual and Developmental Disabilities Waiver Program (IDDW Program). The study shall use

data and statistics generally relied upon by reasonably prudent individuals, and shall determine/address the following:

(1) The categories of personnel offering services as part of the IDDW Program;

(2) The mean hourly pay rate for each such category of personnel, broken down by West Virginia County where service is provided to patients;

(3) The mean hourly pay rate for each such category of personnel offering services as part of programs equivalent to the IDDW Program in surrounding states.

(4) A comparison of the hourly pay rates identified in subdivisions 2 and 3 of this section, broken down by category of personnel; and

(5) Any other factor the commission reasonably deems relevant to the issues.

(b) Within the report the commission shall make recommendations as to the appropriateness of the current mean hourly pay rate for each category of IDDW Program personnel, as well as any potential pay rate increases necessary to ensure that the IDDW Programs can successfully recruit and retain qualified personnel.

(c) The commission shall issue the report by January 1, 2024.

§16-5W-4. Annual capitation rate review.

(a) The Bureau of Medicaid Services shall conduct an annual study reviewing the adequacy and appropriateness of the reimbursement rates to providers in the IDDW Program. The bureau shall also include a recommendation for any adjustment deemed appropriate, including, but not limited to, annual inflationary costs, costs arising from amendments to existing contracts, costs relating to recruiting and retaining personnel, and any other costs necessitating additional payments to IDDW providers. The bureau may require, and contracted providers shall

provide financial data to the bureau to assist in the study. Without limiting the generality of the foregoing in conducting this study, the bureau shall review and compare equivalent programs both in and out of state in order to determine appropriate rates.

(b) Upon completion of the study, BMS shall provide the report to the Joint Committee of Finance beginning July 1, 2024, and annually thereafter, on its findings, conclusions, and recommendations, together with drafts of any legislation necessary to effectuate its recommendations.

CHAPTER 27. MENTALLY ILL PERSONS.

ARTICLE 8. ~~MAINTENANCE OF MENTALLY ILL OR MENTALLY RETARDED PATIENTS.~~

§27-8-2b. Local mental health programs — Separate account for receiving and expending gifts, bequests, donations, fees and miscellaneous income.

[Repealed.]

§27-8-3. Care of patients in boarding homes.

[Repealed.]

ARTICLE 16. ~~STERILIZATION OF MENTAL DEFECTIVES~~.

And,

That both houses recede from their respective positions as to the title of the bill and agree to the same as follows:

Eng. Senate Bill 617 — A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated, §16-5W-1, §16-5W-2, §16-5W-3, §16-5W-4; and to repeal §27-8-2b and §27-8-3 of said code; all relating to behavioral health services; establishing a mental health ombudsman; providing authority to the ombudsman; providing an exemption of consumer information from the Freedom of Information Act; requiring reporting; requiring a workforce study; outlining

program data required to be included in the study; requiring recommendations for hourly pay; creating an annual capitation review; repealing antiquated code; and repealing antiquated terminology.

Respectfully submitted,

Mike Maroney, Chair.	Amy Summers, Chair.
Jason Barrett	John Hardy
Mike Woelfel	John Williams
Conferees on the part of the Senate.	*Conferees on the part of the House of Delegates.*

On the question of adoption of the report of the committee of conference, the same was put and prevailed.

The bill, as amended by said report, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 788)**, and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Cooper, Kump, Mallow and Westfall.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 617) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

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Speaker Pro Tempore Espinosa in the Chair

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Delegate Rowe arose to inquire of the Chair regarding the House asking the Senate to recede from its position on Com. Sub. for H. B. 3354.

Speaker Hanshaw in the Chair

There being no objection, the House agreed to communicate to the Senate the action of the House on **Com. Sub. for H. B. 3354** with the request that the Senate recede from its position.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3303, Clarifying and expanding the powers and duties of the director of the Coalfield Community Development Office.

On motion of Delegate Jeffries, the House concurred in the following amendment of the bill by the Senate:

On page 1, section 4, line 2, by striking out the word "Commerce" and inserting in lieu thereof "Economic Development";

On page 1, section 4, line 7, by striking out "2023" and inserting in lieu thereof "2026";

And,

On page 3, after line 38, by adding thereto a new section, designated section 14, to read as follows:

"**§5B-2A-14. Sunset.**

Unless acted upon by the Legislature, this article will sunset on June 30, 2032, at which time the Office of Coalfield Community Development shall terminate."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 3303 – "A Bill to amend and reenact §5B-2A-4 and§5B-2A-5 of the Code of West Virginia, 1931, as amended, and by adding thereto a new section, §5B-2A-14, all relating to the Office of Coalfield Community Development; continuing the Office of Coalfield Community Development under the Department of Economic Development; providing that the Governor appoint and set the salary of the director of the office by July 1, 2026; providing that funding for position to carry out the duties of the office shall be as provided by appropriation of the Legislature; clarifying and providing additional duties, powers, and responsibilities for the Office of Coalfield Community Development; and providing a sunset date."

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 789)**, and there were—yeas 84, nays 10, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Fluharty, Griffith, Hansen, Hornbuckle, E. Pritt, Pushkin, Rowe, Street, Walker and Young.

Absent and Not Voting: Bridges, Cooper, Garcia, Kump, Mallow and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3303) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

Miscellaneous Business

On motion of Delegate Householder, the Speaker was authorized to appoint a committee of three to notify the Senate that the House of Delegates had completed the business of this First

Regular Session of the 86th Legislature and was ready to adjourn *sine die.*

Whereupon,

The Speaker appointed as members of said committee the following:

Delegates Smith, Thorne and Rowe.

On motion of Delegate Householder, the Speaker was authorized to appoint a committee of three on the part of the House of Delegates, to join with a similar committee of the Senate, to inform His Excellency, the Governor, that the Legislature had completed the business of the session and was ready to adjourn *sine die.*

The Speaker appointed as members of said committee the following:

Delegates Criss, Hardy and Griffith.

Messages from the Senate

A message from the Senate, received by the House following *sine die* adjournment of the House of Delegates, by

The Clerk of the Senate, announced that the Senate has completed its labors for the first regular session of the 86th Legislature and adjourned *sine die.*

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the title amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 451, Relating to Teachers Retirement System and Teachers' Defined Contribution Retirement System.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 558, Prohibiting law-enforcement agencies from posting booking photographs of certain criminal defendants on social media.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3517, Making a supplementary appropriation to the Division of Human Services – Child Care and Development.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3518, Making a supplementary appropriation to the Department of Agriculture.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3524, Making a supplementary appropriation to the Department of Agriculture – West Virginia Spay Neuter Assistance Fund.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3526, Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3542, Expiring funds to the Department of Administration, Board of Risk and Insurance Management, Public Entity Insurance Trust Fund.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3553, Supplementing and amending appropriations to Department of Health and Human Resources.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3557, Making a supplementary appropriation to the Department of Veterans' Assistance.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3563, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3039, Making a supplementary appropriation to Adjutant General - State Militia.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3065, Supplementing appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities - Aeronautics Commission.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3067, Supplementing and amending appropriations to Department of Transportation, Division of Multimodal Transportation Facilities - Public Transit.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3073, Supplementing and amending appropriations to Adjutant General - State Militia.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3074, Supplementing appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3108, Supplementing and amending appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities - State Rail Authority.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3109, Supplementing and amending appropriations to the State Board of Education - State Department of Education.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2883, Making a supplemental appropriation from the Coronavirus State Fiscal Recovery Fund.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 2904, Supplementing and amending appropriations to the Department of Commerce, Office of the Secretary.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 2907, Supplementing and amending appropriations to the Department of Administration, Division of General Services.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2908, Supplementing and amending appropriations to the Department of Commerce, Division of Forestry.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2911, Supplementing and amending appropriations to the Department of Homeland Security, Division of Administrative Services.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 2913, Supplementing and amending appropriations to the DHHR, Consolidated Medical Services Fund.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2914, Supplementing and amending appropriations to the Governor's Office - Civil Contingent Fund.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2928, Supplementing and amending appropriations to DHHR, Division of Health.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 478, Relating to Jumpstart Savings Program.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the title amendment of the House of Delegates and the passage, as amended, to take effect from passage, of

Com. Sub. for S. B. 613, Relating generally to certificates of need.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3036, Increasing the number of districts and the limit on approved costs under the BUILD WV Act.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3077, Relating to making the use of the multi-state real time tracking system permanent.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3224, Adding West Virginia Junior College to the list of eligible institutions that accept PROMISE scholarship recipients.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 121, Creating Student Journalist Press Freedom Protection Act.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 200, Allowing leashed dogs to track wounded elk, turkey, and wild boar when hunting.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 220, Industrial Hemp Development Act.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

S. B. 533, Relating to limitations on motor vehicle used by nonprofit cooperative recycling associations.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

S. B. 544, Increasing power purchase agreement cap.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 548, Clarifying what parties can redeem delinquent property and limiting those entitled to bid.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3271, Relating to increasing monitoring of special education classrooms.

A message from the Senate, by

The Clerk of the Senate, announced concurrence by the Senate in the amendment of the House of Delegates to the amendment of the Senate, and the passage, as amended, of

Com. Sub. for H. B. 3190, Amending the definition of "minor".

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 561, Relating to administration of WV Drinking Water Treatment Revolving Fund Act.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

S. B. 733, Relating to wildlife licenses and stamps.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

S. B. 737, Emergency Medical Services Act.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

S. B. 740, Relating to compensation and expense reimbursement for members of Legislature.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 633, Requiring prompt appearances for persons detained on capiases.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 647, Relating to substantiation of abuse and neglect allegations.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 661, Clarifying preferential recall rights for employees sustaining compensable injury.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 677, Clarifying role and responsibilities of State Resiliency Officer.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

S. B. 735, Clarifying department responsible for administration of certain programs.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2821, Relating to taxation of gambling and lottery winnings.

A message from the Senate, by

The Clerk of the Senate, announced concurrence by the Senate in the amendment of the House of Delegates to the amendment of the Senate, and the passage, as amended, of

Com. Sub. for H. B. 2917, Relating to allowing retired state employees who meet the minimum qualifications necessary, to render post-retirement employment with the Department of Health and Human Resources.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3092, Relating to in-state food service permit reciprocity.

A message from the Senate, by

The Clerk of the Senate, announced concurrence by the Senate in the amendment of the House of Delegates to the amendment of the Senate, and the passage, as amended, of

H. B. 2967, Expediting License Applications for active military members and veterans, and their spouses.

A message from the Senate, by

The Clerk of the Senate, announced concurrence by the Senate in the amendment of the House of Delegates to the amendment of the Senate, and the passage, as amended, of

Com. Sub. for H. B. 3135, To modify the salaries of the Governor and Constitutional officers beginning January 1, 2025.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3199, Relating to removing the requirement that an ectopic pregnancy be reported.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had receded from its amendments, and again passed, a bill of the House of Delegates as follows:

Com. Sub. for H. B. 3315, Relating generally to readiness enhancement and commission bonuses.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

H. B. 3371, Relating to federal funds for land-grant institutions.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

H. B. 3441, Revising the training requirements for members of the Higher Education Policy Commission, Council for Community and Technical College Education and the institutional governing boards.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had receded from its amendments, and again passed, a bill of the House of Delegates as follows:

H. B. 3443, Relating to a development or improvement on land subject to review by the State Historic Preservation Office.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

H. B. 3560, Relating to expanding the definitions of land and recreational purposes.

A message from the Senate, by

The Clerk of the Senate, announced the adoption of the report of the committee of conference on, and the passage, as amended by said report, of

Com. Sub. for H. B. 3261, Relating to Social Workers Qualifications.

A message from the Senate, by

The Clerk of the Senate, announced concurrence by the Senate in the amendment of the House of Delegates to the amendment of the Senate, and the passage, as amended, of

Com. Sub. for H. B. 3306, Relating to the organizational structure of the Office of Drug Control Policy.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3344, To pay certain moral obligations of the state.

A message from the Senate, by

The Clerk of the Senate, announced concurrence by the Senate in the amendment of the House of Delegates to the amendment of the Senate, and the passage, as amended, of

H. B. 3552, Relating to per diem jail costs.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates as follows:

Com. Sub. for H. B. 2005, Establishing the dual enrollment pilot program to be administered by the Higher Education Policy Commission and the Council for Community and Technical College Education in conjunction with the State Board of Education,

Com. Sub. for H. B. 2862, Relating generally to requirements for shareholder voting by the West Virginia Investment Management Board and the Board of Treasury Investments,

Com. Sub. for H. B. 3168, Ensuring investment in WV Tourism is competitive with other states and accessible long term,

Com. Sub. for H. B. 3311, Relating to wine alcohol by volume as compared to beer,

Com. Sub. for H. B. 3369, Creating a School Safety Unit within the Division of Protective Services,

H. B. 3509, Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission – Consumer Advocate Fund,

H. B. 3512, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services,

H. B. 3513, Making a supplementary appropriation to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority,

H. B. 3514, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Birth-to-Three Fund,

H. B. 3515, Making a supplementary appropriation to the Department of Veterans' Assistance, Veterans' Facilities Support Fund,

H. B. 3516, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Safe Drinking Water Treatment,

And,

H. B. 3564, Making a supplementary appropriation to the Division of Human Services - Energy Assistance.

A message from the Senate, by

The Clerk of the Senate, announced concurrence by the Senate in the amendment of the House of Delegates to the amendment of the Senate, and the passage, as amended, of

Com. Sub. for H. B. 2007, Prohibiting certain medical practices,

Com. Sub. for H. B. 2008, Requiring local entities to enforce immigration laws,

Com. Sub. for H. B. 2026, Authorizing municipalities with police or firefighter employees in PERS to elect to become participating employer in Municipal Police Officer and Firefighter Retirement System for a limited time,

Com. Sub. for H. B. 2540, Travel Insurance Model Act,

Com. Sub. for H. B. 3036, Increasing the number of districts and the limit on approved costs under the BUILD WV Act,

Com. Sub. for H. B. 3084, Relating to revising provisions related to public charter schools,

Com. Sub. for H. B. 3332, Creating judicial circuits and assigning the number of circuit judges in each circuit to be elected in the 2024 election.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 232, Creating study group to make recommendations regarding diversion of persons with disabilities from criminal justice system,

S. B. 240, Requiring state board of examination or registration proceedings to be open to public inspection,

Com. Sub. for S. B. 345, Authorizing Department of Revenue to promulgate legislative rules,

Com. Sub. for S. B. 422, Requiring public schools to publish curriculum online at beginning of each new school year,

S. B. 457, Removing certain activities Alcohol Beverage Control Commission licensee is prohibited to permit on private club premises,

Com. Sub. for S. B. 461, Relating to WV public employees grievance procedure,

Com. Sub. for S. B. 468, Continuing Cabwaylingo State Forest Trail System,

Com. Sub. for S. B. 495, Providing correctional institutions and juvenile facilities video and audio records be confidential,

Com. Sub. for S. B. 522, Allocating percentage of county excise taxes for funding improvements to election administration,

Com. Sub. for S. B. 534, Relating to nonintoxicating beer, nonintoxicating craft beer, cider, wine, and liquor license requirements,

S. B. 543, Establishment of Neighborhood Rehabilitation Funds,

Com. Sub. for S. B. 552, Relating to abortion,

Com. Sub. for S. B. 573, Relating to child support guidelines and Support Enforcement Commission,

S. B. 608, Correcting list of items which are considered deadly weapons,

And,

Com. Sub. for S. B. 617, Relating to Intellectual and Development Disabilities Waiver Program Workforce Study.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the title amendment of the House of Delegates and the passage, as amended, of

S. B. 446, Removing methanol and methanol fuel from definition of special fuel,

And,

S. B. 488, Aligning state and federal accreditation rules.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had receded from its amendments, and again passed, a bill of the House of Delegates as follows:

Com. Sub. for H. B. 3311, Relating to wine alcohol by volume as compared to beer,

Com. Sub. for H. B. 3354, To authorize municipalities to combine operations with other municipalities and counties to provide governmental services.

A message from the Senate, by

The Clerk of the Senate, announced concurrence by the Senate in the title amendment of the House of Delegates to the amendment of the Senate, and the passage, as amended, of

Com. Sub. for H. B. 2917, Relating to allowing retired state employees who meet the minimum qualifications necessary, to render post-retirement employment with the Department of Health and Human Resources.

Messages from the Executive

and Other Communications

Communications from the Clerks' offices of each house to His Excellency, the Governor, advised that the following enrolled bills were presented to him on the dates listed below:

March 10, 2023

Com. Sub. for S. B. 51, Requiring impact statement in certain instances of school closing or consolidation,

Com. Sub. for S. B. 463, Increasing validity of CDL instruction permit,

And,

Com. Sub. for S. B. 476, Exempting managed care contracts from purchasing requirements.

March 13, 2023

Com. Sub. for H. B. 3113, Requiring high school students to complete course of study in personal finance,

H. B. 3428, Relating to the West Virginia Business Ready Sites Program,

S. B. 99, Relating to meetings among county boards of education,

Com. Sub. for S. B. 356, Authorizing DOT to promulgate legislative rules,

Com. Sub. for S. B. 451, Relating to Teachers Retirement System and Teachers' Defined Contribution Retirement System,

S. B. 452, Relating to Emergency Medical Services Retirement System,

S. B. 457, Removing certain activities Alcohol Beverage Control Commission licensee is prohibited to permit on private club premises,

S. B. 487, Extending additional modification reducing federal adjusted gross income,

Com. Sub. for S. B. 558, Prohibiting law-enforcement agencies from posting booking photographs of certain criminal defendants on social media,

S. B. 597, Allowing Workforce WV to hire classified service exempt employees,

Com. Sub. for S. B. 688, Allowing BOE to hire retired teachers to assist with tutoring,

And,

Com. Sub. for S. B. 730, Expanding authority of Legislative Oversight Commission on Health and Human Resources Accountability.

March 15, 2023

Com. Sub. for H. B. 2024, Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution,

Com. Sub. for H. B. 2883, Making a supplemental appropriation from the Coronavirus State Fiscal Recovery Fund,

H. B. 2904, Supplementing and amending appropriations to the Department of Commerce, Office of the Secretary,

H. B. 2906, Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, from the balance of moneys remaining as an unappropriated balance in Lottery Net Profits,

H. B. 2907, Supplementing and amending appropriations to the Department of Administration, Division of General Services,

Com. Sub. for H. B. 2908, Supplementing and amending appropriations to the Department of Commerce, Division of Forestry,

Com. Sub. for H. B. 2910, Making a supplementary appropriation to the Department of Administration, Public Defender Services,

Com. Sub. for H. B. 2911, Supplementing and amending appropriations to the Department of Homeland Security, Division of Administrative Services,

H. B. 2913, Supplementing and amending appropriations to the DHHR, Consolidated Medical Services Fund,

Com. Sub. for H. B. 2914, Supplementing and amending appropriations to the Governor's Office - Civil Contingent Fund,

H. B. 2915, Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, from the balance of moneys remaining as an unappropriated balance in the State Excess Lottery Revenue Fund.

Com. Sub. for H. B. 2928, Supplementing and amending appropriations to DHHR, Division of Health,

H. B. 3039, Making a supplementary appropriation to Adjutant General - State Militia,

Com. Sub. for H. B. 3040, Supplementing and amending appropriations to the Department of Administration, Office of the Secretary,

H. B. 3065, Supplementing appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities - Aeronautics Commission,

H. B. 3066, Supplementing and amending appropriations to the Department of Education, State Board of Education - State Aid to Schools,

H. B. 3067, Supplementing and amending appropriations to Department of Transportation, Division of Multimodal Transportation Facilities - Public Transit,

H. B. 3073, Supplementing and amending appropriations to Adjutant General - State Militia,

Com. Sub. for H. B. 3074, Supplementing appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities,

H. B. 3108, Supplementing and amending appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities - State Rail Authority,

H. B. 3109, Supplementing and amending appropriations to the State Board of Education - State Department of Education,

Com. Sub. for H. B. 3302, To recognize unborn child as distinct victim in a DUI causing death,

H. B. 3307, Establishing the West Virginia-Ireland Trade Commission,

Com. Sub. for H. B. 3317, Relating to removing specific continuing education requirements,

Com. Sub. for H. B. 3337, Prohibiting additional drug and alcohol treatment facilities and services in a certain county,

H. B. 3396, Supplementing, amending, and increasing existing items of appropriation from the State Road Fund to the Department of Transportation, Division of Highways,

H. B. 3444, Relating to the creation of the West Virginia Semiquincentennial Commission and Fund,

H. B. 3509, Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission – Consumer Advocate Fund,

H. B. 3510, Making a supplementary appropriation to the Department of Administration, Office of Technology – Chief Technology Officer Administration Fund,

H. B. 3511, Making a supplementary appropriation to the Department of Education, State Board of Education – School Lunch Program,

H. B. 3512, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services,

H. B. 3513, Making a supplementary appropriation to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority,

H. B. 3514, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Birth-to-Three Fund,

H. B. 3515, Making a supplementary appropriation to the Department of Veterans' Assistance, Veterans' Facilities Support Fund,

H. B. 3516, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Safe Drinking Water Treatment,

H. B. 3517, Making a supplementary appropriation to the Division of Human Services – Child Care and Development,

H. B. 3518, Making a supplementary appropriation to the Department of Agriculture,

H. B. 3524, Making a supplementary appropriation to the Department of Agriculture – West Virginia Spay Neuter Assistance Fund,

H. B. 3526, Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission,

H. B. 3529, Making a supplementary appropriation to the Department of Commerce, State Board of Rehabilitation – Division of Rehabilitation Services,

H. B. 3542, Expiring funds to the Department of Administration, Board of Risk and Insurance Management, Public Entity Insurance Trust Fund,

H. B. 3553, Supplementing and amending appropriations to Department of Health and Human Resources,

H. B. 3557, Making a supplementary appropriation to the Department of Veterans' Assistance,

H. B. 3563, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services,

H. B. 3564, Making a supplementary appropriation to the Division of Human Services - Energy Assistance,

Com. Sub. for S. B. 294, Clarifying amount of deputy sheriff annual salary increase,

And,

S. B. 678, Adding appropriations to DHHR, Division of Human Services.

March 16, 2022

Com. Sub. for H. B. 2754, Relating to immunizations performed in a pharmacy,

Com. Sub. for H. B. 2759, Relating to updating the health care provider tax,

Com. Sub. for H. B. 2817, Relating to Public Service Commission jurisdiction over alternative fuel for motor vehicles,

H. B. 2827, Make public charter schools eligible for Safe Schools Funds,

Com. Sub. for H. B. 2848, Water and Sewer Operator licensing reciprocity,

Com. Sub. for H. B. 2860, To dispose of old AFFF foam accumulated by fire departments,

Com. Sub. for H. B. 2870, Correcting a reference relating to siting certificates for certain electric generating facilities,

Com. Sub. for H. B. 3012, To encourage economic development regarding rare earth elements and critical minerals, as defined, by providing temporary severance tax relief,

Com. Sub. for H. B. 3044, Relating to the annual fee for limited video lottery terminal permits,

Com. Sub. for H. B. 3148, Relating to financing municipal policemen's and firemen's pension and relief funds,

H. B. 3244, Relating to Municipal Pensions Oversight Board proposing legislative rules,

H. B. 3299, Relating to Natural Resource Police Officer Retirement,

H. B. 3328, Authorizing the Hatfield-McCoy Regional Recreation Authority to contract to build and maintain trails on privately owned property,

H. B. 3387, Extending the moratorium on the authorization of new convention and visitors bureaus for an additional two years,

Com. Sub. for S. B. 47, Creating Charter Schools Stimulus Fund,

Com. Sub. for S. B. 121, Creating Student Journalist Press Freedom Protection Act,

S. B. 146, Modifying regulations of peer-to-peer car sharing program,

S. B. 149, Exempting certain organizations from property taxation,

Com. Sub. for S. B. 151, Levying tax on pass-through entity's income,

Com. Sub. for S. B. 187, Making it felony offense for school employee or volunteer to engage in sexual contact with students,

Com. Sub. for S. B. 191, Relating to liability for payment of court costs as condition of pretrial diversion agreement,

Com. Sub. for S. B. 200, Allowing leashed dogs to track wounded elk, turkey, and wild boar when hunting,

Com. Sub. for S. B. 220, Industrial Hemp Development Act,

S. B. 244, Making rosters of individuals who obtain professional, occupational, and trade licenses, registrations, and certificates available to public,

Com. Sub. for S. B. 247, Making administrative appeals and judicial review of board action subject to provisions of Administrative Procedures Act,

Com. Sub. for S. B. 258, Eliminating ceiling on fair market value of consumer goods and permitting dealer to require security deposit,

Com. Sub. for S. B. 271, Modifying approval process requirements for First Responders Honor Board,

Com. Sub. for S. B. 298, Relating to non-federally declared emergencies and non-states of emergency,

Com. Sub. for S. B. 302, Relating to Law Enforcement Safety Act,

Com. Sub. for S. B. 345, Authorizing Department of Revenue to promulgate legislative rules,

Com. Sub. for S. B. 409, Authorizing Department of Commerce to promulgate legislative rules,

S. B. 443, Directing payment of estate administration fee to State Auditor,

S. B. 444, Transferring moneys in WV Future Fund to General Revenue Fund,

S. B. 465, Increasing limit on moneys placed in county's rainy day fund,

Com. Sub. for S. B. 469, Providing funding for CPR instruction to high school students,

Com. Sub. for S. B. 478, Relating to Jumpstart Savings Program,

S. B. 508, Clarifying reporting and disclosure requirements for grassroots lobbying expenditures,

Com. Sub. for S. B. 516, Relating to requirements for disclosure of donor contributions,

Com. Sub. for S. B. 523, Clarifying purpose and use of Economic Development Project Fund,

Com. Sub. for S. B. 527, Allowing family members of military personnel access to discharge records,

S. B. 533, Relating to limitations on motor vehicle used by nonprofit cooperative recycling associations,

S. B. 544, Increasing power purchase agreement cap,

Com. Sub. for S. B. 546, Adding and removing certain compounds from controlled substance list,

Com. Sub. for S. B. 548, Clarifying what parties can redeem delinquent property and limiting those entitled to bid,

Com. Sub. for S. B. 561, Relating to administration of WV Drinking Water Treatment Revolving Fund Act,

Com. Sub. for S. B. 568, Relating to Dangerousness Assessment Advisory Board,

Com. Sub. for S. B. 577, Reducing copay cap on insulin and devices and permitting purchase of testing equipment without prescription,

Com. Sub. for S. B. 579, Providing payment to vendors who provided services to state,

Com. Sub. for S. B. 613, Relating generally to certificates of need,

Com. Sub. for S. B. 617, Relating to Intellectual and Development Disabilities Waiver Program Workforce Study,

S. B. 625, Requiring certain transcripts to be accepted as record of student's performance for placement in micro school programs,

Com. Sub. for S. B. 631, Updating administration, funding, and requirements for federal elections held in WV,

Com. Sub. for S. B. 649, Authorizing Berkeley County Council to change its name to Berkeley County Commission.

Com. Sub. for S. B. 665, Amending licensure requirements for massage therapist,

S. B. 674, Providing statutory recognition and appointment of board members for WV First Foundation,

S. B. 733, Relating to wildlife licenses and stamps,

S. B. 734, Requiring adoption of cloud computing services by state agencies,

S. B. 737, Emergency Medical Services Act,

And,

S. B. 740, Relating to compensation and expense reimbursement for members of Legislature.

March 17, 2023

S. B. 240, Requiring state board of examination or registration proceedings to be open to public inspection,

Com. Sub. for S. B. 268, Relating to PEIA,

Com. Sub. for S. B. 273, Relating to allocation of child protective workers in counties based upon population of county,

Com. Sub. for S. B. 361, Authorizing miscellaneous boards and agencies to promulgate legislative rules,

Com. Sub. for S. B. 422, Requiring public schools to publish curriculum online at beginning of each new school year,

S. B. 446, Removing methanol and methanol fuel from definition of special fuel,

Com. Sub. for S. B. 461, Relating to WV public employees grievance procedure,

Com. Sub. for S. B. 468, Continuing Cabwaylingo State Forest Trail System,

S. B. 488, Aligning state and federal accreditation rules,

Com. Sub. for S. B. 573, Relating to child support guidelines and Support Enforcement Commission,

Com. Sub. for S. B. 232, Creating study group to make recommendations regarding diversion of persons with disabilities from criminal justice system,

Com. Sub. for S. B. 495, Providing correctional institutions and juvenile facilities video and audio records be confidential,

Com. Sub. for S. B. 522, Allocating percentage of county excise taxes for funding improvements to election administration,

Com. Sub. for S. B. 534, Relating to nonintoxicating beer, nonintoxicating craft beer, cider, wine, and liquor license requirements,

Com. Sub. for S. B. 543, Authorizing rule-making changes to terms, procedures and reporting duties in higher education,

Com. Sub. for S. B. 552, Relating to abortion,

S. B. 608, Correcting list of items which are considered deadly weapons,

Com. Sub. for S. B. 633, Requiring prompt appearances for persons detained on capiases,

Com. Sub. for S. B. 647, Relating to substantiation of abuse and neglect allegations,

Com. Sub. for S. B. 661, Clarifying preferential recall rights for employees sustaining compensable injury,

Com. Sub. for S. B. 667, Requiring periodic performance audits of WV Secondary School Activities Commission,

Com. Sub. for S. B. 677, Clarifying role and responsibilities of State Resiliency Officer,

And,

S. B. 735, Clarifying department responsible for administration of certain programs.

March 20, 2023

Com. Sub. for H. B. 2005, Establishing the dual enrollment pilot program to be administered by the Higher Education Policy Commission and the Council for Community and Technical College Education in conjunction with the State Board of Education,

Com. Sub. for H. B. 2218, Distracted Driving Act,

Com. Sub. for H. B. 2221, Relating to bankruptcy,

Com. Sub. for H. B. 2026, Authorizing municipalities with police or firefighter employees in PERS to elect to become participating employer in Municipal Police Officer and Firefighter Retirement System for a limited time,

H. B. 2283, Relating to authorized expenditures of revenues from certain state funds for fire departments,

H. B. 2310, Provide the Division of Motor Vehicles authority to develop an "Antique Fleet" program so that multiple antique motor vehicles may utilize a single registration plate,

Com. Sub. for H. B. 2346, Declaring a shortage of qualified bus operators and allowing retired bus operators to accept employment,

Com. Sub. for H. B. 2509, Creating the Uniform Premarital Agreement Act,

Com. Sub. for H. B. 2540, Travel Insurance Model Act,

Com. Sub. for H. B. 2569, Establishing the Motorsport Responsibility Act,

Com. Sub. for H. B. 2605, Relating to Good Samaritan law,

H. B. 2607, Clarify that vehicles with a capacity larger than 10 passengers may be used to transport students provided that no more than 10 passengers may be transported at one time,

Com. Sub. for H. B. 2757, Relating to expanding institutional eligibility for the WV Invests Grant Program,

Com. Sub. for H. B. 2760, To allow CPR fire fighters to drive ambulances when both attendants are needed to administer patient care,

Com. Sub. for H. B. 2862, Relating generally to requirements for shareholder voting by the West Virginia Investment Management Board and the Board of Treasury Investments,

Com. Sub. for H. B. 2900, Relating to the Deputy Sheriff Retirement System,

Com. Sub. for H. B. 2917, Relating to allowing retired state employees who meet the minimum qualifications necessary, to render post-retirement employment with the Department of Health and Human Resources,

Com. Sub. for H. B. 2993, Relating to rural emergency hospital licensure,

Com. Sub. for H. B. 3013, Relating to authorizing the Jefferson County Commission to levy a special district excise tax,

Com. Sub. for H. B. 3035, Relating generally to high-quality education programs and school operations,

Com. Sub. for H. B. 3114, Deny severance pay to employees of DOT for failure or refusal of drug testing,

H. B. 3146, Establishing in West Virginia Code, the contents of the Uniform Public Meetings During Emergencies Act,

Com. Sub. for H. B. 3211, Relating to authorizing service credit for unused accrued annual or sick leave days for use in determining retirement benefits in the Municipal Police Officer and Firefighter Retirement System,

Com. Sub. for H. B. 3233, Relating generally to uniform and equipment allowances for the National Guard,

Com. Sub. for H. B. 3270, To amend the deliberate intent statute to limit noneconomic damages to $500,000,

Com. Sub. for H. B. 3271, Relating to increasing monitoring of special education classrooms,

H. B. 3286, Relating to an additional modification decreasing federal taxable income,

Com. Sub. for H. B. 3303, Clarifying and expanding the powers and duties of the director of the Coalfield Community Development Office,

Com. Sub. for H. B. 3369, Creating a School Safety Unit within the Division of Protective Services,

H. B. 3448, Relating generally to probation officer field training,

H. B. 3451, Updating the veteran preference ratings in state code for state employment,

Com. Sub. for H. B. 3479, Creating requirements for use of unmanned aerial vehicles,

Com. Sub. for H. B. 3482, To create the Coal Fired Grid Stabilization and Security Act of 2023,

H. B. 3500, Allowing consumer lenders to permit employees to conduct certain business at locations other than the licensee's designated office,

And,

H. B. 3547, Increasing the number of personal leave days that county board of education employees may use.

March 21, 2023

Com. Sub. for H. B. 2380, Relating to School Building Authority,

Com. Sub. for H. B. 2515, Require agencies to develop and maintain an inventory of available services for single parents wanting to obtain degrees, secure training or reenter the workforce,

Com. Sub. for H. B. 2640, Authorizing certain agencies of the Department of Environmental Protection to promulgate legislative rules,

Com. Sub. for H. B. 3092, Relating to in-state food service permit reciprocity,

And,

H. B. 3499, To permit joint tenancy with rights of survivorship when transfer on death deeds specify a joint tenancy with right of survivorship.

March 22, 2023

Com. Sub. for H. B. 2002, Relating to providing support for families,

Com. Sub. for H. B. 2004, Prevent the use of payment card processing systems for surveillance of Second Amendment activity and discriminatory conduct,

Com. Sub. for H. B. 2007, Prohibiting certain medical practices,

Com. Sub. for H. B. 2008, Requiring local entities to enforce immigration laws,

Com. Sub. for H. B. 2648, Authorizing certain agencies and boards of the DHHR to promulgate a legislative rule,

Com. Sub. for H. B. 2820, To provide HOPE Scholarship recipients with the ability to play sports,

Com. Sub. for H. B. 2821, Relating to taxation of gambling and lottery winnings,

Com. Sub. for H. B. 3084, Relating to revising provisions related to public charter schools,

Com. Sub. for H. B. 3168, Ensuring investment in WV Tourism is competitive with other states and accessible long term,

Com. Sub. for H. B. 3190, Amending the definition of "minor",

Com. Sub. for H. B. 3224, Adding West Virginia Junior College to the list of eligible institutions that accept PROMISE scholarship recipients,

Com. Sub. for H. B. 3311, Relating to wine alcohol by volume as compared to beer,

Com. Sub. for H. B. 3332, Creating judicial circuits and assigning the number of circuit judges in each circuit to be elected in the 2024 election,

And,

Com. Sub. for H. B. 3450, Relating generally to racetrack video lottery and the Licensed Racetrack Modernization Fund.

March 27, 2023

Com. Sub. for H. B. 2016, Relating to confidential childcare records,

Com. Sub. for H. B. 2436, Relating to the implementation of an acuity-based patient classification system,

Com. Sub. for H. B. 2621, Relating generally to bail bondsman,

Com. Sub. for H. B. 2814, To create a Hydrogen power task force,

Com. Sub. for H. B. 2865, To clarify that the PSC may enter an order requiring corrective measures up to and including an acquisition of a distressed or failing utility,

H. B. 2875, Clarifying that Circuit Court Judges have the ability/authority to waive the requirement that a party pass a home study performed by the DHHR,

Com. Sub. for H. B. 2890, Modifying student discipline,

H. B. 2955, Relating to the establishment and operation of regional water, wastewater and stormwater authorities,

H. B. 2967, Expediting License Applications for active military members and veterans, and their spouses,

Com. Sub. for H. B. 3018, Establishing that 18 is the age of consent and removing the ability of an underage person to obtaining a consent to marry through their parents, legal guardians, or by petition to the circuit court,

Com. Sub. for H. B. 3036, Increasing the number of districts and the limit on approved costs under the BUILD WV Act,

Com. Sub. for H. B. 3077, Relating to making the use of the multi-state real time tracking system permanent,

Rev. Com. Sub. for H. B. 3110, Relating to funding the Office of Oil and Gas in the Department of Environmental Protection,

Com. Sub. for H. B. 3135, To modify the salaries of the Governor and Constitutional officers beginning January 1, 2025,

H. B. 3141, Relating to the practice of dentistry,

Com. Sub. for H. B. 3147, To create the Upper Ohio Valley Trail Network,

H. B. 3156, Raising the compensation rates of panel attorneys,

H. B. 3166, To permit a hospital to hold a patient experiencing a psychiatric emergency for up to 72 hours,

Com. Sub. for H. B. 3189, The PFAS Protection Act,

Com. Sub. for H. B. 3191, Relating to certain facilities operated by the state government to obtain a license,

H. B. 3199, Relating to removing the requirement that an ectopic pregnancy be reported,

H. B. 3203, Relating generally to West Virginia Real Estate License Act,

Com. Sub. for H. B. 3214, To create the Road Optimization & Assessment Data (ROAD) Pilot Project,

Com. Sub. for H. B. 3261, Relating to Social Workers Qualifications,

Com. Sub. for H. B. 3265, Remove statutory mandates that the sheriff of a county shall serve process or is responsible for cost of service or arrest by another law enforcement agency,

Com. Sub. for H. B. 3306, Relating to the organizational structure of the Office of Drug Control Policy,

Com. Sub. for H. B. 3315, Relating generally to readiness enhancement and commission bonuses,

Com. Sub. for H. B. 3344, To pay certain moral obligations of the state,

Com. Sub. for H. B. 3354, To authorize municipalities to combine operations with other municipalities and counties to provide governmental services,

H. B. 3360, Creating an office of the Inspector General within the Department of Homeland Security,

Com. Sub. for H. B. 3370, Creating loan program for certain properties and developments on U. S. Army Corps of Engineers land, state parks and resorts,

H. B. 3371, Relating to federal funds for land-grant institutions,

Com. Sub. for H. B. 3398, Relating to the establishment of the West Virginia Memorial to Fallen Heroes of the Global War on Terrorism,

H. B. 3432, Relating to statutory construction,

H. B. 3439, To limit the civil liability of child placing agencies that obtain an insurance policy in an amount not less than $1 million per incident,

H. B. 3441, Revising the training requirements for members of the Higher Education Policy Commission, Council for Community and Technical College Education and the institutional governing boards,

H. B. 3443, Relating to a development or improvement on land subject to review by the State Historic Preservation Office,

H. B. 3473, Creating a workgroup relating to Dig Once Policy,

H. B. 3552, Relating to per diem jail costs,

H. B. 3555, Relating to student purchase and refunds of course material,

H. B. 3559, Relating to defining a newborn safety device,

And,

H. B. 3560, Relating to expanding the definitions of land and recreational purposes.

Messages from the Executive

Actions of His Excellency, the Governor, on other bills following adjournment of the session as indicated in communications addressed to the Secretary of State, as follows:

State of West Virginia
Office of the Governor
1900 Kanawha Blvd., East
Charleston, WV 25305

March 29, 2023

Veto Message
VIA HAND DELIVERY
The Honorable Mac Warner
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for Senate Bill 667

Secretary Warner:

Pursuant to Section Fourteen, Article VI.I of the Constitution of the State of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for Senate Bill 667. This bill requires the Legislative Auditor to conduct periodic audits of the West Virginia Secondary Schools Activities Commission ("WVSSAC").

While I most certainly believe fiscal responsibility is of the upmost importance, so is preventing government overreach. WVSSAC is a private, non-profit organization comprised of dedicated West Virginians who volunteer their time and resources to ensuring our interscholastic athletics and other extracurricular activities are accessible to all our students. To require WVSSAC to undergo audits by the Legislative Auditor would be to treat this private, non-profit corporation as if it were a state agency. To prevent such government overreach, I disapprove and return Enrolled Committee Substitute for Senate Bill 667.

Sincerely,

Jim Justice,
Governor.

Communications from His Excellency, the Governor, advised that on March 11, 2023, he approved **S. B. 136, Com. Sub. for S. B. 208, Com. Sub. for S. B. 270, S. B. 276, Com. Sub. for S. B. 300, S. B. 481, S. B. 553 and Com. Sub. for H. B. 3308**; and on March 13, 2023, he approved **S. B. 237 and Com. Sub. for S. B. 490**; and on March 15, 2023, he approved **Com. Sub. for S. B. 294, H. B. 3218 and Com. Sub. for H. B. 3302**; and on March 16, 2023, he approved **S. B. 510, S. B. 678, Com. Sub. for H. B. 2024, Com. Sub. for H. B. 2883, H. B. 2904, H. B. 2906, H. B. 2907, Com. Sub. for H. B. 2908, Com. Sub. for H. B. 2910, Com. Sub. for H. B. 2911, H. B. 2913, Com. Sub. for H. B. 2914, H. B. 2915, Com. Sub. for H. B. 2928, H. B. 3039, Com. Sub. for H. B. 3040, H. B. 3065, H. B. 3066, H. B. 3067, H. B. 3073, Com. Sub. for H. B. 3074, H. B. 3108, H. B. 3109, H. B. 3396, H. B. 3509, H. B. 3510, H. B. 3511, H. B. 3512, H. B. 3513, H. B. 3514, H. B. 3515, H. B. 3516, H. B. 3517, H. B. 3518, H. B. 3519, H. B. 3520, H. B. 3521, H. B. 3522, H. B. 3523, H. B. 3524, H. B. 3526, H. B. 3527, H. B. 3528, H. B. 3529, H. B. 3542, H. B. 3553, H. B. 3557, H. B. 3563 and H. B. 3564**; and on March 17, 2023, he approved **Com. Sub. for S. B. 268, Com. Sub. for S. B. 423 and H. B. 3307**; and on March 21, 2023, he approved **Com. Sub. for S. B. 422, Com. Sub. for H. B. 2005, Com. Sub. for H. B. 3035 and Com. Sub. for H. B. 3369**; and on March 22, 2023, he approved **Com. Sub. for S. B. 526, S. B. 674, Com. Sub. for H. B. 3303 and Com. Sub. for H. B. 3482**; and on March 23, 2023, he approved **Com. Sub. for S. B. 51, Com. Sub. for S. B. 121, S. B. 142, Com. Sub. for S. B. 205, Com. Sub. for S. B. 220, S. B. 244, Com. Sub. for S. B. 247, Com. Sub. for S. B. 258, Com. Sub. for S. B. 267, Com. Sub. for S. B. 271, Com. Sub. for S. B. 298, Com. Sub. for S. B. 302, Com. Sub. for S. B. 335, Com. Sub. for S. B. 345, Com. Sub. for S. B. 356, Com. Sub. for S. B. 409, Com. Sub. for S. B. 439, S. B. 443, S. B. 444, S. B. 449, Com. Sub. for S. B. 450, Com. Sub. for S. B. 451, S. B. 452, Com. Sub. for S. B. 453, Com. Sub. for S. B. 455, S. B. 457, S. B. 458, Com. Sub. for S. B. 463, S. B. 465, Com. Sub. for S. B. 469, Com. Sub. for S. B. 561, Com. Sub. for S. B. 577, Com. Sub. for S. B. 617, S. B. 625, S. B. 733, S. B. 737, S. B. 740, Com. Sub. for H. B. 2754, Com. Sub. for H. B. 2759, H. B. 2839, Com. Sub. for H. B. 2848, Com. Sub. for H. B. 2860, Com. Sub. for H. B. 2870, Com. Sub. for**

H. B. 3044, Com. Sub. for H. B. 3113, Com. Sub. for H. B. 3148, H. B. 3215, H. B. 3244, H. B. 3299, Com. Sub. for H. B. 3317, H. B. 3328, Com. Sub. for H. B. 3337, Com. Sub. for H. B. 3364, H. B. 3387, H. B. 3391, H. B. 3428 and H. B. 3444; and on March 28, 2023, he approved **S. B. 146, S. B. 149, Com. Sub. for S. B. 151, Com. Sub. for S. B. 187, Com. Sub. for S. B. 188, Com. Sub. for S. B. 191, Com. Sub. for S. B. 200, Com. Sub. for S. B. 430, Com. Sub. for S. B. 579, Com. Sub. for S. B. 613, Com. Sub. for H. B. 2002, Com. Sub. for H. B. 2218, Com. Sub. for H. B. 2436, Com. Sub. for H. B. 2621, Com. Sub. for H. B. 2814, Com. Sub. for H. B. 2817, Com. Sub. for H. B. 2862, H. B. 2875, Com. Sub. for H. B. 2890, H. B. 2955, H. B. 2967, Com. Sub. for H. B. 3018, Com. Sub. for H. B. 3077, Com. Sub. for H. B. 3135, H. B. 3141, Com. Sub. for H. B. 3147, H. B. 3156, H. B. 3166, Com. Sub. for H. B. 3189, Com. Sub. for H. B. 3191, H. B. 3203, Com. Sub. for H. B. 3214, Com. Sub. for H. B. 3261, Com. Sub. for H. B. 3265, Com. Sub. for H. B. 3306, Com. Sub. for H. B. 3315, Com. Sub. for H. B. 3344, Com. Sub. for H. B. 3398, H. B. 3439, H. B. 3441, H. B. 3443, H. B. 3473, H. B. 3559 and H. B. 3560**; and on March 29, 2023, he approved **Com. Sub. for S. B. 47, S. B. 99, S. B. 131, Com. Sub. for S. B. 232, S. B. 240, S. B. 246, Com. Sub. for S. B. 273, Com. Sub. for S. B. 361, S. B. 446, Com. Sub. for S. B. 461, Com. Sub. for S. B. 468, Com. Sub. for S. B. 475, Com. Sub. for S. B. 476, Com. Sub. for S. B. 478, S. B. 487, S. B. 488, Com. Sub. for S. B. 495, S. B. 508, Com. Sub. for S. B. 516, Com. Sub. for S. B. 522, Com. Sub. for S. B. 523, Com. Sub. for S. B. 527, S. B. 529, S. B. 533, Com. Sub. for S. B. 534, Com. Sub. for S. B. 543, S. B. 544, Com. Sub. for S. B. 546, Com. Sub. for S. B. 548, Com. Sub. for S. B. 552, Com. Sub. for S. B. 558, Com. Sub. for S. B. 568, Com. Sub. for S. B. 573, Com. Sub. for S. B. 594, S. B. 597, S. B. 605, S. B. 608, Com. Sub. for S. B. 631, Com. Sub. for S. B. 633, Com. Sub. for S. B. 647, Com. Sub. for S. B. 649, Com. Sub. for S. B. 661, Com. Sub. for S. B. 665, Com. Sub. for S. B. 677, Com. Sub. for S. B. 688, Com. Sub. for S. B. 730, S. B. 734, S. B. 735, Com. Sub. for H. B. 2004, Com. Sub. for H. B. 2007, Com. Sub. for H. B. 2008, Com. Sub. for H. B. 2016, Com. Sub. for H. B. 2026, Com. Sub. for H. B. 2221, H. B. 2283, H. B. 2309, H. B. 2310, Com. Sub. for H. B. 2346, Com. Sub. for H. B. 2380, Com. Sub.**

for H. B. 2509, Com. Sub. for H. B. 2515, Com. Sub. for H. B. 2540, Com. Sub. for H. B. 2569, Com. Sub. for H. B. 2587, H. B. 2597, Com. Sub. for H. B. 2605, H. B. 2607, H. B. 2611, Com. Sub. for H. B. 2638, Com. Sub. for H. B. 2640, Com. Sub. for H. B. 2648, Com. Sub. for H. B. 2757, Com. Sub. for H. B. 2760, Com. Sub. for H. B. 2762, Com. Sub. for H. B. 2821, H. B. 2827, Com. Sub. for H. B. 2865, H. B. 2899, Com. Sub. for H. B. 2900, Com. Sub. for H. B. 2917, Com. Sub. for H. B. 2993, Com. Sub. for H. B. 3013, Com. Sub. for H. B. 3036, Com. Sub. for H. B. 3084, Com. Sub. for H. B. 3092, Com. Sub. for H. B. 3110, Com. Sub. for H. B. 3114, H. B. 3146, Com. Sub. for H. B. 3168, Com. Sub. for H. B. 3190, Com. Sub. for H. B. 3210, Com. Sub. for H. B. 3211, Com. Sub. for H. B. 3224, Com. Sub. for H. B. 3233, Com. Sub. for H. B. 3271, H. B. 3286, Com. Sub. for H. B. 3311, Com. Sub. for H. B. 3332, Com. Sub. for H. B. 3354, H. B. 3360, Com. Sub. for H. B. 3370, H. B. 3371, H. B. 3432, H. B. 3448, Com. Sub. for H. B. 3450, H. B. 3451, Com. Sub. for H. B. 3479, H. B. 3499, H. B. 3500, H. B. 3547, H. B. 3552, H. B. 3555.

The following bills became law without the signature of the Governor:

Com. Sub. for H. B. 2820, To provide HOPE Scholarship recipients with the ability to play sports,

Com. Sub. for H. B. 3012, To encourage economic development regarding rare earth elements and critical minerals, as defined, by providing temporary severance tax relief,

H. B. 3199, Relating to removing the requirement that an ectopic pregnancy be reported,

Com. Sub. for H. B. 3270, To amend the deliberate intent statute to limit noneconomic damages to $500,000,

H. B. 3340, To revise the West Virginia Tax Increment Financing Act,

And,

S. B. 128, Clarifying authority of Governor and Legislature to proclaim and declare state of emergency and preparedness.

On motion of Delegate Householder, the House of Delegates adjourned *sine die* at 11:52 p.m.

We hereby certify that the forgoing record of the proceedings of the House of Delegates, First Regular Session, 2023, is the Official Journal of the House of Delegates for said session.

_____

Roger Hanshaw
Speaker of the House of Delegates

_____

Stephen J. Harrison
Clerk of the House of Delegates

West Virginia Legislature

Journal

of the

House of Delegates

Eighty-Sixth Legislature

First Extraordinary Session

Charleston, Sunday, August 6, 2023

[DELEGATE HANSHAW, MR. SPEAKER, IN THE CHAIR]

Pursuant to the Proclamation of His Excellency, the Governor, issued the sixth day of August 2023, calling the Legislature to convene in Extraordinary Session at 4:00 PM on Sunday, August 6, 2023, the House of Delegates subsequently assembled in its Chamber in the Capitol Building in the City of Charleston, and was called to order by the Speaker, the Honorable Roger Hanshaw.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

Messages from the Executive

And Other Communications

The following communications were read by the Clerk:

State of West Virginia
House of Delegates
West Virginia Legislature
212-M, State Capitol
1900 Kanawha Blvd., East
Charleston, WV 25305-0470
PHONE (304) 340-3200

My dear colleagues,

It is with a heavy heart that I pen these words, but I do so with a sense of purpose and conviction. While this decision has not come easily, it is the result of much soul-searching and prayer, as I have sought to discern the path that God has set before me. I have made the decision to tender my resignation to the West Virginia State Legislature, effective April 10, 2023.

I began this journey six years ago, standing in a growing crowd that gathered to grieve together after the horrors of Charlottesville. It was at that moment, standing with my youngest King among so many others who desired to make change, that I made the decision to use the gifts God had given me to stand up and speak out.

But as we all know — words without works are a waste.

So I marched. I protested. I volunteered. I listened.

And then I did something I never thought I could do. I submitted my paperwork to run for the House of Delegates. And in doing so, I challenged myself, and ultimately my party and my state to rethink what was possible — and with the help of countless constituents who believed in our vision for a better world — I won. In the years since, I have tirelessly served and continuously shown up for the most vulnerable voices in our state. I have advocated alongside others for policies that would give our communities a

hand up, that would provide the people of this great state better and fairer opportunities - because

Mountaineers are not free until ALL of us are free. And while I have done all I can to move things forward, I recognize the limitations of our current political landscape, and seek a new pathway for change.

I am keenly aware of the challenges that lie ahead for me as I move forward into a familiar, but new, territory as the Executive Director with the ACLU of West Virginia. But I am convinced that this is the right decision - the necessary decision - if I am to fulfill the purpose for which I was put on this earth — to do the work in whatever way brings about a better world for us all. And so, with courage and determination, I will push forward, trusting in the goodness and mercy of the Almighty to guide me every step of the way.

Thank you for the opportunities and the experiences that I have gained during my time here. I leave with the hope that we will all continue to work together towards a brighter and more just future for all West Virginians.

One Love,

Delegate Danielle Walker
District 81
Monongalia County

State of West Virginia
Jim Justice
Governor of West Virginia

April 26, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Pursuant to W. Va. Code § 3-10-5, I have this day appointed Anita Hamilton, Morgantown, Monongalia County, as a Delegate representing the Eighty-First District of the House of Delegates, to fill the vacancy created by the resignation of the Honorable Danielle Walker.

Sincerely,

Jim Justice,
Governor.

The Clerk announced that Delegate Hamilton had taken the oath of office on May 5, 2023.

State of West Virginia
House of Delegates
West Virginia Legislature

May 12, 2023

The Honorable Roger Hanshaw
Speaker, West Virginia House of Delegates
West Virginia Capitol Complex
1900 Kanawha Blvd East, Building 1, Room 228-M
Charleston WV 25305

Dear Speaker Hanshaw:

Please accept this letter to represent my official resignation from the West Virginia House of Delegates, effective May 19, 2023. After a great deal of thought, prayer, and discussion with my family, I have decided to pursue and accept a private-sector employment opportunity that will not allow me to continue service in the legislature.

It has been my honor and privilege to serve the people of Ohio County over the past thirteen years, in both the 3 rd & 4th districts. I am grateful to the people who sent me to serve for them for the trust they placed in me. As l reflect on my time within our legislative body, I am thankful for the time I had participating in the process, the contributions I was able to offer on behalf of the

people of my district, and the trust placed in me by you and your leadership team.

I will forever treasure the friendships made and have enjoyed serving with you and all my fellow legislators. I love and will miss you all! Best wishes as you continue to make West Virginia the best place to live, work, and raise a family.

Very truly yours,

Erikka Storch
Delegate — District 4

State of West Virginia
Jim Justice
Governor of West Virginia

April 26, 2023

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Pursuant to W. Va. Code § 3-10-5, I have this day appointed Diana Winzenreid, Wheeling, Ohio County, as a Delegate representing the Fourth District of the House of Delegates, to fill the vacancy created by the resignation of the Honorable Erikka Storch.

Sincerely,

Jim Justice,
Governor.

The Clerk announced that Delegate Winzenreid had taken the oath of office on June 7, 2023.

Delegate Householder arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken **(Roll**

No. 790), and 79 members being present, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Anderson, Coop-Gonzalez, Cooper, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kimble, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ridenour, Ross, Steele, Westfall and Williams.

Note: Delegates Anderson, Kimble, Ridenour and Williams arrived later in the session.

On motion of Delegate Householder, the Clerk was authorized to notify the Senate that the House of Delegates had assembled in extraordinary session and was ready to enter upon the business stated in the Proclamation by which it had been called together.

On motion of Delegate Householder, the Clerk was authorized to inform His Excellency, the Governor, that the Legislature had assembled in extraordinary session and was ready to enter upon the business stated in the Proclamation.

Messages from the Executive

The following Proclamation of His Excellency, the Governor, convening the Legislature in extraordinary session, was laid before the House of Delegates and read by the Clerk:

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
Charleston

A PROCLAMATION

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby call the West Virginia Legislature to convene in Extraordinary Session at 4:00 PM on Sunday, August 6, 2023, in its chambers in the State Capitol, the City of Charleston, for the

limited purpose of considering and acting upon only the following matters:

FIRST: To amend §11B-2-20 of the Code of West Virginia, 1931, as amended, relating to combining the totals of the Revenue Shortfall Reserve Fund and Revenue Shortfall Reserve Fund - Part B when determining surplus deposit eligibility and limiting the amount of surplus deposited into the Revenue Shortfall Reserve Fund when deposits reach a certain ratio.

SECOND: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, by adding a new item of appropriation and increasing the expenditure of public moneys to the Department of Revenue, Office of the Secretary, fund 0465, fiscal year 2024, organization 0701, in the amount of $12,462,568, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRD: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Corrections and Rehabilitation - West Virginia Parole Board, fund 0440, fiscal year 2024, organization 0608, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Central Office, fund 0446, fiscal year 2024, organization 0608, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2024, organization 0608, and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Bureau of Juvenile Services, fund 0570, fiscal year 2024, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

FOURTH: To make a supplementary appropriation of public moneys out of the Treasury from the balances of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the

Department of Homeland Security, Division of Corrections and Rehabilitation – Parolee Supervision Fees, fund 6362, fiscal year 2024, organization 0608, and to the Department of Homeland Security, Division of Corrections and Rehabilitation –Regional Jail and Correctional Facility Authority, fund 6675, fiscal year 2024, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

FIFTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Administration, Public Employees Insurance Agency, fund 0200, fiscal year 2024, organization 0225, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2024, organization 0608 and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Bureau of Juvenile Services, fund 0570, fiscal year 2024, organization 0608 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

SIXTH: To amend §17B-2-1c of the Code of West Virginia, 1931, as amended, relating to temporary identification cards for released inmates, to clarify that the temporary identification cards are to be issued at no cost to the inmate, and to extend the period of validity of the temporary identification cards.

SEVENTH: To amend §15A-3-16 of the Code of West Virginia, 1931, as amended, relating to regional jail per diem fees, to require certain municipalities to reimburse responsible county for up to five days of regional jail per diem fees when municipality incarcerates individuals for offenses that could have been prosecuted in municipal court but were prosecuted in magistrate court, and to make technical corrections.

EIGHTH: To amend §§62-1C-1a and 62-1C-2 of the Code of West Virginia, 1931, relating to pretrial release, to clarify the right to pretrial release, to clarify the maximum bail amount for charges for multiple misdemeanor offenses, to require prosecuting

attorneys to report on persons held in custody for certain period, to request reports from Supreme Court of Appeals, to revise the definition of "bail," to establish that a defendant has the right to select method of securing bail, to clarify that personal recognizance bonds shall include an unsecured monetary amount, to authorize judicial officers to impose reasonably necessary conditions to assure a defendant will appear as required, including releasing defendant on his or her own recognizance, and to make technical corrections.

NINTH: To amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15A-4-13a, relating to inmate medical care, to prohibit the use of state funds for certain procedures or benefits that are not medically necessary for persons in the custody of the commissioner, to authorize the commissioner to establish rules, policies, or regulations relating to certain levels of care, and to define terms.

TENTH: To amend §§62-12-28 and 62-12-29 of the Code of West Virginia, 1931, as amended, relating to pretrial release programs, to authorize the Supreme Court of Appeals to develop pretrial release programs in all circuits, to request the Court to develop an electronic pretrial court date reminder system, and to require the community supervision committee of the administrative office of the Court to make a recommendation for the development of an electronic pretrial court date reminder system.

ELEVENTH: To amend §15A-3-4 of the Code of West Virginia, 1931, as amended, relating to the powers and duties of the Commissioner of the Division of Corrections and Rehabilitation, to authorize the commissioner to require certain agreements with employees for reimbursement of training costs under certain conditions, to clarify that the transportation of inmates for court appearances is subject to the rules of the Supreme Court of Appeals, and to authorize the commissioner to cooperate with the Supreme Court of Appeals in developing a comprehensive transportation plan.

TWELFTH: To amend and reenact §§48-13-301, 48-13-403, 48-13-404, and 48-13-502 of the Code of West Virginia, 1931, as amended, to correct errors in the table of monthly basic child support obligations, to correct citations, and to correct worksheets for calculating basic child support obligation in line with provisions of the West Virginia Code.

THIRTEENTH: To repeal, amend, and create sections of West Virginia Code, 1931, as amended, relating to making West Virginia an agreement state with the United States Nuclear Regulatory Commission, transferring authority and responsibility for sources of radiation from other state agencies to the Department of Environmental Protection, and establishing a comprehensive regulatory system for the control of sources of radiation for the protection of the public and the environment, and other matters relating thereto.

FOURTEENTH: To supplement and amend appropriations of public moneys out of the Treasury in the State Fund, General Revenue, by decreasing an existing item of appropriation to the Department of Administration, Public Employees Insurance Agency, fund 0200, fiscal year 2024, organization 0225, in the amount of $71,373,750, by supplementing and amending appropriations for the fiscal year ending June 30, 2024.

FIFTEENTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Education, State Board of Education – State Aid to Schools, fund 0317, fiscal year 2024, organization 0402, in the amount of $55,847,110, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

SIXTEENTH: To supplement and amend Chapter 11, Acts of the Legislature, Regular Session, 2023, known as the budget bill, in Title II from the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Education, State Board of Education – State Aid to Schools, fund

0317, fiscal year 2024, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024, by increasing and decreasing items of appropriation.

SEVENTEENTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Higher Education Policy Commission, Marshall University, General Administration Fund, fund 0348, fiscal year 2024, organization 0471, in the amount of $45,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

EIGHTEENTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Education, State Board of Education, State Department of Education, fund 0313, fiscal year 2024, organization 0402, in the amount of $1,800,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

NINETEENTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the West Virginia State Senate, fund 0165, fiscal year 2024, organization 2100, to the West Virginia House of Delegates fund 0170, fiscal year 2024, organization 2200, and to Joint Expenses, fund 0175, fiscal year 2024, organization 2300 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

TWENTIETH: To amend §7-22-9 of the Code of West Virginia, 1931, as amended, relating to authorizing the Mercer County Commission to levy a special district excise tax, to authorize the special district excise tax for the benefit of The Ridges Economic Opportunity Development District and to set forth the land area within the special district subject to the special district excise tax.

TWENTY-FIRST: To amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-5B-1 and §7-5B-2, and to amend §33-3-33 of said Code, all relating to funding certain first responders, to create special revenue funds administered by the Secretary of Homeland Security, to grant rulemaking authority, to define terms, to require the State Fire Marshal to provide certain information to the State Treasurer, and to require that volunteer fire departments eligible to receive funds implement the State Auditor's West Virginia Checkbook fiscal reporting system.

TWENTY-SECOND: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2024, organization 0606, in the total amount of $12,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

TWENTY-THIRD: To make a supplementary appropriation of public moneys out of the Treasury from the balances of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Emergency Management, Growth County Fire Protection Fund, fund xxxx, fiscal year 2024, organization 0606, in the amount of $3,000,000, and to the Department of Homeland Security, Division of Emergency Management, County Fire Protection Fund, fund xxxx, fiscal year 2024, organization 0606, in the amount of $3,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

TWENTY-FOURTH: To amend § 20-1-19 of the Code of West Virginia, 1931, as amended, to officially designate Summersville Lake as a state park.

TWENTY-FIFTH: To amend §11-13MM-10 of the Code of West Virginia, 1931, as amended, to clarify that certain payments paid prior to the effective date of the tax credits for property taxes

paid on certain species of property are eligible for the tax credits created in House Bill 2526 during the 2023 Regular Session.

TWENTY-SIXTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Transportation – Division of Highways, fund 0620, fiscal year 2024, organization 0803, in the amount of $150,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

TWENTY-SEVENTH: To supplement, amend, and increase existing items of appropriation from the State Road Fund to the Department of Transportation, Division of Highways, fund 9017, fiscal year 2024, organization 0803, in the total amount of $150,000,000, for the fiscal year ending June 30, 2024.

TWENTY-EIGHTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Governor's Office – Civil Contingent Fund, fund 0105, fiscal year 2024, organization 0100, in the total amount of $210,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

TWENTY-NINTH: To supplement and amend Chapter 11, Acts of the Legislature, Regular Session, 2023, known as the budget bill, as amended, in Title II from the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Economic Development – Office of the Secretary, fund 0256, fiscal year 2024, organization 0307, in the amount of $25,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTIETH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund,

General Revenue, to the Department of Administration, Office of Technology, fund 0204, fiscal year 2024, organization 0231, in the amount of $2,000,000, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2023, known as the Budget Bill for the fiscal year ending June 30, 2024.

THIRTY-FIRST: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Administration – Division of General Services, fund 0230, fiscal year 2024, organization 0211, in the amount of $175,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTY-SECOND: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce – Division of Forestry, fund 0250, fiscal year 2024, organization 0305, in the amount of $4,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTY-THIRD: To make a supplementary appropriation of federal funds out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Commerce, Geological and Economic Survey, fund 8704, fiscal year 2024, organization 0306, in the amount of $2,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTY-FOURTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Arts, Culture, and History, Division of Culture and History, fund 0293, fiscal year 2024, organization 0432, in the total amount of

$4,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTY-FIFTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Environmental Protection, Division of Environmental Protection, fund 0273, fiscal year 2024, organization 0313, in the amount of $8,242,100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTY-SIXTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce, Division of Natural Resources, fund 0265, fiscal year 2024, organization 0310, in the amount of $2,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTY-SEVENTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Veterans' Assistance, fund 0456, fiscal year 2024, organization 0613, in the amount of $1,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTY-EIGHTH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to Miscellaneous Boards and Commissions, Adjutant General – State Militia, fund 0433, fiscal year 2024, organization 0603, in the total amount of $3,039,900, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

THIRTY-NINTH: To make a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority, fund 6675, fiscal year 2024, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

FORTIETH: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Health and Human Resources, fund 0525, fiscal year 2024, organization 0506, in the amount of $5,225,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

FORTY-FIRST: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Attorney General, fund 0150, fiscal year 2024, organization 1500, in the amount of $2,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

FORTY-SECOND: To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, West Virginia State Police, fund 0453, fiscal year 2024, organization 0612, in the amount of $1,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

FORTY-THIRD: To expire funds to the balance of the Department of Education, Vocational Consolidated Accounts Fund, fund 3945, fiscal year 2024, organization 0402, in the amount of $12,000,000, from the State Department of Education,

fund 3517, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

FORTY-FOURTH: To amend § 18B-3D-6 of the Code of West Virginia, 1931, as amended, to create a three-year pilot program to include Potomac State College of West Virginia University as an eligible institution for participation in the "Learn and Earn Program."

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.

DONE at the Capitol in the City of Charleston, State of West Virginia, this Sixth Day of August, in the Year of our Lord, Two Thousand Twenty-Three, and in the One Hundred Sixty-First Year of the State.

James Justice,
Governor.

By the Governor

Mac Warner,
Secretary of State.

The Speaker announced that the House would stand in recess pending an updated communication from the the Governor, and upon calling the House back to order, the following communication was reported by the Clerk:

STATE OF WEST VIRGINIA
Jim Justice
Governor of West Virginia

August 06, 2023

HOUSE EXECUTIVE MESSAGE NO. 1
2023 1st SPECIAL SESSION
The Honorable Roger Hanshaw

Speaker, West Virginia House of Delegates
Building 1, Room M-228
1900 Kanawha Boulevard, East Charleston, West Virginia 25305

Dear Speaker Hanshaw:

The following is the "FY 2024 Official Estimate General Revenue- Statement of Revenues by Source" which I submitted as revised to you on June 30, 2023 for the fiscal year ending June 30, 2024:

General Revenue Fund

Statement of Revenues by Source

(Expressed in Thousands)

Source of Revenue		FY 2024 Official Estimate
Business and Occupation Tax	$	110,000
Consumers Sales and Use Tax		1,763,700
Personal Income Tax		2,004,000
Liquor Profit Transfers		26,500
Beer Tax and Licenses		7,000
Tobacco Products Tax (Cigarette & Other)		157,400
Business Franchise Fees		750
Property Transfer Tax		10,000
Property Tax		8,000
Insurance Tax		117,000
Departmental Collections		25,114

Corporate Income/Business Franchise Tax	210,000
Miscellaneous Transfers	2,000
Interest Income	38,900
Severance Tax	313,000
Miscellaneous Receipts	2,000
HB 102 - Lottery Transfers	65,000
Soft Drink Excise Tax	12,900
Liquor License Renewal	736
Senior Citizen Tax Credit Reimbursement	10,000
Total	$ 4,884,000

The following amends and replaces the "General Revenue Fund- Statement of Revenues, Expenditures, and Changes in Cash Balance" which I submitted to you on January 11, 2023 for the fiscal year ending June 30, 2024:

General Revenue Fund

Statement of Revenues, Expenditures, and Changes in Cash Balance

(Nearest Dollar) ·

Actual Beginning Cash Balance July 1, 2023	$2,884,813,151
Less: 31 Day Disbursements (July 1, 2023 - July 31, 2023)	(55,323,715)
Plus: Prior Year Reimbursements (July 1, 2023 - July 31, 2023)	218,002
Less: Prior Year Appropriations Forwarded	(797,995,917)

Less: Cash Balance – Adjustments and Accruals	(443,404)
Accumulated Surplus from FY 2023 @ July 31, 2023	$2,031,268,117
Less: Transfer to Revenue Shortfall Reserve Fund (Statutory)	$ (87,537,432)*
Less: FY 2024 Surplus Appropriations (FY 2023 Surplus) (House Bill 2024) (Surplus Section) (2023 Regular Session)	$(1,165,478,000)
Plus: Prior Year Reimbursements (August 1, 2023 - August 3, 2023	4,186
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Homeland Security) (State Police)	(1,000,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Veterans' Assistance) (Nursing Facility Replacement Beds)	(1,000,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Department of Education) (Minecraft/Gamechangers)	(1,800,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Administration) (Office of Technology Review and Upgrades)	(2,000,000)

Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Attorney General) (Outside Counsel)	(2,000,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Commerce) (Natural Resources) (Improvements and Research)	(2,000,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Corrections) (One-time payment)	(2,913,917)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Adjutant General) (Projects)	(3,039,900)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Commerce) (Forestry) (Equipment)	(4,000,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Arts, Culture & History) (Natural Resource Exhibit/ Semiquincentennial)	(4,000,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (DHHR) (Reimbursement Rates)	(5,225,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (DEP) (Reclamation and Remediation)	(8,242,100)

Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Legislature) (Technology Upgrades)	(11,500,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Homeland Security and Emergency Management) (Fire Protection)	(12,000,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Economic Development Authority) (Building)	(25,000,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Higher Education) (Marshall University) (Cybersecurity Program)	(45,000,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Education) (SAF PEIA Increase for 80/20 Plan)	(55,847,110)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (State Road Fund) (Highways)	(150,000,000)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Administration) (Co-located Lab)	(175,000,000)

Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Executive) (Civil Contingent Fund) (Grant Matching Funds)	(210,000,000)
Total Estimated Unappropriated Surplus Balance @August 8, 2023	$56,688,845
Plus: FY 2024 Revenue Estimate (as revised)	$4,884,000,000
Less: FY 2024 Appropriations (FY 2024 Budget Bill) (HB 2024) (2023 Regular Session)	(4,874,572,614)
Plus: FY 2024 Recommended Supplemental Appropriation (2023 1st Extraordinary Session) (PEIA Subsidy Reduction)	71,373,750
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Corrections) (Corrections CO Increase)	(21,121,273)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Rainy Day Fund Transfer)	(12,462,568)
Less: FY 2024 Recommended Surplus Supplemental Appropriation (2023 1st Extraordinary Session) (Education) (PSSP Final Calculations)	(1,536,677)
Estimated Unappropriated Balance from FY 2024 Activity @ June 30, 2024	$45,680,618
Total Estimated Balance @ June 30, 2024	$102,369,463

*Based on legislation modifying Rainy Day Fund calculations

The following amends and replaces the "FY 2024 Official Estimate" "State Road Fund - Statement of Revenues by Source" which I submitted to you on January 11, 2023 as part of my Budget Document for the fiscal year ending June 30, 2024:

State Road Fund

Statement of Revenues by Source

(Expressed in Thousands)

Source of Revenue	FY 2024 Official Estimate Revised
Motor Fuel Tax	$437,500
Registration	155,000
Sales (Privilege)	285,000
Litter 1,700	
Miscellaneous Revenue	210,000
Federal Reimbursement	641,300
Total State Road	$1,730.500

Note: The Governor's official Revenue Estimate for Fiscal Year 2024 is revised upward by $150 million. The changes include an increase in the Miscellaneous Revenue estimate.

State Road Fund

Statement of Revenues, Expenditures,

and Changes in Cash Balance

(Nearest Dollar)

Cash and Investment Balance - July 1, 2022	$128,465,074
Plus: FY 2023 Collections	1,706,663,811
Total Estimated Receipts and Balance:	$1,835,128,885
Less: FY 2023 Actual Expenditures:	
Division of Highways	$(1,607,084,334)
Division of Motor Vehicles	(52,023,609)
Industrial Access Road Transfer	(1,465,684)
Cash Balance @ June 30, 2023	$174,555,258
Plus: Revenue Estimate - FY 2024	$1,577,500,000
Less: FY 2024 Appropriations (HB 2024) (Budget Bill) (Highways)	(1,630,574,687)
Less: FY 2024 Appropriations (HB 2024) (Budget Bill) (Division of Motor Vehicles)	(66,692,527)
Less: FY 2024 Appropriations (HB 2024) (Budget Bill) (Claims Against the State)	(515,660)
Plus: FY 2024 Revenue Revision (2023 1st Extraordinary Session)	150,000,000
Less: FY 2024 Recommended Supplemental Appropriation (2023 1st Extraordinary Session)	(150,000,000)
Estimated Unappropriated Balance @ June 30, 2024	$54,272,384

Thank you for your cooperation in this matter.

Sincerely,

Jim Justice
Governor

Bills Introduced

The following bills were introduced:

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 101 - "A Bill to amend and reenact §11B-2-20 of the Code of West Virginia, 1931, as amended, relating to combining the totals of the Revenue Shortfall Reserve Fund and Revenue Shortfall Reserve Fund – Part B when determining surplus deposit eligibility; limiting the amount of surplus deposited into the Revenue Shortfall Reserve Fund; and providing for an effective date."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 101) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 102 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, by adding a new item of appropriation and increasing the expenditure of public moneys to the Department of Revenue, Office of the Secretary, fund 0465, fiscal year 2024, organization 0701, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 102) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Kelly and Skaff
[By Request of the Executive]:

H. B. 103 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the

balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Corrections and Rehabilitation - West Virginia Parole Board, fund 0440, fiscal year 2024, organization 0608, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Central Office, fund 0446, fiscal year 2024, organization 0608, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2024, organization 0608 and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Bureau of Juvenile Services, fund 0570, fiscal year 2024, organization 0608 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 103) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Kelly and Skaff
[By Request of the Executive]:

H. B. 104 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balances of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Parolee Supervision Fees, fund 6362, fiscal year 2024, organization 0608, and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority, fund 6675, fiscal year 2024, organization 0608 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 104) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Kelly and Skaff:

H. B. 105 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2024, organization 0608 and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Bureau of Juvenile Services, fund 0570, fiscal year 2024, organization 0608 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 105) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Kelly and Skaff
[By Request of the Executive]:

H. B. 106 - "A Bill to amend and reenact §17B-2-1c of the Code of West Virginia, 1931, as amended, relating to temporary identification cards for released inmates; clarifying that the temporary identification cards are issued at no cost to the inmate; and extending the period of validity of the temporary identification cards."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 106) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on the Judiciary.

By Delegates Kelly and Skaff
[By Request of the Executive]:

H. B. 107 - "A Bill to amend and reenact §15A-3-16 of the Code of West Virginia, 1931, as amended, relating to regional jail per diem fees; requiring certain municipalities to reimburse responsible county for up to five days of regional jail per diem fees when municipality incarcerates individuals for offenses that could have been prosecuted in municipal court but were prosecuted in magistrate court; and making technical corrections."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 107) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on the Judiciary.

By Delegates Kelly and Skaff
[By Request of the Executive]:

H. B. 108 - "A Bill to amend and reenact §62-1C-1a and §62-1C-2 of said Code, all relating to pretrial release; clarifying right to pretrial release; clarifying maximum bail amount for charges for multiple misdemeanor offenses; requiring prosecuting attorneys to report on persons held in custody for certain period; requesting reports from Supreme Court of Appeals; revising definition of 'bail'; establishing that defendant has right to select method of securing bail; clarifying that personal recognizance bonds shall include an unsecured monetary amount; authorizing judicial officer to impose reasonably necessary conditions to assure defendant will appear as required, including releasing defendant on his or her own recognizance; and making technical corrections."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 108) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on the Judiciary.

By Delegates Kelly and Skaff
[By Request of the Executive]:

H. B. 109 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15A-4-13a, relating to inmate medical care; prohibiting the use of state funds for certain procedures or benefits that are not medically necessary for persons in the custody of the commissioner; authorizing the commissioner to establish rules, policies, or regulations relating to certain levels of care; and defining terms."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 109) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on the Judiciary.

By Delegates Kelly and Skaff
[By Request of the Executive]:

H. B. 110 - "A Bill to amend and reenact §62-12-28 and §62-12-29 of the Code of West Virginia, 1931, as amended, all relating to pretrial release programs; authorizing Supreme Court of Appeals to develop pretrial release programs in all circuits; requesting court to develop electronic pretrial court date reminder system; and requiring community supervision committee of administrative office of the court to make recommendation for development of electronic pretrial court date reminder system."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 110) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on the Judiciary.

By Delegates Kelly and Skaff
[By Request of the Executive]:

H. B. 111 - "A Bill to amend and reenact §15A-3-4 of the Code of West Virginia, 1931, as amended, relating to the powers and duties of the Commissioner of the Division of Corrections and Rehabilitation; authorizing commissioner to require certain agreements with employees for reimbursement of training costs under certain conditions; clarifying that transportation of inmates for court appearances is subject to rules of the Supreme Court of Appeals; and authorizing the commissioner to cooperate with the Supreme Court of Appeals in developing a comprehensive transportation plan."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 111) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on the Judiciary.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 112 - "A Bill to amend and reenact §48-13-301, §48-13-403, §48-13-404, and §48-13-502 of the Code of West Virginia, 1931, as amended; all relating to child support guidelines; correcting errors, including monthly basic child support obligation

amounts and citations; and updating worksheets for new student loan deduction."

At the respective requests of Delegate Householder, and by unanimous consent, the bill was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 791)**, and there were—yeas 76, nays 6, absent and not voting 18, with the nays and the absent and not voting being as follows:

Nays: Brooks, Butler, Foster, A. Hall, Hillenbrand and Vance.

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ridenour, Ross, Steele and Westfall.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time, and ordered to engrossment and third reading.

The bill was then read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 792)**, and there were—yeas 82, nays none, absent and not voting 18, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ridenour, Ross, Steele and Westfall.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 112) passed.

On motion of Delegate Householder, the title of the bill was amended to read as follows:

H. B. 112 - "A Bill to amend and reenact §48-13-301, §48-13-403, §48-13-404, and §48-13-502 of the Code of West Virginia, 1931, as amended; all relating to child support; adjusting monthly child support obligation amounts; correcting citations; and updating child support worksheets."

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 793)**, and there were—yeas 82, nays none, absent and not voting 18, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ridenour, Ross, Steele and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 112) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 113 - "A Bill to repeal §16-27-1, §16-27-2, §16-27-3, and §16-27-4 of the Code of West Virginia, 1931, as amended; to repeal §16-34-1, §16-34-2, §16-34-3, §16-34-4, §16-34-5, §16-34-6, §16-34-7, §16-34-8, §16-34-9, §16-34-10, §16-34-11, §16-34-12, §16-34-13, and §16-34-14 of said code; to amend and reenact §16-1-7 of said code; to amend and reenact §18-9E-3 of said code; to amend said code by adding thereto a new article, designated §22-35-1, §22-35-2, §22-35-3, §22-35-4, §22-35-5, §22-35-6, §22-35-7, §22-35-8, §22-35-9, §22-35-10, §22-35-11, §22-35-12, §22-35-13, §22-35-14, §22-35-15, §22-35-16, §22-35-17, §22-35-18, §22-

35-19, §22-35-20, and §22-35-21; to amend said code by adding thereto a new article, designated §22-37-1, §22-37-2, §22-37-3, §22-37-4, §22-37-5, §22-37-6, §22-37-7, §22-37-8, §22-37-9, §22-37-10, §22-37-11, §22-37-12, §22-37-13 and §22-37-14; and to amend and reenact §29-1H-3 and §29-1H-5 of said code, all relating to making West Virginia an agreement state with the United States Nuclear Regulatory Commission and transferring authority and responsibility for sources of radiation from other state agencies to the Department of Environmental Protection; establishing a comprehensive regulatory system for the control of sources of radiation for the protection of the public and the environment; creating the Radiation Control Act; providing for declaration of policy and purpose; providing for certain definitions; providing for exemptions; creating the Radiation Advisory Board; providing for the Board's composition, authorities, duties, and for the compensation of members; providing that the Department of Environmental Protection is be designated as the state radiation control agency; providing for the Department's duties, authorities, and requirements for consistency with federal law and regulations; providing for comprehensive programs and procedures to control radiation through general and specific licensing of radioactive materials and equipment; establishing rule making authority under the Department concerning radiation control; establishing licensing and registration requirements and procedures; establishing fee schedules, funding sources, and forms; transferring existing rules, licenses, policies, agreements, grants, and funding to the Department from other agencies; establishing procedures and requirements regarding radioactive materials and sureties; providing for a comprehensive program to regulate Radon, and its screening, testing, and mitigation; providing for the regulation of X-ray machines, and providing for reports, fees, and qualifications of inspectors; creating the Radiation Site Closure and Reclamation Fund with requirements and funding sources; creating the Radiation Licensure and Inspection Fund with requirements and funding sources; allowing for impounding sources of ionizing radiation; providing authority for the Governor and the Department to enter into agreements with the federal government, other states, or interstate agencies; defining effects on local ordinances; providing for administrative procedure and judicial review;

defining enforcement procedures regarding violations of law; establishing civil penalties; establishing felonies with criminal penalties; providing for the licensure of radon mitigators, testers, contractors, and laboratories; providing for legislative findings; requiring radon licenses and providing requirements and exemptions; providing for record keeping, rulemaking, and confidentiality; transferring a special revenue fund and other funds to the Department; providing for suspension or revocation of licenses for programs concerning radon and other radioactive materials; continuing an existing misdemeanor with criminal penalties; and providing that the Secretary of the Department of Environmental Protection shall assume responsibilities under the Appalachian States Low-Level Radioactive Waste Compact."

At the respective requests of Delegate Householder, and by unanimous consent, the bill was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 794)**, and there were—yeas 79, nays 2, absent and not voting 19, with the nays and the absent and not voting being as follows:

Nays: A. Hall and Vance.

Absent and Not Voting: Cooper, Coop-Gonzalez, Dean, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ridenour, Ross, Steele and Westfall.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time, and ordered to engrossment and third reading.

The bill was then read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 795)**, and there were—yeas 77, nays 4, absent and not voting 19, with the nays and the absent and not voting being as follows:

Nays: Bridges, Dean, A. Hall and Vance.

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ridenour, Ross, Steele, Westfall and Zatezalo.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 113) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 796)**, and there were—yeas 79, nays 2, absent and not voting 19, with the nays and the absent and not voting being as follows:

Nays: A. Hall and Vance.

Absent and Not Voting: Cooper, Coop-Gonzalez, Dean, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ridenour, Ross, Steele and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 113) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

By Delegates Hanshaw (Mr. Speaker) and Skaff:

H. B. 114 - "A Bill supplementing and amending appropriations of public moneys out of the Treasury in the State Fund, General Revenue, by decreasing an existing item of

appropriation to the Department of Administration, Public Employees Insurance Agency, fund 0200, fiscal year 2024, organization 0225, by supplementing and amending appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (H. B. 114) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 797)**, and there were—yeas 81, nays 1, absent and not voting 18, with the nays and the absent and not voting being as follows:

Nays: A. Hall.

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ridenour, Ross, Steele and Westfall.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time, and ordered to engrossment and third reading.

The bill was then read a third time and put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 798)**, and there were—yeas 81, nays 2, absent and not voting 17, with the nays and the absent and not voting being as follows:

Nays: Ridenour and Vance.

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 114) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 799)**, and there were—yeas 81, nays 2, absent and not voting 17, with the nays and the absent and not voting being as follows:

Nays: Ridenour and Vance.

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 114) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 115 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Education, State Board of Education – State Aid to Schools, fund 0317, fiscal year 2024, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (H. B. 115) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 800)**, and there were—yeas 80, nays 3, absent and not voting 17, with the nays and the absent and not voting being as follows:

Nays: A. Hall, Ridenour and Vance.

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time, and ordered to engrossment and third reading.

The bill was then read a third time and put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 801)**, and there were—yeas 83, nays none, absent and not voting 17, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 115) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 802)**, and there were—yeas 83, nays none, absent and not voting 17, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 115) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

By Delegates Hanshaw (Mr. Speaker) and Skaff:

H. B. 116 - "A Bill supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2023, known as the budget bill, in T1itle II from the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Education, State Board of Education – State Aid to Schools, fund 0317, fiscal year 2024, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024 by increasing and decreasing items of appropriation; therefore."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (H. B. 116) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 803)**, and there were—yeas 78, nays 4, absent and not voting 18, with the nays and the absent and not voting being as follows:

Nays: Butler, A. Hall, Ridenour and Vance.

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre,

Marple, Martin, Pinson, Reynolds, Ross, Rowe, Steele and Westfall.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time, and ordered to engrossment and third reading.

The bill was then read a third time and put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 804)**, and there were—yeas 82, nays 1, absent and not voting 17, with the nays and the absent and not voting being as follows:

Nays: Ridenour.

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 116) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 805)**, and there were—yeas 83, nays none, absent and not voting 17, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 116) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

By Delegates Hanshaw (Mr. Speaker) and Skaff:

H. B. 117 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Higher Education Policy Commission, Marshall University, General Administration Fund, fund 0348, fiscal year 2024, organization 0471 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

Delegate Householder, asked unanimous consent that the bill be taken up for immediate consideration, and read a first time, which consent was not granted, objection being heard.

Delegate Householder then so moved.

On this motion, the yeas and nays were taken **(Roll No. 806)**, and there were—yeas 67, nays 16, absent and not voting 17, with the nays and the absent and not voting being as follows:

Nays: Bridges, Brooks, Burkhammer, Butler, Chiarelli, Dean, Foster, A. Hall, Jennings, Kimble, McGeehan, Phillips, Ridenour, Street, Vance and Ward.

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, two thirds of the members present having voted in the affirmative, the motion was adopted, and the bill was read a first time and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff:

H. B. 118 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of

Education, State Board of Education, State Department of Education, fund 0313, fiscal year 2024, organization 0402 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 118) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 119 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the West Virginia State Senate, fund 0165, fiscal year 2024, organization 2100, to the West Virginia House of Delegates fund 0170, fiscal year 2024, organization 2200, and to Joint Expenses, fund 0175, fiscal year 2024, organization 2300 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 119) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 120 - "A Bill to amend and reenact §7-22-9 of the Code of West Virginia, 1931, as amended, relating to authorizing the Mercer County Commission to levy a special district excise tax; authorizing the special district excise tax for the benefit of The Ridges Economic Opportunity Development District; and setting forth the land area within the special district subject to the special district excise tax."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 120) was taken up for immediate

consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 121 - "A Bill amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-5B-1 and §7-5B-2; and to amend and reenact §33-3-33 of said code, all relating to funding certain first responders; creating a special revenue fund administered by the Secretary of Homeland Security for the benefit of counties with excess levies or dedicated fees related to emergency services; creating a special revenue fund administered by the Secretary of Homeland Security for the benefit of emergency services in certain counties exhibiting population increase; granting rulemaking authority; requiring the State Fire Marshal provide certain information to the State Treasurer before distribution of the Fire Protection Fund; and requiring that volunteer fire departments eligible to receive policy surcharge funds implement the State Auditor's West Virginia Checkbook fiscal reporting system."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 121) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 122 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2024, organization 0606 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 122) was taken up for immediate

consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 123 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balances of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Emergency Management, Growth County Fire Protection Fund, fund xxxx, fiscal year 2024, organization 0606 and to the Department of Homeland Security, Division of Emergency Management, County Fire Protection Fund, fund xxxx, fiscal year 2024, organization 0606 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 123) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker), Skaff, Hanna and Tully
[By Request of the Executive]:

H. B. 124 - "A Bill to amend §20-1-19 of the Code of West Virginia, 1931, as amended, relating to establishing Summersville Lake State Park."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (H. B. 124) to a committee was dispensed, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 807)**, and there were—yeas 78, nays 3, absent and not voting 19, with the nays and the absent and not voting being as follows:

Nays: A. Hall, Ridenour and Vance.

Absent and Not Voting: Bridges, Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Linville, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time, and ordered to engrossment and third reading.

The bill was then read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 808)**, and there were—yeas 83, nays none, absent and not voting 17, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 124) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 809)**, and there were—yeas 82, nays none, absent and not voting 18, with the absent and not voting being as follows:

Absent and Not Voting: Clark, Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 124) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 125 - "A Bill to amend and reenact §11-13MM-10 of the Code of West Virginia, 1931, as amended to clarify that certain payments paid prior to the effective date of the tax credits for property taxes paid on certain species of property are eligible for the tax credits."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (H. B. 125) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 810)**, and there were—yeas 81, nays 2, absent and not voting 17, with the nays and the absent and not voting being as follows:

Nays: A. Hall and Vance.

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time, and ordered to engrossment and third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 811)**, and there were—yeas 83, nays none,

absent and not voting 17, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 125) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 812)**, and there were—yeas 83, nays none, absent and not voting 17, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 125) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 126 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Transportation – Division of Highways, fund 0620, fiscal year 2024, organization 0803, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 126) was taken up for immediate

consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 127 - "A Bill supplementing, amending and increasing existing items of appropriation from the State Road Fund to the Department of Transportation, Division of Highways, fund 9017, fiscal year 2024, organization 0803, for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 127) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 128 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Governor's Office – Civil Contingent Fund, fund 0105, fiscal year 2024, organization 0100 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 128) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 129 - "A Bill supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2023, known as the budget bill, as amended, in Title II from the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Economic Development – Office of the Secretary, fund 0256, fiscal year 2024, organization 0307, by

supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 129) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 130 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Administration, Office of Technology, fund 0204, fiscal year 2024, organization 0231 by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2023, known as the Budget Bill for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 130) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 131 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Administration – Division of General Services, fund 0230, fiscal year 2024, organization 0211 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 131) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 132 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce – Division of Forestry, fund 0250, fiscal year 2024, organization 0305 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 132) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 133 - "A Bill making a supplementary appropriation of federal funds out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Commerce, Geological and Economic Survey, fund 8704, fiscal year 2024, organization 0306, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 133) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 134 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Arts, Culture, and History, Division of Culture and History, fund 0293, fiscal year 2024, organization 0432, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 134) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 135 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Environmental Protection, Division of Environmental Protection, fund 0273, fiscal year 2024, organization 0313, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 135) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 136 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce, Division of Natural Resources, fund 0265, fiscal year 2024, organization 0310 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 136) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 137 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the

balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Veterans' Assistance, fund 0456, fiscal year 2024, organization 0613, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 137) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 138 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to Miscellaneous Boards and Commissions, Adjutant General – State Militia, fund 0433, fiscal year 2024, organization 0603, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 138) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 139 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority, fund 6675, fiscal year 2024, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 139) was taken up for immediate

consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 140 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Attorney General, fund 0150, fiscal year 2024, organization 1500, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 140) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 141 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, West Virginia State Police, fund 0453, fiscal year 2024, organization 0612, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 141) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 142 - "A Bill expiring funds to the balance of the Department of Education, Vocational Consolidated Accounts Fund, fund 3945, fiscal year 2024, organization 0402, in the amount of $12,000,000, from the State Department of Education,

fund 3517, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 142) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:

H. B. 143 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Health and Human Resources, fund 0525, fiscal year 2024, organization 0506 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 143) was taken up for immediate consideration, read a first time, ordered to second reading and then referred to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker), Skaff and Howell
[By Request of the Executive]:

H. B. 144 - "A Bill to amend and reenact §18B-3D-6 of the Code of West Virginia, 1931, as amended, relating to creating a three-year pilot program to include Potomac State College of West Virginia University as an eligible institution for participation in the 'Learn and Earn Program'."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (H. B. 144) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 813)**, and there were—yeas 80, nays 3, absent and not voting 17, with the nays and the absent and not voting being as follows:

Nays: A. Hall, Ridenour and Vance.

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time, and ordered to engrossment and third reading.

The bill was then read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 814)**, and there were—yeas 83, nays none, absent and not voting 17, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 144) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 815)**, and there were—yeas 83, nays none, absent and not voting 17, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 144) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

Leaves of Absence

At the request of Delegate Householder, and by unanimous consent, leaves of absence for the day were granted Delegates Cooper, Coop-Gonzalez, Dillon, Foggin, Griffith, Hamilton, Hott, Kelly, Kump, Longanacre, Marple, Martin, Pinson, Reynolds, Ross, Steele and Westfall.

At 7:25 p.m., Sunday, August 6, 2023, the House of Delegates adjourned until 12:00 noon, Monday, August 7, 2023.

Monday, August 7, 2023

SECOND DAY

[DELEGATE HANSHAW, MR. SPEAKER, IN THE CHAIR]

The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

The Clerk proceeded to read the Journal of Sunday, August 6, 2023, being the first order of business, when the further reading thereof was dispensed with and the same approved.

At 12:22 p.m., on motion of Delegate Householder, the House of Delegates recessed until 3:00 p.m.

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Evening Session

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The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

Committee Reports

Delegate Capito, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

H. B. 106, Relating to temporary identification cards for released inmates,

And reports the same back with the recommendation that it do pass.

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 106) was taken up for immediate consideration, read a second time, advanced to third reading with the right to amend, and the rule was suspended to permit the offering and consideration of amendments on that reading.

Delegate Capito, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

H. B. 107, Requiring certain municipalities to reimburse responsible county for up to five days of regional jail per diem fees,

H. B. 109, Prohibiting the use of state funds for certain procedures or benefits that are not medically necessary for persons in the custody of the commissioner,

H. B. 110, Authorizing the Supreme Court of Appeals to develop pretrial release programs in all circuits of the state and to develop an electronic court date reminder system as part of any such programs,

And,

H. B. 111, Authorizing agreements for reimbursement for certain training costs and to authorize the division to cooperate with the Supreme Court of Appeals on developing a comprehensive transportation plan,

And reports the same back, with amendment, with the recommendation that they each do pass, as amended.

At the respective requests of Delegate Householder, and by unanimous consent, the bills (H. B. 107, H. B. 109, H. B. 110 and H. B. 111) were each taken up for immediate consideration, read a second time, advanced to third reading with the amendments pending and the right to amend, and the rule was suspended to permit the offering and consideration of amendments on that reading.

Delegate Criss, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 117, Supplementing and amending the appropriations to Higher Education Policy Marshall University,

H. B. 119, Supplementing and amending the appropriations of public moneys from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the West Virginia State Senate, to the West Virginia House of Delegates, and to Joint Expenses,

H. B. 120, Authorizing the Mercer County Commission to levy a special district excise tax for the benefit of The Ridges Economic Opportunity Development District,

H. B. 126, Supplementing and amending the appropriations to the Department of Transportation – Division of Highways,

H. B. 127, Supplementing, amending and increasing existing items of appropriation from the State Road Fund to the Department of Transportation, Division of Highways,

H. B. 129, Supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2023, known as the budget bill, to the Department of Economic Development – Office of the Secretary,

H. B. 130, Supplementing and amending the appropriations to the Department of Administration, Office of Technology,

H. B. 132, Supplementing and amending the appropriations to the Department of Commerce – Division of Forestry,

H. B. 133, Making a supplemental appropriation of federal funds to the Department of Commerce, Geological and Economic Survey,

H. B. 137, Supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys

remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Veterans' Assistance,

H. B. 138, Supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to Miscellaneous Boards and Commissions, Adjutant General – State Militia,

H. B. 139, Making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority,

H. B. 141, Supplementing and amending the appropriations to the Department of Homeland Security, West Virginia State Police,

H. B. 142, Expiring funds to the balance of the Department of Education, Vocational Consolidated Accounts Fund, fund 3945, fiscal year 2024, organization 0402, in the amount of $12,000,000, from the State Department of Education,

And,

H. B. 143, Supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Health and Human Resources,

And reports the same back with the recommendation that they each do pass.

At the respective requests of Delegate Householder, and by unanimous consent, the bills (H. B. 117, H. B. 119, H. B. 120, H. B. 126, H. B. 127, H. B. 129, H. B. 130, H. B. 132, H. B. 133, H. B. 137, H. B. 138, H. B. 139, H. B. 141, H. B. 142 and H. B. 143) were each taken up for immediate consideration, read a second time, advanced to third reading with the right to amend, and the

rule was suspended to permit the offering and consideration of amendments on that reading.

Delegate Criss, Chair of the Committee on Finance submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 123, Making a supplementary appropriation to the Department of Homeland Security, Division of Emergency Management, Growth County Fire Protection Fund, and to the Department of Homeland Security, Division of Emergency Management, County Fire Protection Fund,

And reports the same back, with a title amendment, with the recommendation that it do pass, as amended.

At the respective requests of Delegate Householder, and by unanimous consent, the bill (H. B. 123) was taken up for immediate consideration, read a second time, advanced to third reading with the amendment pending and the right to amend, and the rule was suspended to permit the offering and consideration of amendments on that reading.

Delegate Criss, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 103, Supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Corrections and Rehabilitation,

H. B. 104, Making a supplementary appropriation of public moneys out of the Treasury from the balances of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Parolee Supervision Fees,

H. B. 105, Supplementing and amending the appropriations to Division of Corrections,

H. B. 121, Funding certain first responders,

H. B. 122, Supplementing and amending the appropriations to the Department of Homeland Security, Division of Emergency Management,

H. B. 128, Supplementing and amending the appropriations to the Governor's Office – Civil Contingent Fund,

H. B. 131, Supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Administration – Division of General Services,

And,

H. B. 134, Supplementing and amending the appropriations to the Department of Arts, Culture, and History, Division of Culture and History,

And reports the same back, with amendment, with the recommendation that they each do pass, as amended.

At the respective requests of Delegate Householder, and by unanimous consent, the bills (H. B. 103, H. B. 104, H. B. 105, H. B. 121, H. B. 122, H. B. 128, H. B. 131 and H. B. 134) were each taken up for immediate consideration, read a second time, advanced to third reading with the amendments pending and the right to amend, and the rule was suspended to permit the offering and consideration of amendments on that reading.

Delegate Householder moved that the House adjourn until 9:00 a.m., Tuesday, August 8, 2023.

On this question, the yeas and nays were taken **(Roll No. 816)**, and there were—yeas 89, nays 2, absent and not voting 9, with the nays and the absent and not voting being as follows:

Nays: Burkhammer and Butler

Absent and Not Voting: Cooper, Hansen, Longanacre, Lucas, Martin, E. Pritt, Pushkin, Steele and Westfall.

So, a majority of the members present having voted in the affirmative, the motion was adopted and, at 7:34 p.m., the House of Delegates adjourned until 9:00 a.m., Tuesday, August 8, 2023.

Tuesday, August 8, 2023

THIRD DAY

[DELEGATE HANSHAW, MR. SPEAKER, IN THE CHAIR]

The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

The Clerk proceeded to read the Journal of Monday, August 7, 2023, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Messages from the Senate

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1001 - "A Bill to amend and reenact §11B-2-20 of the Code of West Virginia, 1931, as amended, relating to combining the totals of the Revenue Shortfall Reserve Fund and Revenue Shortfall Reserve Fund – Part B when determining surplus deposit eligibility; limiting the amount of surplus deposited into the Revenue Shortfall Reserve Fund; and providing for an effective date"; which was referred to the Committee on Finance.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1009 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15A-4-13a, relating to inmate medical care; prohibiting the use of state funds for certain procedures or benefits that are not medically

necessary for persons in the custody of the commissioner; authorizing the commissioner to establish rules, policies, or regulations relating to certain levels of care; and defining terms."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1009) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 817)**, and there were—yeas 87, nays 8, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Garcia, A. Hall, Hansen, Pushkin, Rowe, Vance, Williams and Young.

Absent and Not Voting: Bridges, Fluharty, Longanacre, Martin and Phillips.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

Delegate Pushkin arose to inquire of the Chair regarding an amendment considered by the House Committee on the Judiciary.

There being no objection, the House returned to the second reading of the bill for consideration of an amendment.

The following amendment was then reported by the Clerk.

On motion of Delegate Kelly, the bill was amended by striking everything after the enacting clause and inserting in lieu thereof the following:

"**§15A-4-13a. Prohibition on use of taxpayer resources for certain medical procedures.**

(a) For purposes of this section:

(1) 'Medical procedure' means health care services or products, surgery, in-patient or out-patient treatment, or the prescribing or dispensing of drugs or biologicals for the purpose of treating an illness, injury, disease, condition, or the symptoms thereof.

(2) 'Medically necessary' means health care services or products that a prudent provider of health care would provide to a patient to prevent, diagnose, or treat an illness, injury, or disease, or any symptoms thereof to include the provision of contraception by means of dispensing drugs or medical procedures, that are necessary and:

(A) Provided in accordance with generally accepted standards of medical practice;

(B) Clinically appropriate with regard to type, frequency, extent, location, and duration;

(C) Not provided primarily for the convenience of the patient or provider of health care;

(D) Required to improve a specific health condition of a patient or to preserve the existing state of health of the patient; and

(E) The most clinically appropriate level of health care that may be safely provided to the patient.

(3) A provider of health care prescribing, ordering, recommending, or approving a health care service or product does not, by itself, make that health care service or product medically necessary.

(b) No funds authorized or appropriated by state law shall be expended, directly or indirectly, for any medical procedure that the Commissioner of Corrections and Rehabilitation, or his or her

designee or agent, after consulting with a medical professional determines is not medically necessary for any individual who is in the custody of the Division of Corrections and Rehabilitation.

(c) No funds authorized or appropriated by state law may be expended, directly or indirectly, for health benefits that cover any medical procedure that the Commissioner of Corrections and Rehabilitation, or his or her designee or agent, after consulting with a medical professional determines is not medically necessary for any individual who is in the custody of the Division of Corrections and Rehabilitation.

(d) The commissioner is authorized to establish written rules, policies, and regulations regarding medical procedures which may distinguish between inmates based upon, among other grounds, length of incarceration."

The bill was then ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 818)**, and there were—yeas 86, nays 10, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Fluharty, Garcia, Hamilton, Hansen, *Hornbuckle, McGeehan, Pushkin, Rowe, Williams and Young.

Absent and Not Voting: Bridges, Longanacre, Martin and Phillips.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 1009) passed.

*Delegate Hornbuckle subsequently announced that his vote did not register on Roll No. 818 and the Speaker directed that the Delegate be recorded in the negative.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 819)**, and there were—yeas 87, nays 9, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Fluharty, Garcia, Hamilton, Hansen, Hornbuckle, Pushkin, Rowe, Williams and Young.

Absent and Not Voting: Bridges, Longanacre, Martin and Phillips.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1009) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1010 - "A Bill to amend and reenact §62-12-28 and §62-12-29 of the Code of West Virginia, 1931, as amended, all relating to pretrial release programs; authorizing Supreme Court of Appeals to develop pretrial release programs in all circuits; requesting court to develop electronic pretrial court date reminder system; and requiring community supervision committee of administrative office of the court to make recommendation for development of electronic pretrial court date reminder system."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1010) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 820)**, and there were—yeas 93, nays 3, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin and Phillips.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time.

Delegate Kelly moved to amend the bill by striking everything after the enacting clause and inserting in lieu thereof the following:

"**§62-12-28. Authorizing Supreme Court to develop pilot pretrial release programs.**

(a) The West Virginia Supreme Court of Appeals is hereby authorized to develop ~~pilot~~ pretrial release programs in ~~up to five circuits~~ all the circuits of this state with the aim of reducing regional jail populations of short-term detainees while ensuring the safety of law-abiding citizens.

(b) The programs authorized by subsection (a) of this section shall be available only to persons charged with ~~misdemeanors and nonviolent felonies~~ non-violent misdemeanors.

(c) Any program developed pursuant to this section shall require input from arresting officers and shall allow for ~~telephone~~ electronic authorization by magistrates of a charged person's participation.

(d) In developing the ~~pilot~~ programs in the state for examples of successful practices authorized by this section the Court is requested to review any existing programs.

(e) ~~The provisions of this section shall be in effect for three years from the effective date of this section~~ As part of any pretrial release program, the Court is requested to develop an electronic

system for pretrial court date reminders, through text messages, emails, or other electronic means, to reduce the risk of failure to appear, which should be available to all defendants on pretrial release and their counsel of record.

(f) The Supreme Court of Appeals is hereby requested to provide annual reports to the President of the Senate and the Speaker of the House of Delegates as to the efficacy of the programs.

§62-12-29. Shared information for community supervision.

(a) The Administrative Director of the Supreme Court of Appeals of West Virginia is requested to assemble a community supervision committee, to include representatives of the judiciary, probation, parole, day report centers, magistrates, sheriffs, corrections and other members at the discretion of the director. The administrative director shall appoint a chair from among the members and attend the meeting ex officio.

(b) The committee shall:

(1) Design and deploy a method for probation officers, parole officers, day report centers and others providing community supervision to electronically share offender information and assessments;

(2) Coordinate information reporting and access across agencies continuing supervision;

(3) Collect and share information about assessed and collected restitution among agencies continuing supervision;

(4) Collect sentencing-level data to enable the study of sentencing practices across the state; ~~and~~

(5) Coordinate with the Community Corrections Subcommittee of the Governor's Committee on Crime, Delinquency and Correction in the discharge of these duties; and

(6) Research and recommend a means for the development and deployment of an electronic system for pretrial court date reminders, through text messages, emails, or other electronic means, to reduce the risk of failure to appear, which should be available to all defendants on pretrial release and their counsel of record.

(c) The committee shall annually submit a report on its activities during the previous year, on or before September 30, to the Governor, the Speaker of the House of Delegates, the President of the Senate and, upon request, to any individual member of the Legislature."

Delegate Foster asked and obtained unanimous consent that an amendment filed in the system be withdrawn.

The amendment sponsored by Delegate Kelly was then adopted.

The bill was then ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 821)**, and there were—yeas 93, nays 3, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: McGeehan, Steele and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin and Phillips.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 1010) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 822)**, and there were—yeas 94, nays 2, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Steele and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin and Phillips.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1010) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1011 - "A Bill to amend and reenact §15A-3-4 of the Code of West Virginia, 1931, as amended, relating to the powers and duties of the Commissioner of the Division of Corrections and Rehabilitation; authorizing commissioner to require certain agreements with employees for reimbursement of training costs under certain conditions; clarifying that transportation of inmates for court appearances is subject to rules of the Supreme Court of Appeals; and authorizing the commissioner to cooperate with the Supreme Court of Appeals in developing a comprehensive transportation plan"; which was referred to the Committee on the Judiciary.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1017 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Higher Education Policy Commission, Marshall University, General Administration Fund, fund 0348, fiscal year 2024, organization 0471, by supplementing

and amending the appropriations for the fiscal year ending June 30, 2024."

Delegate Householder asked unanimous consent, that reference of the bill (S. B. 1017) to a committee be dispensed with, taken up for immediate consideration and read a first time, which consent was not granted, objection being heard.

Delegate Householder then so moved.

The motion was adopted and the bill was read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 823)**, and there were—yeas 74, nays 22, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Brooks, Burkhammer, Butler, Chiarelli, Coop-Gonzalez, Dean, Dillon, Foster, A. Hall, Jennings, Kimble, Kirby, Kump, McGeehan, C. Pritt, Ridenour, Ross, Steele, Street, Vance, Ward and Winzenreid.

Absent and Not Voting: Bridges, Longanacre, Martin and Phillips.

So, four fifths of the members present not having voted in the affirmative, the motion was rejected.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1018 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of

Education, State Board of Education, State Department of Education, fund 0313, fiscal year 2024, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, the bill (S. B. 1018) to a committee was dispensed with, and it was taken up for immediate consideration and read a first time.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 824)**, and there were—yeas 83, nays 13, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Coop-Gonzalez, Crouse, Dillon, Gearheart, A. Hall, Jennings, Kimble, Kump, C. Pritt, Ridenour, Steele, Vance and Ward.

Absent and Not Voting: Bridges, Longanacre, Martin and Phillips.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was then read a third time.

On motion of Delegate Criss, the bill (S. B. 1018) was referred to the Committee on Finance.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1019 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the West Virginia State Senate, fund 0165, fiscal year 2024, organization 2100, to the West Virginia House of Delegates, fund 0170, fiscal year 2024, organization 2200, and to Joint Expenses, fund 0175, fiscal year 2024, organization 2300, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1019) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 825)**, and there were—yeas 93, nays 3, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin and Phillips.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 826)**, and there were—yeas 91, nays 5, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Dillon, Foster, A. Hall, Steele and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin and Phillips.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1019) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 827)**, and there were—yeas 92, nays 4, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall, Steele and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin and Phillips.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1019) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1020 – "A Bill to amend and reenact §7-22-9 of the Code of West Virginia, 1931, as amended, relating to authorizing the Mercer County Commission to levy a special district excise tax; authorizing the special district excise tax for the benefit of the Ridges Economic Opportunity Development District; and setting forth the land area within the special district subject to the special district excise tax."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1020) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 828)**, and there were—yeas 85, nays 11, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Chiarelli, Coop-Gonzalez, Dillon, A. Hall, Kimble, Kump, McGeehan, C. Pritt, Ridenour, Street and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin and Phillips.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time.

Delegate Maynor requested to be excused from voting under the provisions of House Rule 49.

The Speaker ruled that the Delegate was a member of a class of persons possibly to be affected and directed the Member to vote.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 829)**, and there were—yeas 83, nays 13, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Chiarelli, Coop-Gonzalez, Dillon, Fast, Fluharty, Foster, Kimble, Kump, McGeehan, C. Pritt, Street, Vance and Williams.

Absent and Not Voting: Bridges, Longanacre, Martin and Phillips.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 1020) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 830)**, and there were—yeas 88, nays 8, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Coop-Gonzalez, Dillon, Kimble, Kump, McGeehan, C. Pritt, Street and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin and Phillips.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1020) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1021 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-5B-1 and §7-5B-2; and to amend and reenact §33-3-33 of said code, all relating to funding certain first responders; creating a special revenue fund administered by the Secretary of Homeland Security for the benefit of counties with excess levies or dedicated fees related to emergency services; creating a special revenue fund administered by the Secretary of Homeland Security for the benefit of emergency services in certain counties exhibiting population increase; granting rulemaking authority; requiring the State Fire

Marshal provide certain information to the State Treasurer before distribution of the Fire Protection Fund; and requiring that volunteer fire departments eligible to receive policy surcharge funds implement the State Auditor's West Virginia Checkbook fiscal reporting system."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1021) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 831)**, and there were—yeas 93, nays 3, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin and Phillips.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time.

An amendment sponsored by Delegate Criss, was reported by the Clerk beginning on page one, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

"**CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS**

ARTICLE 5B. Funds for fire protection.

§7-5B-1. Funds for use of fire protection in counties with excess levy or dedicated fee.

(a) There is hereby created in the State Treasury a special revenue fund designated and known as the County Fire Protection Fund which is an interest-and-earnings accumulating account. The fund shall receive Legislative appropriations, grants, gifts, devises, and donations from any public or private source. All interest and other returns derived from the deposit and investment of moneys in the County Fire Protection Fund shall be credited to the fund. Any balance, including accrued interest and other returns, remaining in the fund at the end of each fiscal year shall not revert to the General Revenue Fund but shall remain in the fund and be expended as provided in this section. The fund shall be administered by the Secretary of Homeland Security and distributed by the Secretary to certain county commissions and distributed by those county commissions to fire departments in those counties for the exclusive benefit of fire protection in the county. Distributions from the fund shall be distributed only to the county commissions of counties which have in place a countywide excess levy, or a countywide fee, dedicated to fire or emergency services. Among those counties, distributions shall be in relative proportion to each county's population's percentage of the aggregate population of all such counties combined.

(b) The Secretary of Homeland Security may propose legislative rules, including emergency rules, for promulgation in accordance with §29A-3-1 *et seq.* of this code to implement this section.

§7-5B-2. Funds for use of fire protection in counties.

(a) There is hereby created in the State Treasury a special revenue fund designated and known as the All County Fire Protection Fund which is an interest-and-earnings accumulating account. The fund shall receive Legislative appropriations, grants, gifts, devises, and donations from any public or private source. All interest and other returns derived from the deposit and investment of moneys in the All County Fire Protection Fund shall be credited to the fund. Any balance, including accrued interest and other returns, remaining in the fund at the end of each fiscal year shall not revert to the General Revenue Fund but shall remain in the fund and be expended as provided in this section. The fund shall be

administered by the Secretary of Homeland Security and distributed by the Secretary to county commissions and distributed by those county commissions to fire departments in those counties for the exclusive benefit of fire protection in the county. Among those counties, distributions shall be in relative proportion to each county's population's percentage of the aggregate population of all such counties combined.

(b) The Secretary of Homeland Security may propose legislative rules, including emergency rules, for promulgation in accordance with §29A-3-1 *et seq.* of this code to implement this section.

CHAPTER33. INSURANCE.

ARTICLE 3. LICENSING, FEES AND TAXATION OF INSURERS.

§33-3-33. Surcharge on fire and casualty insurance policies to benefit volunteer and part-volunteer fire departments; Public Employees Insurance Agency and municipal pension plans; special fund created; allocation of proceeds; effective date.

(a)(1) For the purpose of providing additional revenue for volunteer fire departments, part-volunteer fire departments and certain retired teachers and the teachers retirement reserve fund, there is hereby authorized and imposed on and after July 1, 1992, on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to one percent of the taxable premium for each such policy. After June 30, 2005, the surcharge shall be imposed as specified in subdivisions (2) and (3) of this subsection.

(2) After June 30, 2005, through December 31, 2005, for the purpose of providing additional revenue for volunteer fire departments, part-volunteer fire departments and to provide additional revenue to the Public Employees Insurance Agency and municipal pension plans, there is hereby authorized and imposed

on and after July 1, 2005, on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to one percent of the taxable premium for each such policy.

(3) After December 31, 2005, for the purpose of providing additional revenue for volunteer fire departments and part-volunteer fire departments, there is hereby authorized and imposed on the policyholder of any fire insurance policy or casualty insurance policy issued by any insurer, authorized or unauthorized, or by any risk retention group, a policy surcharge equal to fifty-five one hundredths of one percent of the taxable premium for each such policy.

(4) For purposes of this section, casualty insurance may not include insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transaction or insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction while the debtor is disabled as defined in the policy. The policy surcharge may not be subject to premium taxes, agent commissions or any other assessment against premiums.

(b) The policy surcharge shall be collected and remitted to the Commissioner by the insurer, or in the case of surplus lines coverage, by the surplus lines licensee, or if the policy is issued by a risk retention group, by the risk retention group. The amount required to be collected under this section shall be remitted to the Commissioner on a quarterly basis on or before the twenty-fifth day of the month succeeding the end of the quarter in which they are collected, except for the fourth quarter for which the surcharge shall be remitted on or before March 1 of the succeeding year.

(c) Any person failing or refusing to collect and remit to the Commissioner any policy surcharge and whose surcharge payments are not postmarked by the due dates for quarterly filing is liable for a civil penalty of up to $100 for each day of delinquency, to be assessed by the Commissioner. The Commissioner may suspend the insurer, broker or risk retention

group until all surcharge payments and penalties are remitted in full to the Commissioner.

(d)(1) All money from the policy surcharge shall be collected by the Commissioner who shall disburse the money received from the surcharge into a special account in the state Treasury, designated the Fire Protection Fund. The net proceeds of this portion of the tax and the interest thereon, after appropriation by the Legislature, shall be distributed quarterly on the first day of the months of January, April, July and October to each volunteer fire company or department on an equal share basis by the state Treasurer. After June 30, 2005, the money received from the surcharge shall be distributed as specified in subdivisions (2) and (3) of this subsection.

(2)(A) After June 30, 2005, through December 31, 2005, all money from the policy surcharge shall be collected by the Commissioner who shall disburse one half of the money received from the surcharge into the Fire Protection Fund for distribution as provided in subdivision (1) of this subsection.

(B) The remaining portion of moneys collected shall be transferred into the fund in the state Treasury of the Public Employees Insurance Agency into which are deposited the proportionate shares made by agencies of this state of the Public Employees Insurance Agency costs of those agencies, until November 1, 2005. After the October 31, 2005, through December 31, 2005, the remain portion shall be transferred to the special account in the state Treasury, known as the Municipal Pensions and Protection Fund.

(3) After December 31, 2005, all money from the policy surcharge shall be collected by the Commissioner who shall disburse all of the money received from the surcharge into the Fire Protection Fund for distribution as provided in subdivision (1) of this subsection.

(4) Before each distribution date to volunteer fire companies or departments, the state Fire Marshal shall report to the state Treasurer: ~~the names and addresses of all volunteer and part-~~

~~volunteer fire companies and departments within the state which meet the eligibility requirements established in section eight-a, article fifteen, chapter eight of this code.~~

(A) The names and addresses of all volunteer and part-volunteer fire companies and departments within the state which meet the eligibility requirements established in §8-15-8a of this code during the preceding quarter;

(B) The number of volunteer firefighters and the number of full-time paid members providing services to each volunteer and part-volunteer fire company and department during the preceding quarter;

(C) A full accounting of each volunteer and part-volunteer fire company and department eligible to receive a distribution under this section's revenues and expenditures for the last two calendar years; and

(D) A list of each volunteer and part-volunteer fire company and department has implemented the State Auditor's West Virginia Checkbook fiscal reporting system on or before January 1, 2026.

(e) Notwithstanding any other provision of this subsection, each volunteer and part-volunteer fire company and department shall implement the State Auditor's West Virginia Checkbook fiscal reporting system on or before January 1, 2026, in order to remain eligible to receive any funds pursuant to this section.

~~(e)~~ (f) The allocation, distribution and use of revenues provided in the Fire Protection Fund are subject to the provisions of ~~sections eight-a and eight-b, article fifteen, chapter eight~~ §8-15-8a and §8-15-8b of this code."

Delegate Foster moved to amend the amendment, on page 2, section 2, immediately following the end of section 2 after line 15 by inserting the following:

"**CHAPTER 8. MUNICIPAL CORPORATIONS**

ARTICLE 15. FIRE FIGHTING; FIRE COMPANIES AND DEPARTMENTS; CIVIL SERVICE FOR PAID FIRE DEPARTMENTS.

§8-15-8b. Authorized expenditures of revenues from the Municipal Pensions and Protection Fund and the Fire Protection Fund; deductions for unauthorized expenditures; record retention.

(a) Money received from the state for volunteer and part-volunteer fire companies and departments, pursuant to §33-3-14d, §33-3-33, and §33-12C-7 of this code, may not be commingled with moneys received from any other source, except money received as a grant from the Fire Service Equipment and Training Fund as provided in §29-3-5f of this code. Distributions from the Municipal Pensions and Protection Fund and the Fire Protection Fund allocated to volunteer and part-volunteer fire companies and departments may be expended only for the following:

(1) Personal protective equipment, including protective head gear, bunker coats, pants, boots, combination of bunker pants and boots, coats, and gloves;

(2) Equipment for compliance with the national fire protection standard or automotive fire apparatus, NFPA-1901;

(3) Compliance with insurance service office recommendations relating to fire departments;

(4) Rescue equipment, communications equipment, and ambulance equipment: *Provided,* That no moneys received from the Municipal Pensions and Protection Fund or the Fire Protection Fund may be used for equipment for personal vehicles owned or operated by volunteer or part-volunteer fire company or department members;

(5) Capital improvements reasonably required for effective and efficient fire protection service and maintenance of the capital improvements;

(6) Retirement of debts, but only if the debts were incurred exclusively for the purchase of the goods and services allowed under this subsection;

(7) Payment of utility bills;

(8) Payment of the cost of immunizations, including any laboratory work incident to the immunizations, for firefighters against hepatitis-b and other blood-borne pathogens: *Provided,* That the vaccine shall be purchased through the state immunization program or from the lowest-cost vendor available: *Provided, however,* That volunteer and part-volunteer fire companies and departments shall seek to obtain no-cost administration of the vaccinations through local boards of health: *Provided further,* That in the event any volunteer or part-volunteer fire company or department is unable to obtain no-cost administration of the vaccinations through a local board of health, the company or department shall seek to obtain the lowest cost available for the administration of the vaccinations from a licensed health care provider;

(9) Any filing fee required to be paid to the Legislative Auditor's Office under §12-4-14 of this code relating to sworn statements of annual expenditures submitted by volunteer or part-volunteer fire companies or departments that receive state funds or grants;

(10) Property/casualty insurance premiums for protection and indemnification against loss or damage or liability;

(11) Operating expenses reasonably required in the normal course of providing effective and efficient fire protection service, which include, but are not limited to, gasoline, bank fees, postage, and accounting costs;

(12) Dues paid to national, state, and county associations;

(13) Workers' compensation premiums;

(14) Life insurance premiums to provide a benefit not to exceed $20,000 for firefighters; and

(15) Educational and training supplies and fire prevention promotional materials, not to exceed $500 per year.

(16) Volunteer firefighter recruitment and retention.

(b) If a volunteer or part-volunteer fire company or department spends any amount of money received from the Municipal Pensions and Protection Fund or the Fire Protection Fund for an item, service, or purpose not authorized by this section, that amount, when determined by an official audit, review, or investigation, shall be deducted from future distributions to the volunteer fire company or part-volunteer fire department.

(c) If a volunteer or part-volunteer fire company or department purchases goods or services authorized by this section, but then returns the goods or cancels the services for a refund, then any money refunded shall be deposited back into the same, dedicated bank account used for the deposit of distributions from the Municipal Pensions and Protection Fund and the Fire Protection Fund.

(d) Each volunteer or part-volunteer fire company and department shall retain, for five calendar years, all invoices, receipts, and payment records for the goods and services paid with money received from the state for volunteer and part-volunteer fire companies and departments, pursuant to §33-3-14d, §33-3-33, and §33-12C-7 of this code and money received as a grant from the Fire Service Equipment and Training Fund as provided in §29-3-5f of this code.

(e) Volunteer and part-volunteer fire companies and departments may also invest the received moneys, described in subsection (a) of this section, and collect interest thereon: *Provided*, That volunteer and part-volunteer fire companies and departments shall not commingle the received moneys with funds received from any other source, shall not use the invested money as collateral or security for any loan, and shall retain all resulting statements of accounts and earnings for a minimum of five years from the date of the statements; and".

On the adoption of the amendment to the amendment, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken **(Roll No. 832)**, and there were—yeas 41, nays 56, absent and not voting 3, with the yeas and the absent and not voting being as follows:

Yeas: Bridges, Brooks, Butler, Cannon, Chiarelli, Clark, Cooper, Coop-Gonzalez, Crouse, Dean, DeVault, Dillon, Ellington, Fast, Fluharty, Foggin, Foster, Griffith, A. Hall, Hamilton, Hanna, Hansen, Hillenbrand, Holstein, Hornby, Keaton, Kirby, Marple, McGeehan, Miller, Pinson, E. Pritt, Pushkin, Ridenour, Ross, Steele, Street, Vance, Williams, Winzenreid and Young.

Absent and Not Voting: Longanacre, Martin and Phillips.

So, a majority of the members present not having voted in the affirmative, the amendment to the amendment was rejected.

The amendment sponsored by Delegate Criss was then adopted.

The bill was then ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 833)**, and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Longanacre, Martin, Phillips and Shamblin.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 1021) passed.

On motion of Delegate Criss, the title of the bill was amended to read as follows:

S. B. 1021 – "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-5B-1 and §7-5B-2; and to amend and reenact §33-3-33 of said code, all relating to funding certain first responders; creating special revenue fund administered by the Secretary of Homeland Security for the benefit of fire protection in counties with excess levies or dedicated fees related to emergency services; creating a special revenue fund administered by the Secretary of Homeland Security for the benefit of fire protection in all counties; granting rulemaking authority; requiring the State Fire Marshal provide certain information to the State Treasurer before distribution of the Fire Protection Fund; and requiring that volunteer fire departments eligible to receive policy surcharge funds implement the State Auditor's West Virginia Checkbook fiscal reporting system.".

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 834)**, and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Longanacre, Martin, Phillips and Shamblin.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1021) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1022 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance

in the State Fund, General Revenue, to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2024, organization 0606, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1022) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 835)**, and there were—yeas 90, nays 4, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall, Kump and Vance.

Absent and Not Voting: Hamilton, Hanna, Longanacre, Martin, Phillips and Shamblin.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time.

An amendment sponsored by Delegate Statler was reported by the Clerk.

Whereupon,

Delegate Statler asked and obtained unanimous consent that the amendment be withdrawn.

On motion of Delegate Criss, the bill was amended on page two, line thirty-two, following the word "the", by striking out the word "Growth" and inserting in lieu thereof the following: "All".

The bill was then ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 836)**, and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Longanacre, Martin and Phillips.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1022) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 837)**, and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Ferrell, Longanacre, Martin and Phillips.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1022) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1023 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balances of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Emergency Management, Growth County Fire Protection Fund, fund xxxx,

fiscal year 2024, organization 0606, and to the Department of Homeland Security, Division of Emergency Management, County Fire Protection Fund, fund xxxx, fiscal year 2024, organization 0606, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1023) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 838)**, and there were—yeas 92, nays 3, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall and Vance.

Absent and Not Voting: Cannon, Ferrell, Longanacre, Martin and Phillips.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time.

On motion of Delegate Criss, the bill was amended on page one, line nine, following the word "Management," by striking out the word "Growth" and inserting in lieu thereof the following: "All".

And,

On page one, following the enacting clause, on line eight, at the beginning, by striking out the word "Growth" and inserting in lieu thereof the following: "All".

The bill was then ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 839)**, and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Ferrell, Longanacre, Martin and Phillips.

So, a majority of the members elected having voted in the affirmative, the Speaker declared the bill (S. B. 1023) passed.

On motion of Delegate Criss, the title of the bill was amended to read as follows:

S. B. 1023 – "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balances of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Emergency Management, All County Fire Protection Fund, fund xxxx, fiscal year 2024, organization 0606 and to the Department of Homeland Security, Division of Emergency Management, County Fire Protection Fund, fund xxxx, fiscal year 2024, organization 0606 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 840)**, and there were—yeas 90, nays none, absent and not voting 10, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Chiarelli, Ferrell, Gearheart, W. Hall, Longanacre, Martin, Phillips, Ridenour and Ross.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1023) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1025 - "A Bill to amend and reenact §11-13MM-10 of the Code of West Virginia, 1931, as amended, relating to clarifying that certain payments paid prior to the effective date of the tax credits for property taxes paid on certain species of property are eligible for the tax credits"; which was referred to the Committee on Finance.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1028 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Governor's Office – Civil Contingent Fund, fund 0105, fiscal year 2024, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the request of Delegate Householder, and by unanimous consent, the bill was moved to the end of Senate messages.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1029 - "A Bill supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2023, known as the budget bill, as amended, in Title II from the appropriations of public moneys out of the Treasury in the State Fund, General

Revenue, to the Department of Economic Development – Office of the Secretary, fund 0256, fiscal year 2024, organization 0307, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1029) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 841)**, and there were—yeas 79, nays 15, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Brooks, Butler, Coop-Gonzalez, Dean, Dillon, Foster, Gearheart, Kirby, McGeehan, C. Pritt, Ridenour, Ross, Steele, Vance and Ward.

Absent and Not Voting: Bridges, Chiarelli, A. Hall, Longanacre, Martin and Phillips.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 842)**, and there were—yeas 67, nays 30, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Adkins, Bridges, Brooks, Butler, Chiarelli, Coop-Gonzalez, Crouse, Dean, Dillon, Fast, Foster, Gearheart, A. Hall, Hillenbrand, Holstein, Hornby, Horst, Keaton, Kirby, Kump,

McGeehan, Pinson, C. Pritt, Ridenour, Ross, Smith, Steele, Summers, Vance and Worrell.

Absent and Not Voting: Longanacre, Martin and Phillips.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1029) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 843)**, and there were—yeas 77, nays 17, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Adkins, Coop-Gonzalez, Dillon, Foster, Gearheart, A. Hall, Hillenbrand, Kirby, Kump, McGeehan, C. Pritt, Ridenour, Ross, Smith, Steele, Vance and Worrell.

Absent and Not Voting: DeVault, Honaker, Longanacre, Martin, Phillips and Willis.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1029) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1030 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Administration, Office of Technology, fund 0204, fiscal year 2024, organization 0231, by supplementing and amending Chapter 11,

Acts of the Legislature, Regular Session, 2023, known as the Budget Bill for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1030) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 844)**, and there were—yeas 82, nays 10, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Adkins, Dillon, Foster, A. Hall, Kump, C. Pritt, Ridenour, Ross, Steele and Vance.

Absent and Not Voting: DeVault, Griffith, Honaker, Howell, Longanacre, Martin, Phillips and Willis.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill then read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 845)**, and there were—yeas 92, nays 1, absent and not voting 7, with the nays and the absent and not voting being as follows:

Nays: Vance.

Absent and Not Voting: Dillon, Griffith, Honaker, Longanacre, Martin, Phillips and Willis.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1030) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 846)**, and there were—yeas 91, nays 1, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Vance.

Absent and Not Voting: Barnhart, Dillon, Griffith, Howell, Longanacre, Martin, Phillips and Riley.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1030) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1031 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Administration – Division of General Services, fund 0230, fiscal year 2024, organization 0211, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1031) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 847)**, and there were—yeas 88, nays 7, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Brooks, Coop-Gonzalez, Dillon, Kump, Ridenour, Ross and Vance.

Absent and Not Voting: Barnhart, A. Hall, Longanacre, Martin and Phillips.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time.

On motion of Delegate Criss, the bill was amended on page two, line thirteen, following the number "37799", by striking out the number "175,000,000" and inserting in lieu thereof the number "125,000,000";

The bill was then ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 848)**, and there were—yeas 85, nays 8, absent and not voting 7, with the nays and the absent and not voting being as follows:

Nays: Brooks, Coop-Gonzalez, Dillon, Foster, Kirby, E. Pritt, Vance and Worrell.

Absent and Not Voting*: Barnhart, Ferrell, A. Hall, Longanacre, Martin, Phillips and Winzenreid.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1031) passed.

*Delegate Criss subsequently announced that he was in his seat and was unable to vote on Roll No. 848 and the Speaker directed that the Delegate be recorded in the affirmative.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 849)**, and there were—yeas 91, nays 3, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Dillon, Kirby and Vance.

Absent and Not Voting: Barnhart, Chiarelli, Longanacre, Martin, Phillips and Winzenreid.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1031) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1032 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce – Division of Forestry, fund 0250, fiscal year 2024, organization 0305 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1032) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 850)**, and there were—yeas 87, nays 7, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Dillon, Foster, A. Hall, Kump, Ridenour, Steele and Vance.

Absent and Not Voting: Barnhart, Chiarelli, Linville, Longanacre, Martin and Phillips.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 851)**, and there were—yeas 90, nays 2, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Dillon and Foster.

Absent and Not Voting: Barnhart, Chiarelli, Garcia, Kelly, Linville, Longanacre, Martin and Phillips.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1032) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 852)**, and there were—yeas 92, nays 1, absent and not voting 7, with the nays and the absent and not voting being as follows:

Nays: Dillon.

Absent and Not Voting: Barnhart, Garcia, Kelly, Linville, Longanacre, Martin and Phillips.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1032) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

At 1:45 p.m., on motion of Delegate Householder, the House of Delegates recessed until 2:00 p.m.

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Afternoon Session

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The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

Messages from the Senate

-continued-

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1033 - "A Bill making a supplementary appropriation of federal funds out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Commerce, Geological and Economic Survey, fund 8704, fiscal year 2024, organization 0306, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1033) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 853)**, and there were—yeas 85, nays 4, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall, Ridenour and Vance.

Absent and Not Voting: Barnhart, Bridges, Coop-Gonzalez, DeVault, Kimble, Longanacre, Martin, Nestor, Phillips, Pinson and Westfall.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 854)**, and there were—yeas 88, nays 2, absent and not voting 10, with the nays and the absent and not voting being as follows:

Nays: Dillon and Vance.

Absent and Not Voting: Barnhart, Bridges, Coop-Gonzalez, Longanacre, Martin, Nestor, Phillips, Pinson, Statler and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1033) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 855)**, and there were—yeas 89, nays 2, absent and not voting 9, with the nays and the absent and not voting being as follows:

Nays: Dillon and Vance.

Absent and Not Voting: Barnhart, Bridges, Coop-Gonzalez, Longanacre, Martin, Nestor, Phillips, Pinson and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1033) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1034 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Arts, Culture, and History, Division of Culture and History, fund 0293, fiscal year 2024, organization 0432, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1034) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 856)**, and there were—yeas 85, nays 6, absent and not voting 9, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall, Kirby, Kump, Vance and Ward.

Absent and Not Voting: Barnhart, Bridges, Coop-Gonzalez, Longanacre, Martin, Nestor, Phillips, Pinson and Westfall.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 857)**, and there were—yeas 80, nays 12, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Butler, Coop-Gonzalez, Dillon, Foggin, Foster, Horst, Kirby, Kump, Ridenour, Steele, Thorne and Ward.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips, Pinson, C. Pritt, Westfall and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1034) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 858)**, and there were—yeas 86, nays 6, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Dillon, Foster, Kirby, Kump, Steele and Ward.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips, Pinson, C. Pritt, Westfall and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1034) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1035 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Environmental Protection, Division of Environmental Protection, fund 0273, fiscal year 2024, organization 0313, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024"; which was referred to the Committee on Finance.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1036 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce, Division of Natural Resources, fund 0265, fiscal year 2024, organization 0310 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024"; which was referred to the Committee on Finance.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1037 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Veterans' Assistance, fund 0456, fiscal year 2024, organization 0613, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1037) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 859)**, and there were—yeas 89, nays 3, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips, Pinson, C. Pritt, Warner and Westfall.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 860)**, and there were—yeas 94, nays none,

absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips, Pinson and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1037) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 861)**, and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips, Pinson and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1037) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1038 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to Miscellaneous Boards and Commissions, Adjutant General – State Militia, fund 0433, fiscal year 2024, organization 0603, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1038) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 862)**, and there were—yeas 90, nays 5, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall, Kump, Ridenour and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips and Pinson.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 863)**, and there were—yeas 92, nays 3, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Foggin, McGeehan and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips and Pinson.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1038) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 864)**, and there were—yeas 93, nays 1, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Vance.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips, Pinson and Statler.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1038) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1039 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority, fund 6675, fiscal year 2024, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1039) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 865)**, and there were—yeas 91, nays 3, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips, Pinson and Statler.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 866)**, and there were—yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips, Pinson, Statler and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1039) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 867)**, and there were—yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips, Pinson, Statler and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1039) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1040 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Attorney General, fund 0150, fiscal year 2024, organization 1500, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024"; which was referred to the Committee on Finance.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1041 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, West Virginia State Police, fund 0453, fiscal year 2024, organization 0612, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1041) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 868)**, and there were—yeas 91, nays 3, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips, Pinson and Statler.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 869)**, and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips and Pinson.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1041) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 870)**, and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips and Pinson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1041) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1043 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Health and Human Resources, fund 0525, fiscal year 2024, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1043) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 871)**, and there were—yeas 90, nays 5, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall, Howell, Kump and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips and Pinson.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 872)**, and there were—yeas 94, nays 1, absent

and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Dillon.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips and Pinson.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1043) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 873)**, and there were—yeas 94, nays 1, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Dillon.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips and Pinson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1043) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1002 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, by adding a new item of appropriation and increasing the expenditure of public moneys to the Department of Revenue, Office of the Secretary, fund 0465,

fiscal year 2024, organization 0701, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024"; which was referred to the Committee on Finance.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1003 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Corrections and Rehabilitation - West Virginia Parole Board, fund 0440, fiscal year 2024, organization 0608, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Central Office, fund 0446, fiscal year 2024, organization 0608, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2024, organization 0608, and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Bureau of Juvenile Services, fund 0570, fiscal year 2024, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1003) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 874)**, and there were—yeas 92, nays 3, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips and Pinson.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time.

An amendment offered by Delegate Criss was reported by the Clerk.

In the absence of objection, the amendment was withdrawn and the bill was moved to the foot of Senate messages.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1004 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balances of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Parolee Supervision Fees, fund 6362, fiscal year 2024, organization 0608, and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority, fund 6675, fiscal year 2024, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1004) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 875)**, and there were—yeas 91, nays 3, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall and Vance.

Absent and Not Voting: Bridges, Horst, Longanacre, Martin, Phillips and Pinson.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time.

On motion of Delegate Criss, the bill was amended on page two, line thirteen, by striking out the number "27,533" and inserting in lieu thereof the number "55,066";

And,

On page two, line twenty-six, by striking out the number "43,594" and inserting in lieu thereof the number "87,188".

The bill was then ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 876)**, and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, A. Hall, Longanacre, Martin, Phillips and Pinson.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1004) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 877)**, and there were—yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Hott, Longanacre, Martin, Phillips, Pinson and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1004) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1005 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2024, organization 0608 and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Bureau of Juvenile Services, fund 0570, fiscal year 2024, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1005) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 878)**, and there were—yeas 89, nays 3, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall and Vance.

Absent and Not Voting: Bridges, Hott, Kirby, Longanacre, Martin, Phillips, Pinson and Westfall.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time.

On motion of Delegate Criss, the bill was amended on page one, line fourteen, following the words "an appropriated", by striking out the word "surplus".

The bill was then ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 879)**, and there were—yeas 91, nays none, absent and not voting 9, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Hott, Longanacre, Marple, Martin, Phillips, Pinson, Westfall and Williams.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1005) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 880)**, and there were—yeas 91, nays none, absent and not voting 9, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Clark, Dean, Hott, Longanacre, Martin, Phillips, Pinson and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1005) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1006 - "A Bill to amend and reenact §17B-2-1c of the Code of West Virginia, 1931, as amended, relating to temporary identification cards for released inmates; clarifying that the temporary identification cards are issued at no cost to the inmate; expanding eligibility requirements for temporary identification cards; and extending the period of validity of the temporary identification cards."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1006) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 881)**, and there were—yeas 88, nays 4, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Dillon, A. Hall, Steele and Vance.

Absent and Not Voting: Bridges, Foster, Hott, Longanacre, Martin, Phillips, Pinson and Westfall.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 882)**, and there were—yeas 86, nays 5, absent and not voting 9, with the nays and the absent and not voting being as follows:

Nays: Dillon, Foster, Keaton, McGeehan and Steele.

Absent and Not Voting: Adkins, Bridges, Hardy, Hott, Longanacre, Martin, Phillips, Pinson and Westfall.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 1006) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 883)**, and there were—yeas 88, nays 3, absent and not voting 9, with the nays and the absent and not voting being as follows:

Nays: Dillon, Foster and Steele.

Absent and Not Voting: Bridges, Hardy, Hott, Longanacre, Martin, Phillips, Pinson, Westfall and Willis.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1006) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1007 - "A Bill to amend and reenact §15A-3-16 of the Code of West Virginia, 1931, as amended, relating to regional jail per diem fees; requiring certain municipalities to reimburse responsible county for up to five days of regional jail per diem fees when municipality incarcerates individuals for offenses that could have been prosecuted in municipal court but were prosecuted in magistrate court; and making technical corrections."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1007) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 884)**, and there were—yeas 77, nays 13, absent and not voting 10, with the nays and the absent and not voting being as follows:

Nays: Dillon, Fluharty, Gearheart, Hamilton, Hansen, Hornbuckle, Linville, Pushkin, Ross, Rowe, Tully, Vance and Williams.

Absent and Not Voting: Bridges, Hardy, Hott, Longanacre, Martin, Miller, Phillips, Pinson, Westfall and Willis.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 885)**, and there were—yeas 63, nays 28, absent and not voting 9, with the nays and the absent and not voting being as follows:

Nays: Burkhammer, Butler, Dean, Dillon, Fluharty, Garcia, Gearheart, A. Hall, W. Hall, Hamilton, Hanna, Hansen, Holstein, Hornbuckle, Kirby, Linville, Mazzocchi, McGeehan, E. Pritt, Pushkin, Rowe, Shamblin, Tully, Vance, Williams, Winzenreid, Worrell and Young.

Absent and Not Voting: Bridges, Hardy, Hott, Longanacre, Martin, Phillips, Pinson, Westfall and Willis.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 1007) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 886)**, and there were—yeas 74, nays 18, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Dillon, Fluharty, Garcia, Gearheart, A. Hall, W. Hall, Hamilton, Hanna, Hansen, Kirby, McGeehan, E. Pritt, Rowe, Tully, Vance, Williams, Worrell and Young.

Absent and Not Voting: Bridges, Hott, Longanacre, Martin, Phillips, Pinson, Westfall and Willis.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1007) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1008 - "A Bill to amend and reenact §62-1C-1a and §62-1C-2 of the Code of West Virginia, 1931, as amended, all relating to pretrial release; clarifying right to pretrial release; clarifying maximum bail amount for charges for multiple misdemeanor offenses; revising definition of "bail"; establishing that defendant has right to select method of securing bail; clarifying that personal recognizance bonds shall include an unsecured monetary amount; authorizing judicial officer to impose reasonably necessary conditions to assure defendant will appear as required, including releasing defendant on his or her own recognizance; and making technical corrections"; which was referred to the Committee on the Judiciary.

At 3:29 p.m., on motion of Delegate Householder, the House of Delegates recessed until 3:40 p.m.

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Late Afternoon Session

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The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

Senate Messages

-continued-

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1026 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the

balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Transportation – Division of Highways, fund 0620, fiscal year 2024, organization 0803, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1026) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 887)**, and there were—yeas 86, nays 6, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Dillon, Gearheart, A. Hall, Kump, Ridenour and Vance.

Absent and Not Voting: Bridges, Capito, Hornbuckle, Longanacre, Martin, Phillips, Pinson and Westfall.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 888)**, and there were—yeas 91, nays 3, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Gearheart, Householder and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips, Pinson and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1026) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 889)**, and there were—yeas 93, nays 1, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Vance.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips, Pinson and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1026) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1027 - "A Bill supplementing, amending, and increasing existing items of appropriation from the State Road Fund to the Department of Transportation, Division of Highways, fund 9017, fiscal year 2024, organization 0803, for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1027) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 890)**, and there were—yeas 90, nays 5, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Dillon, Gearheart, A. Hall, Ridenour and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips and Pinson.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 891)**, and there were—yeas 93, nays 2, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Gearheart and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips and Pinson.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1027) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 892)**, and there were—yeas 94, nays 1, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Vance.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips and Pinson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1027) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1042 - "A Bill expiring funds to the balance of the Department of Education, Vocational Consolidated Accounts Fund, fund 3945, fiscal year 2024, organization 0402, in the amount of $12,000,000, from the State Department of Education, fund 3517, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1042) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 893)**, and there were—yeas 88, nays 6, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Butler, Dillon, A. Hall, Kump, Ridenour and Vance.

Absent and Not Voting: Bridges, Linville, Longanacre, Martin, Phillips and Pinson.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 894)**, and there were—yeas 84, nays 10, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Burkhammer, Butler, Dillon, Foster, Gearheart, A. Hall, Kimble, Ridenour, Street and Vance.

Absent and Not Voting: Bridges, Linville, Longanacre, Martin, Phillips and Pinson.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1042) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 895)**, and there were—yeas 85, nays 10, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Burkhammer, Butler, Dillon, Gearheart, A. Hall, Kimble, C. Pritt, Ridenour, Street and Vance.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips and Pinson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1042) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

The Clerk announced that the following message had been moved to the foot of bills earlier.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 1028 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Governor's Office – Civil Contingent Fund, fund 0105, fiscal year 2024, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 1028) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken **(Roll No. 896)**, and there were—yeas 75, nays 20, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Adkins, Brooks, Butler, Chiarelli, Coop-Gonzalez, Dillon, Foggin, Foster, A. Hall, Kimble, Kirby, Kump, McGeehan, C. Pritt, E. Pritt, Ridenour, Ross, Street, Vance and Ward.

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips and Pinson.

So, four fifths of the members present not having voted in the affirmative, the motion was rejected.

Having been read a second time in earlier proceedings, the House returned to consideration of **S. B. 1003**, Supplementing and

amending appropriations from General Revenue to multiple funds for Division of Corrections and Rehabilitation.

On motion of Delegate Criss, the bill was amended on page one, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

That the total appropriation for the fiscal year ending June 30, 2024, to fund 0440, fiscal year 2024, organization 0608, be supplemented and amended by adding new items of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HOMELAND SECURITY

74 -Division of Corrections and Rehabilitation –

West Virginia Parole Board

(W.V. Code Chapter 62)

Fund 0440 FY 2024 Org 0608

		Appro-priation	**General Revenue Fund**	
1a	Personal Services and Employee Benefits - Surplus	24301	$	4,588
4a	Salaries of Members of West Virginia Parole Board - Surplus.....	22799	$	41,300

And, that the total appropriation for the fiscal year ending June 30, 2024, to fund 0446, fiscal year 2024, organization 0608, be supplemented and amended to read as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HOMELAND SECURITY

75 - Division of Corrections and Rehabilitation –

Central Office

(WV Code Chapter 15A)

Fund 0446 FY 2024 Org 0608

		Appro-priation	General Revenue Fund
1	Personal Services and Employee Benefits	00100	$ 253,306
2	Personal Services and Employee Benefits - Surplus	24301	$ 4,588
3	Salary and Benefits of Cabinet Secretary and Agency Heads	00201	126,000
5	Salary and Benefits of Cabinet Secretary and Agency Heads – Surplus	02099	4,586
7	Current Expenses	13000	2,400
8	Directed Transfer - Surplus	70099	603,432
9	Total		197,9452

10 From the above appropriation for Directed Transfer – Surplus (fund 0446,

11 organization 0608) $55,066 shall be transferred to the Parolee Supervision Fees Fund (fund 12 6362), $87,188 shall be transferred to the Regional Jail and Correctional Facility Authority

13 Fund (fund 6675), $940,712 shall be transferred to the Regional Jails Operating Cash

14 Control Account (fund 6678) and $123,898 shall be transferred to the Prison Industries Fund 15 (fund 6303).

And, that the total appropriation for the fiscal year ending June 30, 2024, to fund 0450, fiscal year 2024, organization 0608, be supplemented and amended by creating new items of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HOMELAND SECURITY

76 - Division of Corrections and Rehabilitation –

Correctional Units

(WV Code Chapter 15A)

Fund 0450 FY 2024 Org 0608

		General Appropriation	Revenue Fund
5a	Facilities Planning and Administration – Surplus	xxxxx	22,942
6a	Charleston Correctional Center - Surplus	45699	91,776
7a	Beckley Correctional Center - Surplus	45099	64,244
8a	Anthony Correctional Center - Surplus	50499	110,132
9a	Huttonsville Correctional Center - Surplus	28500	321,218
10a	Northern Correctional Center - Surplus	53499	156,020
12a	Pruntytown Correctional Center - Surplus	54399	229,442
13a	Corrections Academy - Surplus	56999	96,366

15a	Martinsburg Correctional Center - Surplus	66399	91,776
16a	Parole Services - Surplus	68699	344,164
17a	Special Services - Surplus	68799	275,330
18a	Investigative Services - Surplus	71699	82,600
20a	Salem Correctional Center - Surplus	77499	270,742
23a	Parkersburg Correctional Center - Surplus	82899	133,076
24a	St. Mary's Correctional Center - Surplus	88199	261,564
25a	Denmar Correctional Center - Surplus	88299	137,666
26a	Ohio County Correctional Center - Surplus	88399	32,122
27a	Mt. Olive Correctional Complex - Surplus	88899	458,884
28a	Lakin Correctional Center - Surplus	89699	256,976

And, that the total appropriation for the fiscal year ending June 30, 2024, to fund 0570, fiscal year 2024, organization 0608, be supplemented and amended by adding new items of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HOMELAND SECURITY

77 - Division of Corrections and Rehabilitation –

Bureau of Juvenile Services

(WV Code Chapter 15A)

Fund 0570 FY 2024 Org 0608

		Appro-priation	**General Revenue Fund**

1a	Statewide Reporting Centers - Surplus	26299	394,640
2a	Robert L. Shell Juvenile Center - Surplus	26799	59,654
4a	Central Office - Surplus	70199	82,600
6a	Gene Spadaro Juvenile Center - Surplus	79399	64,244
8a	Kenneth Honey Rubenstein Juvenile Center - Surplus	98099	133,076
9a	Vicki Douglas Juvenile Center - Surplus	98199	41,300
11a	Lorrie Yeager Jr. Juvenile Center - Surplus	98399	50,478
12a	Sam Perdue Juvenile Center - Surplus	98499	64,244
13a	Tiger Morton Center - Surplus	98599	55,066
14a	Donald R. Kuhn Juvenile Center - Surplus	98699	123,898
15a	J.M. "Chick" Buckbee Juvenile Center - Surplus	98799	59,654

The bill was then ordered to third reading.

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 897)**, and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips and Pinson.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1003) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 898)**, and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Longanacre, Martin, Phillips and Pinson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1003) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

At 4:34 p.m., the House of Delegates recessed until 4:45 p.m.

* * * * * * *

Early Evening Session

* * * * * * *

The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

Reordering of the Calendar

Pursuant to the action of the Committee on Rules, Delegate Householder announced that all bills on Third Reading, Special Calendar, except H. B. 117 and H. B. 128 were transferred to the House Calendar.

Special Calendar

Third Reading

H. B. 117, Supplementing and amending the appropriations to Higher Education Policy Marshall University; on third reading, coming up in regular order, with the right to amend, was reported by the Clerk.

Delegates Hansen, Williams, and Hamilton moved to amend the bill on page 1, following line 6, by inserting the following:

"96-West Virginia University –

General Administrative Fund

(W.V. Code Chapter 18B)

Fund 0344 FY 2024 Org 0463

			Appro-priation	General Revenue Fund
6a	West Virginia University	.....	45900	$ 45,000,000"

Delegate Riley arose to inquire of the Chair regarding the germaneness of the amendment.

The Speaker replied that the amendment exceeded both the call of the Governor for the special session and the scope of the underlying bill and ruled the amendment not germane to the bill.

Delegate Foster moved to amend the bill by striking everything after the enacting clause and inserting in lieu of the following:

That the total appropriation for the fiscal year ending June 30, 2024, to fund 0440, fiscal year 2024, organization 0608, be supplemented and amended by adding new items of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HOMELAND SECURITY

74 -Division of Corrections and Rehabilitation –

West Virginia Parole Board

(W.V. Code Chapter 62)

Fund 0440 FY 2024 Org 0608

		Appro-priation	General Revenue Fund	
1a	Personal Services and Employee Benefits - Surplus	24301	$	2,294
4a	Salaries of Members of West Virginia Parole Board - Surplus	22799		20,650

And, that the total appropriation for the fiscal year ending June 30, 2024, to fund 0446, fiscal year 2024, organization 0608, be supplemented and amended to read as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HOMELAND SECURITY

75 - Division of Corrections and Rehabilitation –

Central Office

(WV Code Chapter 15A)

Fund 0446 FY 2024 Org 0608

		Appro-priation	General Revenue Fund	
1	Personal Services and Employee Benefits.....	00100	$	253,306
2	Personal Services and Employee Benefits - Surplus	24301	$	2,294
3	Salary and Benefits of Cabinet Secretary and Agency Heads	00201		126,000
5	Salary and Benefits of Cabinet Secretary and Agency Heads – Surplus	02099		2,294
7	Current Expenses.....	13000		2,400
8	Directed Transfer - Surplus	70099		603,432

9 Total..... $ 989,726

10 From the above appropriation for Directed Transfer – Surplus (fund 0446,

11 organization 0608) $27,533 shall be transferred to the Parolee Supervision Fees Fund (fund 12 6362), $43,594 shall be transferred to the Regional Jail and Correctional Facility Authority

13 Fund (fund 6675), $470,356 shall be transferred to the Regional Jails Operating Cash

14 Control Account (fund 6678) and $61,949 shall be transferred to the Prison Industries Fund 15 (fund 6303).

And, that the total appropriation for the fiscal year ending June 30, 2024, to fund 0450, fiscal year 2024, organization 0608, be supplemented and amended by creating new items of 18 appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HOMELAND SECURITY

76 - Division of Corrections and Rehabilitation –

Correctional Units

(WV Code Chapter 15A)

Fund 0450 FY 2024 Org 0608

		Appro-priation	**General Revenue Fund**
5a	Facilities Planning and Administration – Surplus.....	xxxxx	11,471
6a	Charleston Correctional Center - Surplus.....	45699	45,888

7a	Beckley Correctional Center - Surplus	45099	32,122
8a	Anthony Correctional Center - Surplus	50499	55,066
9a	Huttonsville Correctional Center - Surplus	28500	160,609
10a	Northern Correctional Center - Surplus	53499	78,010
12a	Pruntytown Correctional Center - Surplus	54399	114,721
13a	Corrections Academy - Surplus	56999	48,183
15a	Martinsburg Correctional Center - Surplus	66399	45,888
16a	Parole Services - Surplus	68699	172,082
17a	Special Services - Surplus	68799	137,665
18a	Investigative Services - Surplus	71699	41,300
20a	Salem Correctional Center - Surplus	77499	135,371
23a	Parkersburg Correctional Center - Surplus	82899	66,538
24a	St. Mary's Correctional Center - Surplus	88199	130,782
25a	Denmar Correctional Center - Surplus	88299	68,833
26a	Ohio County Correctional Center - Surplus	88399	16,061
27a	Mt. Olive Correctional Complex - Surplus	88899	229,442
28a	Lakin Correctional Center - Surplus	89699	128,488

And, that the total appropriation for the fiscal year ending June 30, 2024, to fund 0570, fiscal year 2024, organization 0608, be supplemented and amended by adding new items of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HOMELAND SECURITY

77 - Division of Corrections and Rehabilitation –

Bureau of Juvenile Services

(WV Code Chapter 15A)

Fund 0570 FY 2024 Org 0608

		Appro-priation	General Revenue Fund
1a	Statewide Reporting Centers - Surplus	26299	197,320
2a	Robert L. Shell Juvenile Center - Surplus	26799	29,827
4a	Central Office - Surplus	70199	41,300
6a	Gene Spadaro Juvenile Center - Surplus	79399	32,122
8a	Kenneth Honey Rubenstein Juvenile Center - Surplus	98099	66,538
9a	Vicki Douglas Juvenile Center - Surplus	98199	20,650
11a	Lorrie Yeager Jr. Juvenile Center - Surplus	98399	25,239
12a	Sam Perdue Juvenile Center - Surplus	98499	32,122
13a	Tiger Morton Center - Surplus	98599	27,533
14a	Donald R. Kuhn Juvenile Center - Surplus	98699	61,949
15a	J.M. "Chick" Buckbee Juvenile Center - Surplus	98799	29,827

Delegate Hansen arose to inquire of the Chair regarding the germaneness of the amendment.

The Speaker ruled that the amendment was not germane to the bill for the same reasons as previous amendment.

Having been engrossed, the bill was read a third time.

During debate on the bill, Delegate Dillon was asking questions of Delegate Criss when Delegate Fluharty arose to a point of order regarding the content of the questions being beyond the scope of the bill. The Speaker ruled the point well taken.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 899)**, and there were—yeas 65, nays 29, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Brooks, Burkhammer, Butler, Chiarelli, Coop-Gonzalez, Crouse, Dean, Dillon, Fast, Foster, Gearheart, A. Hall, Hardy, Hornby, Horst, Jennings, Kimble, Kirby, McGeehan, C. Pritt, E. Pritt, Ridenour, Smith, Steele, Street, Summers, Thorne, Vance and Ward.

Absent and Not Voting: Bridges, Kump, Longanacre, Martin, Phillips and Pinson.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 117) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 900)**, and there were—yeas 77, nays 17, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Butler, Chiarelli, Coop-Gonzalez, Dean, Dillon, Fast, Foster, A. Hall, Kimble, Kirby, McGeehan, C. Pritt, Ridenour, Steele, Street, Vance and Ward.

Absent and Not Voting: Bridges, Kump, Longanacre, Martin, Phillips and Pinson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 117) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

H. B. 128, Supplementing and amending the appropriations to the Governor's Office – Civil Contingent Fund; on third reading, coming up in regular order, with amendment pending and the right to amend, was reported by the Clerk.

An amendment recommended by the Committee on Finance was reported by the Clerk.

Delegate Criss asked and obtained unanimous consent that the committee amendment be withdrawn.

An amendment sponsored by Delegate Criss was read by the Clerk.

On motion of Delegate Criss, the bill was then amended on page one, line two, following the words "by adding", by striking out the words "new items" and inserting in lieu thereof the words "a new item";

On page two, line fourteen, by striking $10,000,000 and inserting in lieu thereof $85,000,000, and striking the remainder of the bill.

An amendment sponsored by Delegate Foster was reported by the Clerk.

Delegate Foster then asked and obtained unanimous consent that the amendment be withdrawn.

Having been engrossed, the bill was read a third time.

On the passage of the bill, the yeas and nays were taken **(Roll No. 901)**, and there were—yeas 70, nays 22, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Adkins, Brooks, Butler, Chiarelli, Coop-Gonzalez, Crouse, Dean, Dillon, Fluharty, Foster, A. Hall, Kirby, C. Pritt, E. Pritt, Pushkin, Ridenour, Ross, Street, Vance, Ward, Worrell and Young.

Absent and Not Voting: Bridges, Horst, Kump, Linville, Longanacre, Martin, Phillips and Pinson.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 128) passed.

Delegate Householder moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 902)**, and there were—yeas 73, nays 19, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Adkins, Brooks, Butler, Coop-Gonzalez, Dean, Dillon, Fluharty, Foster, A. Hall, Kirby, C. Pritt, E. Pritt, Pushkin, Ridenour, Ross, Vance, Ward, Worrell and Young.

Absent and Not Voting: Bridges, Horst, Kump, Linville, Longanacre, Martin, Phillips and Pinson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 128) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

Leaves of Absence

At the request of Delegate Householder, and by unanimous consent, leaves of absence for the day were granted Delegates Longanacre, Phillips and Martin.

At 6:20 p.m., the House of Delegates recessed until 15 minutes after completion of the Senate floor session.

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Evening Session

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At 8:04 p.m., the House of Delegates returned to order with the Honorable Roger Hanshaw, Speaker, in the Chair.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates, with further amendment, and the passage, as amended, of

S. B. 1021, Funding certain first responders.

On motion of Delegate Jeffries, the House concurred in the following amendment of the bill by the Senate:

On page 1, section 1, line 11, after the word "protection" by inserting the words "or emergency services";

And,

On page 2, section 2, line 11, after the word "protection" by inserting the words "or emergency services".

And,

By amending the title of the bill to read as follows:

S. B. 1021 – "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-5B-1 and §7-5B-2; and to amend and reenact §33-3-33 of said code, all relating to funding certain first responders; creating a special revenue fund administered by the Secretary of Homeland Security for the benefit of fire protection or emergency services in counties with excess levies or dedicated fees related to emergency services; creating a special revenue fund administered by the Secretary of Homeland Security for the benefit of fire protection or emergency

services in all counties; granting rulemaking authority; requiring the State Fire Marshal provide certain information to the State Treasurer before distribution of the Fire Protection Fund; and requiring that volunteer fire departments eligible to receive policy surcharge funds implement the State Auditor's West Virginia Checkbook fiscal reporting system."

The bill, as amended by the House, and further amended by the Senate, was put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken **(Roll No. 903)**, and there were—yeas 69, nays 5, absent and not voting 26, with the nays and the absent and not voting being as follows:

Nays: Criss, Gearheart, Heckert, C. Pritt and Riley.

Absent and Not Voting: Bridges, Cooper, Coop-Gonzalez, Dillon, Foster, Garcia, Hamilton, Hansen, Horst, Householder, Kimble, Kirby, Kump, Linville, Longanacre, Martin, McGeehan, Nestor, Phillips, Pinson, Ridenour, Ross, Steele, Street, Westfall and Williams.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 1021) passed.

Delegate Jeffries moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 904)**, and there were—yeas 74, nays none, absent and not voting 26, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Cooper, Coop-Gonzalez, Dillon, Foster, Garcia, Hamilton, Hansen, Horst, Householder, Kimble, Kirby, Kump, Linville, Longanacre, Martin, McGeehan, Nestor, Phillips, Pinson, Ridenour, Ross, Steele, Street, Westfall and Williams.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1021) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates, with further amendment, and the passage, as amended, of

S. B. 1022, Supplementing and amending appropriations from General Revenue to Department of Homeland Security, Division of Emergency Management.

Delegate Jeffries moved that the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

"That the total appropriation for the fiscal year ending June 30, 2024, to fund 0443, fiscal year 2024, organization 0606, be supplemented and amended to read as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HOMELAND SECURITY

73 - Division of Emergency Management

(W.V. Code Chapter 15)

Fund 0443 FY 2024 Org 0606

	Appro-priation	**General Revenue Fund**

1	Personal Services and Employee Benefits	00100	$ 2,228,903
2	Salary and Benefits of Cabinet Secretary and Agency Heads	00201	61,250
4	Unclassified	09900	21,022
5	Current Expenses	13000	51,065
6	Repairs and Alterations	06400	600
7	Radiological Emergency Preparedness	55400	17,052
8	SIRN	55401	600,000
9	Directed Transfer	70000	12,000,000
10	Federal Funds/Grant Match (R)	74900	1,488,195
11	Mine and Industrial Accident Rapid Response Call Center	78100	504,586
13	Early Warning Flood System (R)	87700	1,298,686
14	BRIM Premium	91300	96,529
15	Total		$ 18,367,888

16 Any unexpended balances remaining in the appropriations for Federal Funds/Grant Match

17 (fund 0443, appropriation 74900), Early Warning Flood System (fund 0443, appropriation

18 87700), and Disaster Mitigation (fund 0443, appropriation 95200) at the close of the fiscal year

19 2023 are hereby reappropriated for expenditure during the fiscal year 2024.

20 From the above appropriation for Directed Transfer (fund 0443, appropriation 70000)

21 $3,000,000 shall be transferred to the All County Fire Protection Fund (fund xxxx)

22 and $3,000,000 shall be transferred to the County Fire Protection Fund (fund xxxx) and

23 $6,000,000 shall be transferred to the Fire Protection Fund (fund 7158)."

And,

By amending the title of the bill to read as follows:

S. B. 1022 – "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2024, organization 0606, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024.

Whereas, The Governor submitted an Executive Message to the Legislature on August 6, 2023, which included a Statement of the State Fund, General Revenue, setting forth therein the cash balance as of July 1, 2023, and further included the estimate of revenue for the fiscal year 2024, less net appropriation balances forwarded and regular and surplus appropriations for the fiscal year 2024, and

Whereas, It appears from the Governor's Statement of the State Fund, General Revenue, there now remains an unappropriated balance in the Treasury which is available for appropriation during the fiscal year ending June 30, 2024; therefore"

On the motion to concur in the Senate amendments, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken **(Roll No. 905)**, and there were—yeas 69, nays 5, absent and not voting 26, with the nays and the absent and not voting being as follows:

Nays: Criss, Foggin, Gearheart, Hite and Riley.

Absent and Not Voting: Bridges, Coop-Gonzalez, Cooper, Dillon, Foster, Garcia, Hamilton, Hansen, Horst, Householder, Kimble, Kirby, Kump, Linville, Longanacre, Martin, McGeehan,

Nestor, Phillips, Pinson, Ridenour, Ross, Steele, Street, Westfall and Williams.

So, a majority of the members present having voted in the affirmative, the motion to concur in the amendment of the bill by the Senate prevailed.

The bill, as amended by the House, and further amended by the Senate, was put upon its passage.

On the passage of the bill, the yeas and nays were taken **(Roll No. 906)**, and there were—yeas 74, nays none, absent and not voting 26, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Cooper, Coop-Gonzalez, Dillon, Foster, Garcia, Hamilton, Hansen, Horst, Householder, Kimble, Kirby, Kump, Linville, Longanacre, Martin, McGeehan, Nestor, Phillips, Pinson, Ridenour, Ross, Steele, Street, Westfall and Williams.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1022) passed.

Delegate Jeffries moved that the bill take effect from its passage.

On this question, the yeas and nays were taken **(Roll No. 907)**, and there were—yeas 74, nays none, absent and not voting 26, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Cooper, Coop-Gonzalez, Dillon, Foster, Garcia, Hamilton, Hansen, Horst, Householder, Kimble, Kirby, Kump, Linville, Longanacre, Martin, McGeehan, Nestor, Phillips, Pinson, Ridenour, Ross, Steele, Street, Westfall and Williams.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1022) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

Speaker Pro Tempore Espinosa in the Chair

Messages from the Senate

A message from the Senate, received following *sine die* adjournment of the House of Delegates, notified the House that the Senate had completed its labors for the first extraordinary session of the 86th Legislature and adjourned *sine die.* A previous message announced that the Senate convened on August 6, 2023.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 112, Relating to child support guidelines.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 114, Supplementing and amending the appropriations to the PEIA.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 115, Supplementing and amending the appropriations to the Department of Education, State Board of Education – State Aid to Schools.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 116, Supplementing and amending the appropriations to state aid to schools.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 117, Supplementing and amending the appropriations to Higher Education Policy Marshall University.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 124, Establishing Summersville Lake State Park.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 125, Clarifying that certain payments paid prior to the effective date of the tax credits for property taxes paid on certain species of property are eligible for the tax credits,

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 128, Supplementing and amending the appropriations to the Governor's Office – Civil Contingent Fund.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 144, Including Potomac State College of West Virginia in the definition of community and technical college education program for participation in the "Learn and Earn Program".

A message from the Senate, by

The Clerk of the Senate, announced concurrence by the Senate in the amendment of the House of Delegates to the amendment of the Senate, and the passage, as amended, of

S. B. 1003, Supplementing and amending appropriations from General Revenue to multiple funds for Division of Corrections and Rehabilitation,

S. B. 1004, Making supplementary appropriation to Division of Corrections and Rehabilitation, Parolee Supervision Fees and Regional Jail and Correctional Facility Authority,

S. B. 1005, Supplementing and amending appropriations from General Revenue to Division of Corrections and Rehabilitation, Correctional Units and Bureau of Juvenile Services,

S. B. 1009, Prohibiting use of state funds for certain procedures or benefits not medically necessary,

S. B. 1010, Authorizing Supreme Court to develop pretrial release programs in all circuits,

S. B. 1023, Making supplementary appropriation to Department of Homeland Security, Division of Emergency Management, Growth County Fire Protection Fund and County Fire Protection Fund,

And,

S. B. 1031, Supplementing and amending appropriations from General Revenue to Department of Administration, Division of General Services.

Messages from the Executive

and Other Communications

Communications from the Clerks' offices of each house to His Excellency, the Governor, advised that the following enrolled bills were presented to him on the dates listed below:

August 9, 2023

S. B. 1006, Updating temporary identification cards for released inmates,

S. B. 1007, Requiring municipalities to reimburse responsible county regional jail per diem fees in certain cases,

S. B. 1019, Supplementing and amending appropriations from General Revenue to WV State Senate, WV House of Delegates, and to Joint Expenses,

S. B. 1020, Authorizing Mercer County Commission to levy special district excise tax for Ridges Economic Opportunity Development District,

S. B. 1026, Supplementing and amending appropriations from General Revenue to DOH,

S. B. 1027, Supplementing, amending and increasing existing items of appropriation from State Road Fund to DOH,

S. B. 1029, Supplementing and amending appropriations from General Revenue to Department of Economic Development, Office of Secretary,

S. B. 1030, Supplementing and amending appropriations from General Revenue to Department of Administration, Office of Technology,

S. B. 1032, Supplementing and amending appropriations from General Revenue to Department of Commerce, Division of Forestry,

S. B. 1033, Making supplemental appropriation of federal funds to Department of Commerce, Geological and Economic Survey,

S. B. 1034, Supplementing and amending appropriations from General Revenue to Department of Arts, Culture, and History, Division of Culture and History,

S. B. 1037, Supplementing and amending appropriations from General Revenue to Department of Veterans' Assistance,

S. B. 1038, Supplementing and amending appropriations from General Revenue to Adjutant General, State Militia,

S. B. 1039, Making supplementary appropriation to Division of Corrections and Rehabilitation, Regional Jail and Correctional Facility Authority,

S. B. 1041, Supplementing and amending appropriations from General Revenue to Department of Homeland Security, West Virginia State Police,

S. B. 1042, Expiring funds to Department of Education, Vocational Consolidated Accounts Fund from State Department of Education,

And,

S. B. 1043, Supplementing and amending appropriations from General Revenue to DHHR.

August 10, 2023

H. B. 112, Relating to child support guidelines,

H. B. 114, Supplementing and amending the appropriations to the PEIA,

H. B. 115, Supplementing and amending the appropriations to the Department of Education, State Board of Education – State Aid to Schools,

H. B. 116, Supplementing and amending the appropriations to state aid to schools,

H. B. 117, Supplementing and amending the appropriations to Higher Education Policy Marshall University,

H. B. 124, Establishing Summersville Lake State Park,

H. B. 125, Clarifying that certain payments paid prior to the effective date of the tax credits for property taxes paid on certain species of property are eligible for the tax credits,

H. B. 128, Supplementing and amending the appropriations to the Governor's Office – Civil Contingent Fund,

H. B. 144, Including Potomac State College of West Virginia in the definition of community and technical college education program for participation in the "Learn and Earn Program",

S. B. 1003, Supplementing and amending appropriations from General Revenue to multiple funds for Division of Corrections and Rehabilitation,

S. B. 1004, Making supplementary appropriation to Division of Corrections and Rehabilitation, Parolee Supervision Fees and Regional Jail and Correctional Facility Authority,

S. B. 1005, Supplementing and amending appropriations from General Revenue to Division of Corrections and Rehabilitation, Correctional Units and Bureau of Juvenile Services,

S. B. 1009, Prohibiting use of state funds for certain procedures or benefits not medically necessary,

S. B. 1010, Authorizing Supreme Court to develop pretrial release programs in all circuits,

S. B. 1021, Funding certain first responders,

S. B. 1022, Supplementing and amending appropriations from General Revenue to Department of Homeland Security, Division of Emergency Management,

S. B. 1023, Making supplementary appropriation to Department of Homeland Security, Division of Emergency

Management, Growth County Fire Protection Fund and County Fire Protection Fund,

And,

S. B. 1031, Supplementing and amending appropriations from General Revenue to Department of Administration, Division of General Services.

Messages from the Executive

Subsequent to the adjournment of the session, communications were received from His Excellency, the Governor, advising that on August 11, 2023, he approved **H. B. 124**; and on August 14, 2023, he approved **H. B. 114, H. B. 115, H. B. 116, H. B. 117, H. B. 128, S. B. 1003, S. B. 1004, S. B. 1005, S. B. 1006, S. B. 1007, S. B. 1009, S. B. 1010, S. B. 1019, S. B. 1022, S. B. 1023, S. B. 1026, S. B. 1027, S. B. 1029, S. B. 1030, S. B. 1031, S. B. 1032, S. B. 1033, S. B. 1034, S. B. 1037, S. B. 1038, S. B. 1039, S. B. 1041, S. B. 1042, and S. B. 1043**; and on August 16, 2023, he approved **H. B. 112, and H. B. 125**; and on August 22, 2023, he approved **H. B. 144, and S. B. 1021**.

S. B. 1020 had become law without the signature of the Governor.

On motion of Delegate Hanshaw (Mr. Speaker), following his remarks, the House of Delegates adjourned *sine die a*t 9:11 p.m.

We hereby certify that the forgoing record of the proceedings of the House of Delegates, First Extraordinary Session, 2023, is the Official Journal of the House of Delegates for said session.

_____
Roger Hanshaw
Speaker of the House of Delegates

_____
Stephen J. Harrison
Clerk of the House of Delegates

ADKINS, DAVID, F., a Republican from the Thirtieth Delegate District:
Bills introduced by 194, 252, 256, 280, 328, 342, 367, 396, 464, 529, 589, 595, 645, 668, 673, 674, 722, 745, 873, 925, 1314
Resolutions offered by 360, 869, 1477, 1996, 2553, 2554
Cosponsor, added as 262, 1101, 1374
Excused from voting, requested 1831, 2256

ANDERSON, BILL, a Republican from the Tenth Delegate District:
Bills introduced by 62, 63, 73, 109, 190, 207, 227, 228, 282, 347, 371, 381, 431, 526, 532, 557, 560, 638, 642, 645, 646, 663, 673, 674, 676, 704, 719, 722, 744, 745, 747, 917, 925, 1881
Resolutions offered by 189, 360, 554, 633, 661, 1084, 1155, 1996, 2553, 2554
Cosponsor, added as 262, 1101

BARNHART, TRENTON, C., a Republican from the Ninth Delegate District:
Bills introduced by 35, 68, 85, 122, 193, 198, 199, 227, 230, 234, 254, 256, 258, 259, 277, 279, 280, 282, 283, 341, 347, 367, 370, 371, 376, 378, 411, 429, 431, 471, 475, 502, 503, 527, 556, 557, 563, 642, 668, 669, 670, 704, 721, 744, 837, 879, 880, 920, 929, 932, 1881
Resolutions offered by 360, 661, 662, 868, 870, 1155, 1202, 1323, 2554
Cosponsor, added as 235, 384, 959
Excused from voting, requested 1831, 1849, 2256

BRIDGES, JORDAN, a Republican from the Thirty-Third Delegate District:
Bills introduced by 191, 253, 344, 379, 475, 530, 676, 705, 721, 746, 837
Resolutions offered by 360, 499, 1477, 2553
Cosponsor, added as 311, 358, 537
Excused from voting, requested .....
Leave of absence granted to 447, 514, 537, 608, 684, 788, 859, 900, 958, 995, 1023, 1069, 1137, 1252, 1317, 1587

BROOKS, ERIC, a Republican from the Forty-Fifth Delegate District:
Bills introduced by 194, 231, 251, 252, 253, 256, 257, 258, 260, 277, 278, 279, 280, 281, 288, 324, 327, 344, 367, 371, 373, 378, 411, 413, 465, 476, 502, 503, 523, 525, 527, 530, 531, 633, 641, 642, 704, 705, 745, 837, 838, 872, 873, 879, 940, 1055, 1314
Resolutions offered by 250, 360, 390, 441, 442, 554, 555, 633, 661, 1011, 1084, 1995, 1996, 2553, 2554
Cosponsor, added as 261, 311, 333, 384, 385, 514, 572, 1079
Cosponsor, removed 538
Excused from voting, requested 2117

BURKHAMMER, ADAM, a Republican from the Sixty-Fourth Delegate District:
Bills introduced by 83, 137, 194, 285, 318, 319, 320, 321, 324, 326, 343, 367, 377, 411, 416, 417, 418, 464, 470, 475, 476, 503, 523, 525, 527, 530, 591, 669, 722, 745, 746, 838, 890, 940
Resolutions offered by 360, 984, 1084, 1995, 2553, 2554
Cosponsor, added as 311, 358, 384, 385, 708, 860
Cosponsor, removed 482
Excused from voting, requested 2117

BUTLER, JIM, a Republican from the Eighteenth Delegate District:
Bills introduced by 227, 252, 254, 260, 319, 320, 321, 343, 379, 395, 411, 413, 416, 420, 465, 474, 501, 502, 504, 525, 527, 528, 529, 530, 563, 592, 642, 643, 666, 838, 872, 940, 942
Resolutions offered by 360, 441, 442, 661, 869, 1084, 1477, 1478, 2553, 2554
Cosponsor, added as 261, 860

CANNON, JARRED, a Republican from the Twenty-First Delegate District:
Bills introduced by 33, 192, 195, 197, 207, 208, 252, 253, 256, 280, 317, 318, 327, 342, 343, 367, 370, 375, 527, 528, 529, 589, 593, 596, 641, 642, 644, 645, 668, 671, 720, 723, 880, 928, 931, 932, 940
Resolutions offered by 360, 554, 633, 661, 718, 869, 1084, 1203, 1323, 1324, 1325, 1967, 1968, 2553, 2554
Cosponsor, added as 481
Excused from voting, requested 2117

CAPITO, MOORE, a Republican from the Fifty-Fifth Delegate District:
Bills introduced by 191, 208, 346, 429, 555, 586, 641, 670, 704, 705, 744, 871, 874, 877, 930
Resolutions offered by 360, 633, 835, 2554, 2555
Cosponsor, added as 201, 821
Excused from voting, requested .....
Leave of absence granted to 537

CHIARELLI, GENO, a Republican from the Seventy-Eighth Delegate District:
Bills introduced by 194, 227, 251, 253, 256, 280, 316, 321, 324, 325, 326, 342, 344, 345, 346, 367, 371, 377, 396, 397, 412, 413, 418, 421, 422, 427, 428, 464, 465, 472, 474, 476, 525, 527, 590, 591, 593, 595, 596, 633, 641, 643, 645, 721, 723, 745, 747, 838, 872, 890, 925, 1314
Resolutions offered by 360, 410, 554, 555, 869, 1084, 1478, 2553, 2554
Cosponsor, added as 235, 358, 608, 728

CLARK, WAYNE, a Republican from the Ninety-Ninth Delegate District:
Bills introduced by 33, 35, 147, 148, 193, 194, 197, 207, 208, 233, 254, 258, 259, 280, 319, 344, 345, 346, 348, 367, 375, 411, 412, 429, 461, 501, 503, 506, 508, 509, 523, 527, 557, 559, 560, 588, 589, 594, 633, 638, 644, 671, 676, 704, 723, 745, 746, 748, 876, 880, 918, 932, 943, 944, 945, 1139
Resolutions offered by 360, 410, 633, 718, 984, 1010, 1084, 1323, 1324, 1996, 2553, 2554, 2794
Cosponsor, added as 201, 385, 1024, 1101, 1137
Cosponsor, removed 1024
Excused from voting, requested 2117, 2710
Leave of absence granted to 788, 819, 859

COOPER, ROY, G., a Republican from the Fortieth Delegate District:
Bills introduced by 109, 142, 143, 144, 191, 198, 199, 227, 228, 252, 254, 258, 277, 279, 280, 282, 347, 379, 395, 420, 474, 525, 526, 528, 529, 530, 532, 555, 591, 642, 645, 668, 669, 670, 676, 721, 722, 745, 918, 932
Resolutions offered by 189, 190, 250, 360, 661, 1084, 1323, 1477, 1996, 2554
Cosponsor, added as 514, 1252
Excused from voting, requested .....
Leave of absence granted to 3270

COOP-GONZALEZ, ELIAS, a Republican from the Sixty-Seventh Delegate District:
Bills introduced by 194, 231, 232, 250, 252, 260, 280, 342, 396, 413, 469, 669, 925
Resolutions offered by 360, 633, 661, 662, 915, 1084, 1085, 1155, 2553, 2554
Cosponsor, added as 482, 996
Excused from voting, requested .....
Leave of absence granted to 3270

CRISS, VERNON, a Republican from the Twelfth Delegate District:
Bills introduced by 76, 77, 78, 190, 195, 199, 227, 231, 232, 254, 256, 410, 415, 429, 430, 461, 471, 588, 591, 647, 663, 664, 670, 675, 703, 704, 719, 744, 745, 747, 879, 882, 887, 888, 918, 921
Resolutions offered by 555, 2554, 2555
Excused from voting, requested 1849, 2117
Leave of absence granted to 481, 514

CROUSE, KATHIE, H., a Republican from the Nineteenth Delegate District:
Bills introduced by 33, 89, 125, 126, 194, 197, 233, 234, 250, 251, 252, 253, 254, 257, 259, 260, 280, 281, 285, 326, 343, 344, 346, 347, 371, 376, 378, 411, 413, 416, 470, 471, 472, 503, 508, 509, 523, 524, 525, 528, 529, 531, 591, 593, 636, 638, 641, 644, 666, 668, 671, 676, 705, 723, 746, 886, 927, 928, 1314
Resolutions offered by 360, 390, 441, 442, 555, 633, 661, 718, 1010, 1084, 1127, 1478, 1996, 2553, 2554
Cosponsor, added as 201, 202, 311, 312, 333, 358, 625, 684, 728, 900, 1024, 1101, 1137

DEAN, MARK, a Republican from the Thirty-Fourth Delegate District:
Bills introduced by 36, 37, 145, 146, 193, 232, 233, 234, 253, 254, 257, 259, 278, 285, 328, 379, 411, 429, 472, 475, 502, 509, 529, 530, 531, 555, 563, 636, 643, 671, 673, 674, 675, 721, 724, 837, 872, 886, 890, 929, 1314
Resolutions offered by 360, 390, 441, 442, 499, 554, 661, 718, 869, 1084, 1127, 1203, 1995, 1996, 2553, 2554
Cosponsor, added as 201, 311, 358, 728
Excused from voting, requested 1831

DEVAULT, MIKE, a Republican from the Seventy-Fourth Delegate District:
Bills introduced by 194, 251, 464, 471, 474, 503
Resolutions offered by 360, 555
Excused from voting, requested 2117

DILLON, HENRY, C., a Republican from the Twenty-Ninth Delegate District:
Bills introduced by 191, 198, 253, 288, 316, 318, 324, 325, 326, 328, 343, 347, 377, 396, 411, 464, 471, 472, 529, 530, 531, 590, 592, 640, 642, 643, 674, 721, 838, 872, 890, 925
Resolutions offered by 360, 441, 442, 498, 554, 702, 703, 869, 1084, 1323, 2553
Cosponsor, added as 261, 311, 312, 358, 448, 481, 625, 1024, 1101, 1317
Excused from voting, requested 1831, 1849, 2256
Leave of absence granted to 3270

DITTMAN, LORI, C., a Republican from the Sixty-Third Delegate District:
Bills introduced by 193, 501, 503, 508, 509, 524, 528, 557, 645, 747, 886, 943
Resolutions offered by 250, 360, 498, 718, 868, 1010, 1084, 1323, 1324, 2553, 2554
Cosponsor, added as 608, 1137
Excused from voting, requested 1831, 1849

ELLINGTON, JOE, C., a Republican from the Thirty-Eighth Delegate District:
Bills introduced by 128, 129, 191, 193, 233, 234, 254, 258, 279, 280, 282, 328, 343, 344, 345, 346, 348, 367, 379, 412, 413, 418, 426, 471, 474, 476, 503, 506, 523, 527, 555, 595, 634, 643, 670, 676, 746, 748, 871, 872, 880, 916, 932, 943, 944, 945
Resolutions offered by 250, 554, 633, 661, 718, 1010, 2554
Cosponsor, added as 201
Excused from voting, requested 2117
Leave of absence granted to 384, 537, 684, 708, 859, 1252, 1680

ESPINOSA, PAUL, a Republican from the Ninety-Eighth Delegate District:
Bills introduced by 192, 254, 258, 259, 260, 287, 288, 321, 326, 348, 411, 415, 429, 430, 461, 471, 557, 586, 670, 674, 719, 721, 746, 747, 878, 879, 918, 921, 925, 926, 927, 942, 1881
Resolutions offered by 360, 619, 835, 2554
Cosponsor, added as 202, 235, 236, 262, 358, 359, 448, 481, 608, 685, 728, 860, 959, 1023, 1137
Excused from voting, requested 1015
Leave of absence granted to 333, 1927

FAST, TOM, a Republican from the Fifty-First Delegate District:
Bills introduced by 33, 39, 133, 151, 152, 194, 277, 375, 413, 420, 469, 470, 509, 523, 563, 589, 596, 644, 670, 721, 744, 745, 748, 873, 877, 879, 925, 931, 932, 1104
Resolutions offered by 33, 360, 633, 1011, 1084, 1995, 2554, 2555
Cosponsor, added as 201, 261, 333, 447, 448, 728, 821, 900, 1023, 1253
Excused from voting, requested 1398, 2117

FEHRENBACHER, BOB, a Republican from the Eleventh Delegate District:
Bills introduced by 193, 256, 259, 260, 282, 367, 431, 526, 532, 563, 586, 591, 644, 674, 676, 745, 747, 879, 925, 1139
Resolutions offered by 360, 555, 661, 868, 1010, 1084, 1155, 1323, 2554
Cosponsor, added as 235, 311, 312, 358

FERRELL, DANA, a Republican from the Sixtieth Delegate District:
Bills introduced by 33, 194, 197, 198, 207, 208, 254, 258, 277, 342, 378, 411, 413, 429, 431, 474, 507, 525, 527, 556, 563, 588, 589, 593, 633, 638, 642, 644, 668, 669, 673, 719, 723, 747, 871, 888, 929, 941, 944, 945
Resolutions offered by 360, 633, 661, 1084, 1323, 1324, 1627, 1996, 2553, 2554, 2794
Cosponsor, added as 572, 728, 996
Excused from voting, requested .....
Leave of absence granted to 1770

FLUHARTY, SHAWN, a Democrat from the Fifth Delegate District:
Bills introduced by 48, 86, 102, 103, 113, 114, 128, 343, 638, 719, 720, 722, 744, 749, 872, 918, 921, 923, 940, 1196
Resolutions offered by 26, 27, 28, 499, 633, 718, 869, 2553, 2554
Cosponsor, added as 201, 728, 860, 1137

FOGGIN, DAVE, a Republican from the Fourteenth Delegate District:
Bills introduced by 191, 230, 279, 316, 344, 371, 431, 469, 474, 476, 502, 506, 528, 530, 531, 563, 591, 592, 633, 668, 669, 722, 723, 745, 837, 873, 921, 932, 1082
Resolutions offered by 250, 360, 441, 442, 661, 718, 1084, 1155, 2553
Cosponsor, added as 333, 608, 788, 1023
Excused from voting, requested 1831, 1849
Leave of absence granted to 3270

FORSHT, DON, a Republican from the Ninety-First Delegate District:
Bills introduced by 228, 229, 230, 233, 251, 256, 257, 283, 285, 288, 317, 318, 326, 342, 346, 367, 369, 370, 372, 589, 595, 666, 889, 925, 929
Resolutions offered by 360, 460, 661, 868, 870, 1032, 1084, 1996, 2553, 2554
Cosponsor, added as 333, 1252
Excused from voting, requested 2117

FOSTER, GEOFF, a Republican from the Twentieth Delegate District:
Bills introduced by 34, 91, 92, 194, 195, 198, 199, 200, 234, 252, 255, 256, 259, 282, 283, 284, 285, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 316, 317, 319, 320, 321, 322, 324, 326, 327, 328, 340, 348, 367, 370, 372, 373, 375, 378, 379, 381, 396, 411, 413, 414, 418, 422, 423, 425, 426, 427, 429, 430, 463, 465, 470, 472, 474, 503, 504, 508, 523, 525, 529, 530, 531, 556, 558, 723, 724, 836, 837, 878, 879, 880, 928, 931, 940
Resolutions offered by 337, 360, 390, 410, 441, 442, 460, 554, 868, 1203, 2554
Cosponsor, added as 201, 333, 448, 995, 1253
Excused from voting, requested 2117

GARCIA, JOEY, a Democrat from the Sixty-Sixth Delegate District:
Bills introduced by 327, 369, 420, 561, 645, 722, 749, 839, 872, 876, 921, 940, 1104
Resolutions offered by 26, 27, 28, 499, 554, 633, 718, 835, 984, 2553, 2554
Cosponsor, added as 201, 448, 515, 625, 684, 860, 1137
Excused from voting, requested 1831

GEARHEART, MARTY, a Republican from the Thirty-Seventh Delegate District:
Bills introduced by 38, 103, 126, 127, 190, 193, 251, 254, 256, 259, 260, 282, 287, 288, 326, 342, 344, 371, 379, 471, 502, 527, 555, 666, 719, 746, 747, 748, 876, 887, 927, 1881
Resolutions offered by 360, 554, 661, 718, 1010, 1084, 1323, 2554
Cosponsor, added as 201, 514
Excused from voting, requested 1831, 2117
Leave of absence granted to 384

GRIFFITH, RIC, a Democrat from the Twenty-Seventh Delegate District:
Bills introduced by 34, 51, 118, 119, 284, 346, 369, 376, 504, 722, 748, 749, 921, 940, 943
Resolutions offered by 26, 27, 28, 360, 633, 661, 718, 869, 984, 1085, 2554
Cosponsor, added as 262, 860
Excused from voting, requested 1208
Leave of absence granted to 481, 514, 537, 651, 684, 995, 3270

HALL, ANITA, A., a Republican from the Thirty-Sixth Delegate District:
Bills introduced by 192, 193, 195, 198, 199, 251, 253, 254, 256, 318, 367, 371, 396, 412, 429, 469, 474, 502, 507, 555, 588, 589, 590, 591, 633, 644, 721, 745, 747, 838, 871, 890, 943, 1139
Resolutions offered by 190, 360, 498, 554, 555, 633, 661, 868, 1010, 1084, 1323, 1324, 1627, 1995, 2553, 2554
Cosponsor, added as 358, 537, 608, 788, 959, 1101
Excused from voting, requested 2117, 2256, 2740

HALL, WALTER, W., a Republican from the Fifty-Eighth Delegate District:
Bills introduced by 193, 195, 198, 199, 253, 256, 367, 371, 396, 429, 469, 474, 507, 588, 589, 591, 633, 644, 747, 838, 871, 890
Resolutions offered by 190, 360, 555, 633, 868, 1084, 1324, 1627, 2553, 2554

HAMILTON, ANITRA, a Democrat from the Eighty-First Delegate District:
Leave of absence granted to 3270

HANNA, CALEB, L., a Republican from the Forty-Eighth Delegate District:
Bills introduced by 41, 42, 48, 49, 70, 71, 109, 191, 234, 256, 284, 288, 289, 319, 321, 324, 344, 367, 376, 397, 476, 501, 502, 563, 587, 596, 643, 723, 925, 931, 943, 944, 945
Resolutions offered by 30, 633, 835, 870, 1010, 1203, 1324, 1478, 2553, 2554
Cosponsor, added as 996
Excused from voting, requested 2117
Leave of absence granted to 1023

HANSEN, EVAN, a Democrat from the Seventy-Ninth Delegate District:
Bills introduced by 34, 74, 92, 96, 99, 100, 234, 277, 325, 345, 368, 369, 419, 431, 474, 526, 532, 562, 590, 594, 643, 722, 748, 749, 872, 918, 921, 924, 933, 940
Resolutions offered by 26, 27, 28, 32, 633, 1085, 1155, 2553, 2554

Cosponsor, added as 481, 860, 1079, 1080
Excused from voting, requested 2117

HANSHAW, ROGER, a Republican from the Sixty-Second Delegate District:
Bills introduced by 188, 191, 200, 322, 323, 376, 377, 379, 380, 391, 392, 393, 394, 395, 397, 398, 429, 467, 469, 470, 500, 502, 503, 526, 588, 719, 743, 744, 877, 885, 888, 929, 934, 935, 936, 937, 938, 939, 940, 943, 1128, 1478, 1883, 3240, 3244, 3246, 3249, 3251, 3253, 3255, 3256, 3257, 3258, 3260, 3261, 3262, 3263, 3264, 3265, 3266, 3267, 3268
Resolutions offered by 360, 390, 554, 633, 743, 871, 1085, 2113, 2554
Cosponsor, added as 572, 684

HARDY, JOHN, a Republican from the Ninety-Seventh Delegate District:
Bills introduced by 190, 254, 255, 258, 259, 260, 287, 316, 324, 371, 411, 415, 429, 430, 461, 471, 501, 504, 526, 527, 557, 586, 594, 670, 704, 719, 721, 744, 746, 875, 878, 879, 880, 918, 921
Resolutions offered by 360, 662, 835, 1203, 2554
Cosponsor, added as 333, 358, 481, 482, 572
Excused from voting, requested 2117, 2256
Leave of absence granted to 608, 900, 1587, 1680

HECKERT, SCOT, a Republican from the Thirteenth Delegate District:
Bills introduced by 191, 228, 229, 230, 233, 251, 252, 256, 257, 258, 279, 280, 283, 317, 318, 326, 344, 347, 367, 371, 379, 391, 396, 397, 413, 431, 474, 503, 508, 509, 525, 563, 591, 641, 645, 668, 670, 676, 721, 722, 723, 724, 744, 745, 837, 872, 873, 921, 1314
Resolutions offered by 189, 250, 360, 555, 633, 661, 718, 1084, 1085, 1155, 1477, 1478, 2553, 2554
Cosponsor, added as 312, 333, 334, 358, 359, 572, 608, 789, 996, 1101
Cosponsor, removed 996
Excused from voting, requested 1263, 2117
Leave of absence granted to 481

HILLENBRAND, RICK, a Republican from the Eighty-Eighth Delegate District:
Bills introduced by 193, 251, 341, 373, 395, 420, 474, 509, 527, 556, 562, 563, 594, 668, 669, 670, 674, 722, 838, 918, 925, 1196
Resolutions offered by 360, 555, 633, 661, 662, 718, 1084, 1478, 1996, 2553, 2554
Cosponsor, added as 201, 235, 261, 262, 358, 402, 403, 448, 572, 625, 684, 860, 1024, 1101, 1137

HITE, MICHAEL, a Republican from the Ninety-Second Delegate District:
Bills introduced by 33, 193, 230, 287, 367, 429, 461, 557, 638, 642, 671, 721, 746, 747, 872, 926, 942, 943, 944, 945
Resolutions offered by 360, 633, 661, 662, 835, 868, 870, 915, 1084, 1203, 1996, 2553, 2554
Cosponsor, added as 514
Excused from voting, requested 1208

HOLSTEIN, JOSH, a Republican from the Thirty-Second Delegate District:
Bills introduced by 38, 124, 192, 279, 320, 321, 325, 326, 327, 328, 342, 344, 367, 369, 370, 372, 429, 472, 501, 531, 532, 563, 641, 642, 666, 670, 676, 721, 723, 877, 929, 930, 931
Resolutions offered by 316, 337, 460, 835, 1084, 1477, 1995, 1996, 2553, 2554
Cosponsor, added as 514, 515, 537, 538, 860, 959, 1079
Excused from voting, requested 1831, 2117

HONAKER, MIKE, a Republican from the Forty-Sixth Delegate District:
Bills introduced by 33, 35, 193, 197, 233, 234, 252, 256, 258, 260, 278, 280, 281, 319, 324, 327, 342, 371, 373, 374, 376, 378, 395, 420, 429, 469, 471, 475, 502, 528, 529, 531, 556, 557, 558, 561, 563, 633, 644, 668, 671, 748, 837, 886, 1055, 1314
Resolutions offered by 360, 633, 661, 662, 718, 868, 1084, 1477, 1996, 2553, 2554
Cosponsor, added as 201, 261, 311, 333, 608
Excused from voting, requested 1831
Leave of absence granted to 384, 537

HORNBUCKLE, SEAN, a Democrat from the Twenty-Fifth Delegate District:
Bills introduced by 36, 67, 68, 69, 70, 85, 86, 121, 122, 123, 135, 136, 143, 208, 345, 346, 369, 474, 526, 588, 638, 645, 646, 662, 663, 673, 674, 704, 720, 749, 872, 882, 883, 884, 919, 921, 923, 933, 940, 941
Resolutions offered by 26, 27, 28, 499, 554, 633, 718, 869, 984, 1010, 2553, 2554
Cosponsor, added as 608, 625, 1023, 1192
Excused from voting, requested 1486
Leave of absence granted to 708
Remarks by, ordered printed 386

HORNBY, MICHAEL, a Republican from the Ninety-Third Delegate District:
Bills introduced by 191, 258, 280, 287, 316, 324, 344, 345, 346, 412, 418, 429, 461, 503, 504, 508, 509, 523, 588, 589, 594, 595, 644, 671, 721, 745, 877, 879, 926, 931, 943, 944, 945, 1082, 1139
Resolutions offered by 360, 410, 498, 633, 835, 1010, 1323, 1324, 2114, 2554, 2555
Cosponsor, added as 608, 788, 959, 995, 996, 1023, 1024, 1100
Cosponsor, removed 1024
Excused from voting, requested 2117, 2256

HORST, CHARLES, C., a Republican from the Ninety-Fifth Delegate District:
Bills introduced by 35, 82, 194, 198, 232, 233, 234, 250, 254, 255, 256, 280, 288, 316, 319, 327, 342, 429, 461, 525, 526, 530, 532, 590, 593, 594, 638, 669, 670, 723, 746, 747, 872, 874, 878, 890, 926, 943, 1881
Resolutions offered by 30, 190, 360, 498, 555, 633, 661, 662, 835, 870, 1084, 2553, 2554
Cosponsor, added as 201, 202, 261, 384, 385, 651, 996, 1079
Excused from voting, requested .....
Leave of absence granted to 684, 1317

HOTT, JOHN, P., a Republican from the Eighty-Fifth Delegate District:
Bills introduced by 39, 127, 134, 153, 191, 197, 207, 208, 230, 233, 234, 252, 256, 258, 277, 278, 280, 319, 342, 347, 371, 373, 374, 378, 381, 391, 411, 420, 431, 469, 503, 532, 561, 589, 641, 642, 644, 666, 670, 673, 704, 705, 722, 745, 746, 747, 837, 839, 918, 920, 932, 1055, 1881
Resolutions offered by 360, 554, 633, 661, 662, 984, 1010, 1085, 1127, 1996, 2553, 2554
Cosponsor, added as 385, 608, 995, 996
Cosponsor, removed 1024
Excused from voting, requested 1831, 2117
Leave of absence granted to 1137, 1192, 1252, 1317, 3270

HOUSEHOLDER, ERIC, L., a Republican from the Ninety-Sixth Delegate District:
Bills introduced by 82, 190, 195, 199, 233, 234,254, 255, 256, 259, 260, 288, 316, 321, 371, 379, 411, 413, 415, 420, 429, 461, 471, 502, 525, 557, 563, 666, 670, 719, 746, 876, 877, 878, 918, 921, 926, 927
Resolutions offered by 360, 498, 554, 555, 661, 915, 1085, 2554
Cosponsor, added as 384
Excused from voting, requested 1831, 2117
Leave of absence granted to 608

HOWELL, GARY, a Republican from the Eighty-Seventh Delegate District:
Bills introduced by 42, 46, 47, 55, 104, 111, 112, 195, 197, 207, 208, 227, 233, 252, 256, 259, 282, 328, 348, 375, 411, 503, 507, 508, 509, 527, 528, 532, 559, 560, 588, 589, 590, 638, 644, 645, 666, 670, 673, 675, 704, 719, 723, 724, 746, 748, 839, 876, 878, 879, 884, 888, 916, 917, 923, 926, 932, 939, 942, 943, 1070, 1139, 1202
Resolutions offered by 32, 360, 633, 718, 984, 1010, 1323, 1324, 1974, 1975, 1996, 2553, 2554, 2794
Cosponsor, added as 201, 312
Excused from voting, requested 1831, 2117
Leave of absence granted to 1680, 1770

JEFFRIES, WARREN, D., a Republican from the Sixty-First Delegate District:
Bills introduced by 191, 198, 199, 233, 254, 255, 277, 278, 283, 284, 317, 318, 371, 373, 374, 396, 411, 421, 429, 501, 509, 523, 524, 525, 528, 529, 530, 531, 563, 588, 589, 642, 670, 673, 874, 890, 919, 927, 929, 931
Resolutions offered by 190, 360, 1085, 1323, 1387, 1996, 2554
Cosponsor, added as 261
Excused from voting, requested .....
Leave of absence granted to 859, 1023, 1069

JENNINGS, D. ROLLAND, B., a Republican from the Eighty-Fourth Delegate District:
Bills introduced by 84, 191, 197, 198, 233, 252, 258, 277, 278, 280, 282, 284, 321, 371, 411, 471, 503, 530, 557, 561, 562, 563, 645, 670, 673, 676, 926, 944, 945
Resolutions offered by 360, 633, 662, 718, 1085, 1323, 1996, 2553, 2554
Cosponsor, added as 311, 333, 1023
Excused from voting, requested 2117

KEATON, RILEY, a Republican from the Fifteenth Delegate District:
Bills introduced by 33, 45, 46, 74, 75, 86, 91, 112, 113, 139, 194, 196, 198, 280, 284, 324, 342, 347, 370, 372, 373, 396, 411, 416, 418, 427, 428, 474, 476, 501, 504, 523, 525, 527, 587, 593, 596, 641, 645, 666, 670, 671, 723, 872, 917, 931, 940
Resolutions offered by 360, 633, 662, 718, 1085, 1127, 1203, 2553, 2554
Cosponsor, added as 538, 995, 996, 1023, 1079

KELLY, DAVID, L., a Republican from the Eighth Delegate District:
Bills introduced by 33, 191, 197, 198, 199, 208, 230, 233, 252, 283, 327, 371, 373, 374, 378, 411, 429, 469, 503, 509, 528, 530, 557, 561, 586, 633, 642, 744, 837, 839, 873, 874, 918, 929, 3240, 3241, 3242, 3243, 3244, 3262
Resolutions offered by 190, 360, 661, 1085, 1996, 2554
Cosponsor, added as 448, 728, 821
Cosponsor, removed 1024
Excused from voting, requested .....
Leave of absence granted to 900, 3270

KIMBLE, LAURA, a Republican from the Seventy-First Delegate District:
Bills introduced by 38, 131, 143, 157, 158, 192, 232, 250, 254, 255, 258, 260, 281, 343, 371, 374, 411, 413, 416, 474, 501, 524, 525, 529, 531, 556, 558, 559, 561, 641, 642, 670, 673, 745, 837, 873, 874, 878, 919, 931, 1196
Resolutions offered by 32, 360, 410, 661, 662, 868, 1085, 2554
Cosponsor, added as 201, 202, 448, 481, 482, 821, 1023, 1253

KIRBY, TODD, A., a Republican from the Forty-Fourth Delegate District:
Bills introduced by 82, 191, 194, 231, 232, 251, 253, 254, 255, 278, 279, 280, 281, 288, 324, 326, 327, 342, 344, 373, 375, 411, 413, 420, 427, 428, 465, 469, 470, 476, 501, 502, 527, 529, 530, 531, 555, 556, 558, 563, 592, 596, 641, 644, 723, 873, 874, 879, 1139
Resolutions offered by 250, 360, 498, 499, 633, 661, 718, 868, 1085, 1995, 1996, 2553, 2554

Cosponsor, added as 311, 312, 384, 385, 996, 1101, 1253
Cosponsor, removed 403, 573
Excused from voting, requested 1398, 1831, 2117
Leave of absence granted to 1069

KUMP, LARRY, D., a Republican from the Ninety-Fourth Delegate District:
Bills introduced by 194, 234, 251, 256, 287, 326, 327, 348, 367, 376, 556, 558, 638, 642, 645, 646, 662, 663, 673, 674, 704, 746, 837, 1196
Resolutions offered by 360, 633, 661, 662, 1085, 2553
Cosponsor, added as 312, 359, 448, 482, 515, 538, 572, 573, 608, 609, 625, 684, 708, 728, 821, 900, 1023, 1079, 1100, 1101, 1192, 1253
Cosponsor, removed 448
Leave of absence granted to 3270

LINVILLE, DANIEL, a Republican from the Twenty-Second Delegate District:
Bills introduced by 93, 102, 190, 195, 196, 197, 207, 227, 228, 252, 253, 256, 258, 259, 260, 280, 282, 327, 342, 343, 346, 367, 375, 429, 430, 467, 474, 475, 499, 527, 559, 587, 589, 590, 593, 594, 645, 664, 667, 669, 671, 673, 674, 724, 746, 876, 877, 878, 880, 882, 890, 916, 924, 931, 940
Resolutions offered by 360, 554, 633, 661, 662, 718, 835, 869, 1010, 1085, 1967, 1968, 2553, 2554
Cosponsor, added as 262, 481, 608, 1023
Excused from voting, requested 1831, 2117, 2256
Leave of absence granted to 1069
Remarks by, ordered printed 1252

LONGANACRE, TODD, a Republican from the Forty-Seventh Delegate District:
Bills introduced by 129, 130, 131, 194, 198, 228, 232, 233, 234, 251, 252, 254, 255, 256, 257, 258, 260, 277, 278, 280, 281, 285, 319, 326, 341, 344, 346, 367, 378, 395, 396, 411, 412, 420, 463, 464, 465, 469, 501, 502, 503, 506, 528, 529, 530, 531, 590, 592, 636, 641, 642, 643, 670, 671, 745, 838, 839, 886, 926, 932, 944, 945, 1314
Resolutions offered by 189, 360, 390, 410, 441, 442, 554, 661, 662, 718, 868, 915, 1085, 1477, 1478, 1995, 2553, 2554
Cosponsor, added as 201, 261, 608, 625, 959, 996
Excused from voting, requested 1831, 1849
Leave of absence granted to 3270, 3359

LUCAS, PATRICK, a Republican from the Twenty-Fourth Delegate District:
Bills introduced by 191, 193, 250, 343, 346, 347, 396, 411, 412, 525, 528, 529, 586, 746, 886, 932, 1082
Resolutions offered by 360, 554, 633, 718, 869, 1085, 1127, 1323, 1996, 2553, 2554
Cosponsor, added as 261, 262, 608
Excused from voting, requested 1831

MALLOW, PHIL, a Republican from the Seventy-Fifth Delegate District:
Bills introduced by 35, 60, 78, 79, 80, 82, 87, 88, 193, 251, 252, 258, 277, 279, 280, 281, 326, 327, 341, 342, 464, 470, 471, 474, 562, 586, 589, 595, 645, 673, 674, 676, 878, 886, 925, 926
Resolutions offered by 31, 360, 555, 633, 661, 662, 718, 868, 1085, 1996
Cosponsor, added as 312, 333, 358, 1252
Leave of absence granted to 2043, 2744

MARPLE, KEITH, a Republican from the Sixty-Ninth Delegate District:
Bills introduced by 190, 464, 560, 589, 595, 638, 645, 646, 662, 663, 673, 674, 704, 722, 917, 926, 929, 1104, 1196
Resolutions offered by 360, 633, 718, 915, 1010, 1085, 1127, 1996, 2553, 2554
Leave of absence granted to 3270

MARTIN, CARL, R., a Republican from the Sixty-Fifth Delegate District:
Bills introduced by 51, 59, 96, 108, 118, 128, 147, 192, 231, 232, 234, 256, 259, 260, 319, 367, 376, 418, 420, 470, 523, 526, 527, 531, 532, 556, 557, 558, 596, 641, 642, 669, 704, 721, 878, 879, 1196

Resolutions offered by 360, 633, 984, 1085
Cosponsor, added as 384, 385, 481, 538, 821, 996, 1023
Excused from voting, requested 950, 1831, 2117
Leave of absence granted to 708, 3270, 3359

MAYNOR, JORDAN, a Republican from the Forty-First Delegate District:
Bills introduced by 194, 195, 252, 280, 326, 327, 343, 344, 367, 370, 378, 471, 474, 528, 529, 594, 668, 671, 673, 721, 746, 748, 879, 886, 916, 917, 924, 944
Resolutions offered by 360, 390, 633, 661, 835, 1085, 1127, 2554
Cosponsor, added as 261, 311
Excused from voting, requested 2117, 2256, 3291

MAZZOCCHI, MARGITTA, a Republican from the Thirty-First Delegate District:
Bills introduced by 45, 148, 149, 251, 254, 255, 319, 320, 321, 327, 328, 344, 373, 395, 411, 412, 413, 501, 506, 524, 527, 528, 529, 531, 642, 644, 645, 664, 668, 670, 721, 745, 747, 836, 873, 874, 877, 931, 1082, 1881
Resolutions offered by 360, 633, 662, 868, 1085, 1477, 1996, 2553, 2554
Cosponsor, added as 202, 261, 312, 358, 402, 447, 537, 608, 959, 996, 1101, 1252

MCGEEHAN, PAT, a Republican from the First Delegate District:
Bills introduced by 40, 58, 61, 62, 72, 73, 74, 92, 108, 109, 194, 198, 250, 254, 258, 259, 289, 324, 326, 344, 369, 413, 422, 501, 563, 596, 597, 636, 644, 673, 719, 721, 722, 749, 872, 874, 878, 931, 1314
Resolutions offered by 30, 250, 360, 499, 554, 661, 662, 915, 1085, 2554
Cosponsor, added as 201, 261, 385, 515, 996
Excused from voting, requested .....
Leave of absence granted to 384, 537, 684, 859

MILLER, GEORGE, a Republican from the Ninetieth Delegate District:
Bills introduced by 149, 191, 192, 199, 229, 230, 251, 258, 281, 283, 318, 369, 411, 471, 557, 589, 595, 668, 748, 878, 879, 926
Resolutions offered by 190, 360, 498, 633, 661, 718, 868, 915, 1085, 1996, 2553, 2554
Cosponsor, added as 333

NESTOR, WILLIAM, T., a Republican from the Sixty-Sixth Delegate District:
Bills introduced by 192, 198, 199, 231, 232, 234, 256, 257, 258, 280, 282, 319, 327, 342, 373, 376, 378, 420, 471, 530, 563, 641, 642, 721, 917
Resolutions offered by 190, 360, 661, 984, 1085, 1155, 1323, 1996
Cosponsor, added as 202, 684, 959, 1079
Cosponsor, removed 515, 860
Leave of absence granted to 2043

PETITTO, MICKEY, a Republican from the Seventieth Delegate District:
Bills introduced by 191, 229, 230, 233, 252, 317, 318, 369, 413, 503, 508, 509, 527, 528, 529, 644, 671, 673, 745, 747, 873, 932, 1139
Resolutions offered by 360, 868, 1085, 1323, 1324, 1996, 2553, 2554
Cosponsor, added as 311

PHILLIPS, CHRIS, a Republican from the Sixty-Eighth Delegate District:
Bills introduced by 190, 192, 197, 198, 207, 208, 231, 233, 234, 250, 252, 254, 255, 256, 277, 278, 280, 288, 327, 367, 371, 373, 374, 391, 411, 421, 428, 429, 474, 501, 509, 523, 525, 527, 556, 558, 563, 589, 638, 641, 645, 669, 671, 673, 705, 719, 721, 746, 836, 874, 878, 879, 917, 920, 923, 929, 1055, 1314
Resolutions offered by 360, 390, 554, 662, 984, 1085, 2553, 2554
Cosponsor, added as 201, 202, 261, 384, 385, 448, 608, 996

Leave of absence granted to 3359

PINSON, JOHNATHAN, A., a Republican from the Seventeenth Delegate District:
Bills introduced by 33, 151, 155, 156, 157, 191, 193, 230, 233, 252, 278, 285, 325, 343, 377, 378, 396, 397, 411, 413, 465, 469, 470, 476, 501, 644, 666, 838, 873, 877, 890, 931
Resolutions offered by 360, 498, 1010, 1085, 1203, 2554
Cosponsor, added as 261, 385, 788, 995
Cosponsor, removed 403, 960
Leave of absence granted to 3270

PRITT, CHRIS, C., a Republican from the Fifty-Third Delegate District:
Bills introduced by 44, 51, 57, 58, 59, 100, 115, 116, 117, 119, 120, 135, 136, 137, 138, 231, 232, 250, 251, 255, 277, 324, 342, 344, 369, 375, 376, 391, 396, 397, 398, 399, 411, 420, 421, 422, 427, 428, 430, 465, 470, 501, 502, 558, 559, 560, 561, 562, 563, 586, 589, 590, 596, 636, 637, 638, 642, 645, 646, 662, 663, 671, 673, 674, 676, 704, 722, 723, 748, 749, 836, 872, 873, 884, 919, 920, 923, 932, 933, 940, 945, 1082
Resolutions offered by 26, 27, 28, 360, 555, 633, 662, 718, 1085, 1324, 1996, 2553, 2554
Cosponsor, added as 202, 261, 333, 358, 385, 402, 481, 515, 684, 728, 820, 821, 1023, 1079, 1192
Cosponsor, removed 482, 651
Excused from voting, requested 1831, 2117
Leave of absence granted to 900

PRITT, DAVID, E., a Republican from the Fiftieth Delegate District:
Bills introduced by 251, 369, 376, 411, 465, 502, 560, 562, 596, 638, 645, 646, 662, 663, 673, 674, 676, 704, 722, 723, 748, 749, 872, 873, 919, 923, 940, 1082
Resolutions offered by 26, 360, 633, 718, 1085, 1324, 2553, 2554
Cosponsor, added as 385, 402, 728, 820, 1079
Cosponsor, removed 482, 651
Excused from voting, requested 1831, 1849
Leave of absence granted to 819, 859, 900, 958, 995, 1317

PUSHKIN, MIKE, a Democrat from the Fifty-Fourth Delegate District:
Bills introduced by 50, 59, 60, 76, 93, 94, 95, 100, 101, 102, 114, 121, 137, 138, 234, 345, 419, 586, 722, 748, 837, 871, 872, 885, 920, 921, 923, 925, 933, 934, 940, 943, 944
Resolutions offered by 26, 27, 28, 360, 499, 633, 718, 869, 984, 1627, 2553, 2554
Cosponsor, added as 608, 684, 728, 820, 860
Excused from voting, requested 1208, 2723

REYNOLDS, CHARLIE, a Republican from the Sixth Delegate District:
Bills introduced by 39, 198, 199, 228, 277, 282, 318, 347, 373, 374, 376, 378, 399, 413, 429, 471, 474, 475, 530, 556, 638, 642, 668, 669, 705, 719, 744, 747, 930, 940
Resolutions offered by 189, 190, 360, 661, 835, 870, 1085, 1323, 2554
Cosponsor, added as 385, 728
Excused from voting, requested 1831
Leave of absence granted to 3270

RIDENOUR, WILLIAM, B., a Republican from the One Hundredth Delegate District:
Bills introduced by 194, 250, 252, 254, 255, 257, 258, 281, 285, 327, 367, 376, 395, 396, 412, 413, 420, 429, 461, 469, 470, 474, 501, 502, 504, 531, 556, 558, 563, 592, 641, 644, 745, 838, 839, 879, 917, 918, 921, 941, 1196
Resolutions offered by 360, 390, 441, 442, 661, 835, 868, 914, 915, 1085, 1127, 1477, 1996, 2554
Cosponsor, added as 261, 358, 384, 385, 402, 447, 514, 537, 788, 820, 1024, 1079, 1101, 1253, 1317

Remarks by, ordered printed 1478, 1889

RILEY, CLAY, a Republican from the Seventy-Second Delegate District:
Bills introduced by 96, 193, 233, 252, 258, 282, 287, 319, 321, 342, 348, 367, 371, 381, 391, 411, 413, 416, 429, 474, 475, 503, 525, 557, 563, 594, 641, 645, 720, 722, 744, 745, 746, 747, 837, 838, 873, 880, 925, 1881
Resolutions offered by 360, 554, 633, 718, 835, 1085, 2554
Cosponsor, added as 202, 402, 608, 728, 820, 959
Cosponsor, removed 1024, 1253
Excused from voting, requested 2117, 2256
Leave of absence granted to 537

ROHRBACH, MATTHEW, a Republican from the Twenty-Sixth Delegate District:
Bills introduced by 33, 36, 43, 45, 72, 97, 140, 141, 147, 193, 346, 391, 412, 429, 503, 507, 528, 563, 664, 675, 745, 838, 877, 941
Resolutions offered by 360, 554, 661, 1085, 2554, 2794
Cosponsor, added as 262, 385, 481, 514, 959
Remarks by, ordered printed 1387

ROSS, MARK, A., a Republican from the Twenty-Eighth Delegate District:
Bills introduced by 194, 250, 253, 316, 318, 325, 326, 328, 347, 367, 377, 396, 464, 472, 586, 587, 592, 643, 668, 674, 721, 838, 872, 890, 932
Resolutions offered by 360, 554, 718, 869, 1085, 2553
Cosponsor, added as 311
Excused from voting, requested 1831
Leave of absence granted to 608, 3270

ROWE, LARRY, L., a Democrat from the Fifty-Second Delegate District:
Bills introduced by 39, 40, 128, 132, 153, 154, 155, 345, 431, 562, 722, 747, 748, 749, 805, 837, 889, 921, 929, 940, 943, 944, 1881
Resolutions offered by 26, 27, 28, 360, 460, 633, 718, 1085, 1155, 2553, 2554
Cosponsor, added as 481, 608, 788, 820, 860, 1374
Excused from voting, requested 1831
Remarks by, ordered printed 624

SHAMBLIN, ANDY, a Republican from the Fifty-Ninth Delegate District:
Bills introduced by 230, 233, 250, 279, 280, 318, 327, 342, 371, 373, 374, 396, 411, 507, 529, 561, 563, 596, 721, 838, 871, 890, 918, 933
Resolutions offered by 250, 360, 661, 1085, 1627, 2554
Cosponsor, added as 311, 448, 1137
Excused from voting, requested 1831, 1849
Leave of absence granted to 1968

SHEEDY, CHARLES, R., a Republican from the Seventh Delegate District:
Bills introduced by 192, 198, 199, 228, 231, 233, 256, 258, 277, 280, 318, 341, 347, 373, 374, 378, 395, 420, 474, 525, 642, 668, 669, 676, 705, 745, 918
Resolutions offered by 189, 190, 360, 555, 633, 661, 718, 1010, 1478, 1996, 2554
Cosponsor, added as 728
Leave of absence granted to 384

SKAFF, DOUG, a Democrat from the Fifty-Seventh Delegate District:
Bills introduced by 35, 60, 79, 80, 81, 188, 191, 200, 322, 323, 346, 369, 376, 377, 379, 380, 391, 392, 393, 394, 395, 397, 398, 429, 430, 467, 469, 470, 500, 502, 503, 509, 638, 720, 721, 722, 748, 749, 871, 873, 876, 877, 921, 923, 933, 934, 935, 936, 937, 938, 939, 940, 943, 1128, 1478, 1883, 3240, 3241, 3242, 3244, 3246, 3249, 3251, 3253, 3255, 3256, 3257, 3258, 3260, 3261, 3262, 3263, 3264, 3265, 3266, 3267, 3268
Resolutions offered by 26, 27, 28, 31, 499, 633, 869, 915, 984, 1010, 1085, 1203, 1323, 1627, 2553, 2554

Cosponsor, added as 201, 860, 1079
Excused from voting, requested 2117
Leave of absence granted to 481, 514, 537

SMITH, DOUG, a Republican from the Thirty-Ninth Delegate District:
Bills introduced by 61, 70, 72, 109, 193, 197, 198, 207, 208, 227, 228, 233, 234, 252, 254, 255, 258, 259, 260, 287, 288, 319, 320, 321, 344, 345, 346, 348, 370, 381, 395, 413, 416, 420, 471, 502, 555, 563, 586, 641, 890, 932, 943
Resolutions offered by 189, 360, 499, 554, 661, 1010, 1085, 1127, 1203, 1323, 1477, 2554
Cosponsor, removed 959
Leave of absence granted to 708, 728, 788, 1317

STATLER, JOE, a Republican from the Seventy-Seventh Delegate District:
Bills introduced by 35, 44, 52, 105, 106, 118, 193, 279, 280, 282, 319, 328, 343, 344, 345, 346, 410, 411, 412, 413, 474, 476, 501, 503, 506, 523, 590, 641, 643, 670, 676, 721, 746, 747, 871, 872, 874, 923, 932, 945, 1082
Resolutions offered by 250, 360, 554, 633, 662, 718, 2554
Cosponsor, added as 481, 625

STEELE, BRANDON, a Republican from the Forty-Second Delegate District:
Bills introduced by 40, 63, 64, 65, 66, 97, 98, 99, 134, 135, 196, 208, 233, 234, 252, 254, 256, 258, 259, 280, 281, 285, 316, 317, 319, 320, 321, 327, 328, 340, 343, 344, 367, 369, 370, 372, 373, 375, 381, 395, 411, 413, 416, 420, 422, 423, 426, 465, 501, 523, 530, 531, 555, 556, 558, 563, 594, 595, 635, 641, 642, 668, 669, 671, 673, 723, 745, 873, 877, 879, 886, 924, 932, 942, 1104, 1196
Resolutions offered by 30, 31, 337, 390, 441, 442, 460, 554, 1085, 1203, 1996, 2554
Cosponsor, added as 201, 261, 262, 448, 821, 996, 1317
Cosponsor, removed 538
Excused from voting, requested 1398, 1831, 2117
Leave of absence granted to 708, 3270

STORCH, ERIKKA, a Republican from the Fourth Delegate District:
Bills introduced by 191, 197, 198, 207, 208, 234, 254, 258, 344, 376, 379, 430, 471, 474, 503, 508, 509, 557, 559, 560, 563, 594, 638, 644, 645, 646, 662, 663, 671, 673, 674, 704, 719, 723, 744, 746, 747, 838, 839, 875, 879, 917, 918, 921, 942
Resolutions offered by 554, 633, 661, 870, 1010, 1323, 1974, 1996, 2554
Cosponsor, added as 572, 684, 860, 1024
Leave of absence granted to 447, 995

STREET, GEORGE, a Republican from the Eighty-Third Delegate District:
Bills introduced by 191, 324, 347, 474, 476, 525, 527, 531, 666, 669, 671, 676, 719, 744, 745, 837, 918
Resolutions offered by 360, 554, 555, 1010, 1085, 1155, 1323, 1478, 2553, 2554
Excused from voting, requested 2117

SUMMERS, AMY, a Republican from the Seventy-Third Delegate District:
Bills introduced by 33, 36, 193, 228, 229, 230, 259, 260, 277, 283, 317, 318, 321, 340, 346, 349, 369, 375, 381, 395, 418, 426, 427, 430, 461, 476, 503, 525, 527, 528, 558, 586, 587, 588, 594, 595, 634, 664, 673, 706, 722, 724, 748, 875, 878, 888, 890, 921, 928, 929, 1881
Resolutions offered by 360, 633, 661, 868, 1203, 2554, 2555
Cosponsor, added as 201, 311, 333, 358
Excused from voting, requested 1574

THORNE, DARREN, J., a Republican from the Eighty-Ninth Delegate District:
Bills introduced by 194, 197, 255, 342, 344, 377, 412, 465, 525, 588, 589, 590, 638, 669, 723, 890, 943
Resolutions offered by 360, 498, 554, 633, 718, 868, 1010, 1085, 1127, 1324, 2554
Cosponsor, added as 358, 959

TONEY, CHRISTOPHER, W., a Republican from the Forty-Third Delegate District:
Bills introduced by 50, 52, 66, 67, 93, 114, 120, 141, 142, 144, 193, 279, 280, 328, 343, 344, 346, 412, 413, 426, 465, 501, 506, 523, 525, 527, 530, 531, 555, 586, 634, 643, 644, 645, 676, 704, 721, 723, 746, 871, 872, 921, 932, 1082
Resolutions offered by 250, 360, 633, 718, 868, 984, 1032, 1127, 1325, 1995, 2554
Cosponsor, added as 608, 959, 1024
Excused from voting, requested 1831, 1849

TULLY, HEATHER, a Republican from the Forty-Ninth Delegate District:
Bills introduced by 33, 36, 46, 142, 191, 229, 233, 256, 258, 259, 260, 277, 283, 317, 318, 326, 340, 346, 349, 369, 381, 395, 411, 418, 426, 427, 476, 503, 524, 527, 558, 586, 587, 588, 594, 595, 633, 634, 636, 637, 642, 673, 706, 722, 748, 836, 943
Resolutions offered by 360, 633, 1085, 1323, 1996, 2553, 2554
Cosponsor, added as 311, 384, 788, 1041
Excused from voting, requested 2117, 2716

VANCE, ADAM, a Republican from the Thirty-Fifth Delegate District:
Bills introduced by 190, 251, 279, 280, 285, 319, 328, 342, 344, 367, 371, 376, 411, 474, 502, 530, 531, 555, 641, 642, 721, 929
Resolutions offered by 250, 360, 554, 661, 718, 868, 1032, 1085, 1995, 2554

WALKER, DANIELLE, a Democrat from the Eighty-First Delegate District:
Bills introduced by 52, 53, 54, 55, 56, 57, 107, 108, 110, 111, 145, 149, 150, 151, 234, 325, 345, 411, 419, 504, 527, 562, 590, 591, 643, 666, 670, 720, 722, 748, 749, 872, 876, 918, 919, 920, 921, 924, 933, 940, 943, 944, 945
Resolutions offered by 26, 27, 28, 32, 390, 633, 719, 2554
Cosponsor, added as 608, 684, 860
Excused from voting, requested 1208, 2723
Leave of absence granted to 333

WARD, BRYAN, C., a Republican from the Eighty-Sixth Delegate District:
Bills introduced by 194, 633, 705, 719, 837, 838, 873, 878, 1196
Resolutions offered by 619, 633, 984, 1085, 1127, 1996, 2553, 2554
Cosponsor, added as 821, 860
Excused from voting, requested 1831
Leave of absence granted to 333, 358, 384, 402, 447, 481, 514, 537, 1374

WARNER, DEBBIE, a Republican from the Eighty-Second Delegate District:
Bills introduced by 190, 252, 316, 342, 370, 395, 474, 524, 531, 558, 562, 590, 593, 643, 670, 745, 747, 873, 874, 925, 932, 1196
Resolutions offered by 360, 554, 555, 633, 718, 1085, 1155, 2553, 2554
Cosponsor, added as 728

WESTFALL, STEVE, a Republican from the Sixteenth Delegate District:
Bills introduced by 74, 89, 90, 91, 193, 230, 234, 260, 277, 280, 281, 327, 367, 371, 372, 373, 374, 379, 390, 395, 429, 469, 503, 504, 508, 509, 557, 561, 594, 634, 637, 638, 664, 665, 666, 668, 670, 671, 674, 676, 704, 705, 721, 744, 875, 883, 890, 917, 920, 925, 932, 933, 942, 1196
Resolutions offered by 554, 633, 661, 743, 1011, 1085, 1203, 1996, 2554, 2555
Cosponsor, added as 385, 1253
Cosponsor, removed 403
Leave of absence granted to 384, 1069, 1317, 3270

WILLIAMS, JOHN, a Democrat from the Eightieth Delegate District:
Bills introduced by 234, 345, 369, 411, 423, 424, 425, 643, 722, 749, 872, 876, 921, 932, 940

Resolutions offered by 26, 27, 28, 633, 718, 2553, 2554
Cosponsor, added as 311, 358, 821, 860
Leave of absence granted to 537, 900, 1252, 1317

WILLIS, JIMMY, a Republican from the Third Delegate District:
Bills introduced by 33, 192, 198, 199, 227, 231, 251, 253, 316, 324, 327, 341, 345, 346, 367, 378, 412, 418, 474, 475, 527, 529, 593, 595, 642, 644, 704, 705, 721, 744, 746, 918, 921, 929, 943, 1082
Resolutions offered by 190, 360, 410, 633, 718, 870, 1010, 1085, 1478, 1996, 2553, 2554
Cosponsor, added as 996, 1024, 1079
Cosponsor, removed 1024
Leave of absence granted to 995

WINZENREID, DIANA, a Republican from the Fourth Delegate District

WORRELL, EVAN, a Republican from the Twenty-Third Delegate District:
Bills introduced by 35, 193, 198, 251, 255, 280, 281, 282, 283, 288, 326, 338, 339, 343, 346, 371, 373, 374, 470, 475, 525, 529, 530, 531, 561, 563, 593, 633, 636, 642, 669, 671, 673, 675, 839, 941
Resolutions offered by 360, 441, 442, 554, 661, 805, 1085, 1203, 1995, 1996
Cosponsor, added as 202, 261, 262, 333, 900, 1079, 1252
Leave of absence granted to 384

YOUNG, KAYLA, a Democrat from the Fifty-Sixth Delegate District:
Bills introduced by 234, 277, 286, 287, 329, 340, 341, 348, 349, 372, 373, 375, 379, 381, 382, 415, 418, 419, 421, 423, 425, 431, 461, 462, 463, 465, 467, 470, 472, 473, 474, 507, 508, 523, 524, 526, 532, 563, 594, 636, 666, 667, 668, 672, 703, 720, 722, 749, 871, 872, 873, 874, 878, 879, 883, 885, 886, 887, 889, 918, 920, 921, 922, 923, 931, 933, 934, 939, 940
Resolutions offered by 26, 27, 28, 360, 499, 554, 555, 633, 718, 719, 870, 915, 1085, 1155, 1627, 2553, 2554
Cosponsor, added as 403, 481, 625, 708, 820, 860, 959
Excused from voting, requested 1208, 2723

ZATEZALO, MARK, a Republican from the Second Delegate District:
Bills introduced by 190, 197, 198, 199, 207, 227, 228, 234, 258, 277, 282, 347, 381, 416, 431, 471, 475, 509, 526, 532, 556, 558, 591, 642, 671, 673, 674, 676, 705, 719, 722, 723, 724, 744, 748, 918, 925
Resolutions offered by 190, 360, 554, 555, 633, 661, 718, 1085, 1155, 1996, 2554
Cosponsor, added as 996, 1101
Cosponsor, removed 482

REGULAR SESSION, 2023

*Denotes Committee Substitute

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2001 -	By Delegates Householder, Gearheart, Vance, Hardy, Criss, Marple, Linville, Anderson, Zatezalo, Phillips, and Warner: Reduce personal income tax rates by 10% for all	190					
*2002 -	By Delegates Jeffries, Storch, Hott, Kelly, Dillon, Pinson, Heckert, Street, Lucas, Miller, and Bridges: Relating to providing support for families (Chapter 188, Acts, Regular Session, 2023)	191	205, 711	806	2057	806, 2058	3205, 3212
2003 -	By Delegates Hanshaw (Mr. Speaker), Jennings, Petitto, Tully, Hanna, Kirby, Ellington, Foggin, Capito, Hornby, and Cooper: Providing early childhood assistant teachers and systems of support to help students achieve grade level literacy and numeracy by end of third grade.	191	337				
*2004 -	By Delegates Phillips, Kimble, Nestor, Cannon, Holstein, Willis, Espinosa, Miller, A. Hall, Sheedy, and Martin: Prevent the use of payment card processing systems for surveillance of Second Amendment activity and discriminatory conduct (Chapter 156, Acts, Regular Session, 2023)	192	578		2472	677, 2487	624, 647, 3205, 3212
*2005 -	By Delegates Worrell, Ellington, Smith, Clark, Dean, Barnhart, Statler, Fehrenbacher, Riley, Dittman, and Hillenbrand: Establishing the dual enrollment pilot program to be administered by the Higher Education Policy Commission and the Council for Community and Technical College Education in conjunction with the State Board of Education. (Chapter 178, Acts, Regular Session, 2023)	193	361, 793		3186	945	858, 3202, 3211
*2006 -	By Delegates Summers, Toney, Pinson, Gearheart, Mallow, W. Hall, Rohrbach, Hite, Honaker, Lucas, and Westfall: Relating to reorganizing the Department of Health and Human Resources (Chapter 189, Acts, Regular Session, 2023)	193	313, 792	895	1149	946	858

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2007 -	By Delegates Foster, Chiarelli, Horst, Clark, Devault, Coop-Gonzalez, Brooks, Kirby, Maynor, Adkins, and Ward: Prohibiting certain medical practices (Chapter 233, Acts, Regular Session, 2023)	194	362, 579	2905	2905, 3187	678, 2908	624, 647, 3205
*2008 -	By Delegates Longanacre, Crouse, Ferrell, Ridenour, Fast, Thorne, Keaton, Ross, McGeehan, Mazzocchi, and Martin: Requiring local entities to enforce immigration laws (Chapter 282, Acts, Regular Session, 2023)	194					447, 448, 481, 482
2009 -	By Delegates McGeehan, C. Pritt, Crouse, Phillips, Ridenour, Shamblin, Kimble, Ross, Coop-Gonzalez, Horst, and Lucas: Relating to the authority and obligations of the Governor and Legislature when in declared states of preparedness and emergency	250					
2010 -	By Delegates C. Pritt, Kelly, Capito, Summers, Espinosa, Hardy, Tully, Toney, Smith, Fehrenbacher, and Mallow: To exempt the full amount of social security benefits from personal income tax	586					
*2016 -	By Delegates Summers, Tully, Rohrbach, and Espinosa: Relating to confidential childcare records (Chapter 61, Acts, Regular Session, 2023)	33	205, 1051	2499	2487	1256	235, 1138, 1188, 1227, 3206, 3212
*2017 -	By Delegates Summers, Tully, and Rohrbach: Relating to service of process in child abuse cases	33	237, 488	354			311, 333, 382, 536, 569, 574
*2018 -	By Delegates Summers, Tully, and Rohrbach: Permitting the managed care case coordinator to attend the multidisciplinary team meeting (Chapter 62, Acts, Regular Session, 2023)	33	238		631	355	311, 333, 738
2019 -	By Delegates Clark, Fast, Crouse, Ferrell, Hite, Honaker, Cannon, Keaton, Pinson, Kelly, and Willis: Making Delta-8 and Delta-7 controlled substances	33	658				
2020 -	By Delegate Foster: Requiring a warning light to be erected on certain roads to warn of a traffic light ahead	33					
2021 -	By Delegate Hansen: Relating to funding for the DEP Office of Oil and Gas	34					
2022 -	By Delegate Hansen: Relating to Well Location Restrictions	34					
2023 -	By Delegate Griffith: To expand funding for school safety use CARES and infrastructure funds	34					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2024 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution (Chapter 8, Acts, Regular Session, 2023)	188	1591	1837	2260	1844	1767, 1771, 3191, 3211
2025 -	By Delegate Statler: Relating to who may diagnose post-traumatic stress disorder as a compensable injury or disease under workers compensation	34	492 1093				
*2026 -	By Delegates Clark, Horst, Honaker, Barnhart, Worrell, and Espinosa: Authorizing municipalities with police or firefighter employees in PERS to elect to become participating employer in Municipal Police Officer and Firefighter Retirement System for a limited time (Chapter 85, Acts, Regular Session, 2023)	34	968, 1142	2953	2943	1326	1137, 1250, 1282, 3187, 3202, 3212
2027 -	By Delegate Mallow: Require and make mandatory the full involvement of local law enforcement in the person-to-person presentation of an eviction notice	35					
2028 -	By Delegate Mallow: Establish quick response teams to work with drug users who are arrested	35					
2029 -	By Delegates Summers, Tully, Rohrbach, and Foster: Repealing the creation of an all-payer claims database (Chapter 69, Acts, Regular Session, 2023)	35	237		631	355	201, 311, 333, 738, 910
2030 -	By Delegates Hornbuckle, Young, Rowe, Pushkin, Griffith, Walker, Skaff, Fluharty, Garcia, Williams, and Hansen: WV Small Business COVID Relief Act	35					
2031 -	By Delegate Hornbuckle: Modifying the school calendar	36					
2032 -	By Delegate Dean: Relating to the Occupational Pneumoconiosis Board	36					
2033 -	By Delegate Dean: Relating to unsafe real property	36					
2034 -	By Delegates Dean and Dillon: Relating to vocational and technical education programs	37					
2035 -	By Delegates Holstein, Fehrenbacher, Rohrbach, Pushkin, and Keaton: Providing tax credits for hiring those in recovery for substance abuse	37	1002				311, 431, 514, 608, 995

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2036 -	By Delegates Kimble, Phillips, McGeehan, Mazzocchi, Fast, Horst, C. Pritt, Ridenour, Jeffries, Worrell, and Steele: Allow Religious Exemptions for vaccines	37					261, 1086, 1128
2037 -	By Delegate Gearheart: Create a prison work pilot program	38					
2038 -	By Delegates Kimble, Kirby, Phillips, Burkhammer, Horst, Martin, C. Pritt, Mazzocchi, Fast, and Holstein: Refer instances of election fraud to the attorney general for prosecution	38	489				384, 402, 447
2039 -	By Delegate Reynolds: DEP required to reimburse fines paid by towns, villages and communities in certain instances	38					
2040 -	By Delegates Hott and Brooks: Relating to allowing a personal income tax exemption for First Responders	38					
2041 -	By Delegates Reynolds and Hillenbrand: Authorize municipal courts to request the suspension of a driver's license of a person who does not pay outstanding fees and costs	39					
2042 -	By Delegate Fast: Limiting supervision of laying of lines on state rights-of-way	39					
2043 -	By Delegate Rowe: Creating a Small Business and Minority Populations Economic and Workforce Development Taskforce	39					200
2044 -	By Delegate Rowe: Creating a litigation practice license for social workers	39					
2045 -	By Delegates Steele, Hillenbrand, and Heckert: Dividing pretrial detention jail costs between arresting authorities	40					261, 358
2046 -	By Delegates Steele and Ridenour: Permitting a licensed physician to grant a medical exemption from the required immunizations for a child to enter a school or a state-regulated childcare center	40					402
2047 -	By Delegates McGeehan and Brooks: Exempting motor vehicles from personal property tax	40					311
2048 -	By Delegate Hanna: Establishing the Katherine Johnson Academy	40					
2049 -	By Delegate Hanna: Allowing antique car license plates for cars over 10,000lbs	41					
2050 -	By Delegate Howell: West Virginia Economic Diversification Act	41	314				200
2051 -	By Delegate Rohrbach: Relating to tobacco usage restrictions	42					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2052 -	By Delegates C. Pritt and Brooks: Prohibit businesses from having licenses revoked for not requiring masks	43					201
2053 -	By Delegate C. Pritt: Require governmental meetings to have agendas posted on websites three days prior to the meeting	44					
2054 -	By Delegates Statler, Williams, and Hite: Requiring the Commissioner of Highways to develop a formula for allocating road funds among districts	44					
2055 -	By Delegate Mazzocchi: Exempt unmined rare earth metals and elements from taxation	44					
2056 -	By Delegate Rohrbach: Relating to requiring a parolee or probationer found to have suffered with addiction to participate in a support service.	44					
2057 -	By Delegate Rohrbach: Relating to requiring the Office of Health Facility Licensure and Certification to inspect office-based medication-assisted treatment programs at least every 24 months.	45					
2058 -	By Delegate Rohrbach: Relating to requiring a court to verify certain conditions are met before a child who has been removed from a home may be returned to that home.	45					
2059 -	By Delegate Keaton: Amend the Rural Industrial Site Development Act	45	201				
2060 -	By Delegate Keaton: Create special revenue fund for Infrastructure and Jobs Development Council	45	201				
2061 -	By Delegates Keaton and Brooks: Provide targeted business personal property tax relief in certain communities	45	201				
*2062 -	By Delegates Tully, Barnhart, (Mr. Hansha, Storch, Hardy, Ferrell, Riley, Linville, Phillips, Longanacre, and Honaker: Establish rules and regulations for e-bikes in West Virginia that more closely comport to federal law (Chapter 322, Acts, Regular Session, 2023)	46	614, 901		1376	1012	905, 992, 1682, 2057
2063 -	By Delegate Howell: Provide a tax credit to distribution centers who build away from interstates and in more rural areas of West Virginia.	46					201
*2064 -	By Delegates Howell and Brooks: To create commercial opportunity zones to attract new businesses to West Virginia	46	1105			1257	201, 1188, 1227, 1257
*2065 -	By Delegate Howell: West Virginia Heavy Duty Truck Excise Tax Elimination Act	47	1105			1258	201, 1188, 1227, 1258

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2066 -	By Delegate Fluharty: Repealing antiquated provisions relating to gaming activities	48					
2067 -	By Delegates Hanna, Hillenbrand, and Dillon: Firearm Protection Act	48					
2068 -	By Delegate Hanna: Reducing federal adjusted gross income for interest paid on student loans	48					
2069 -	By Delegates Hanna, Brooks, and Maynor: Including emergency response vehicles in the single fee program for EZ Pass transponders	48	493				
2070 -	By Delegates Hanna and Hillenbrand: Relating to vocational and technical education programs	48					
2071 -	By Delegate Hanna: Taxation With Representation Act	49					
2072 -	By Delegate Pushkin: Relating generally to forfeiture of contraband	49					
2073 -	By Delegate Toney: To establish a state bank of West Virginia	50					
2074 -	By Delegates C. Pritt, Hillenbrand, Brooks, Crouse, and Kirby: Places of worship may not be shut down by state of emergency	50					
*2075 -	By Delegates Griffith, Foggin, E. Pritt, Young, and Pushkin: To provide a means to classify when medications should be continued or stopped for patients	51	735	895			819, 847, 895, 901
2076 -	By Delegate Griffith: To require a new written, phoned, or e-mail prescription order within 72 hours of a prescription change	51					
2077 -	By Delegates Martin and Ridenour: Gun carry allowed on college campuses	51					
2078 -	By Delegate Statler: Relating to performance metrics for the West Virginia Division of Highways	51					
2079 -	By Delegate Walker: Policy offering a housing credit for educators who live in West Virginia 5 or more years after becoming an educator in the state	52					
2080 -	By Delegates Toney and Hillenbrand: To amend the laws relating to overtaking and passing school buses in West Virginia	52					
2081 -	By Delegate Walker: Renter's bill of rights	52					
2082 -	By Delegate Walker: Repeal breed specific legislation	52					
2083 -	By Delegate Walker: Providing small grants to encourage the creation of large pollinator friendly gardening habitats	52					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2084 -	By Delegate Walker: During a state of emergency lasting more than 6 months, the department of highways will reimburse any vehicle damages without including auto insurance deductibles	53					
2085 -	By Delegate Walker: Affordable broadband access for seniors, low income, and disabled persons due to fixed, minimum, or moderate incomes	53					
2086 -	By Delegate Walker: Increase number of pain management visits the insurance companies must cover under the opioid reduction act	53					
2087 -	By Delegate Walker: Authorizing children age 12 or older to referee youth sporting events	53					
2088 -	By Delegate Walker: Creating an exemption from state income tax for public school educators and personnel	54					
2089 -	By Delegates Walker and Hornby: To make Juneteenth a paid holiday for all state workers	54					
2090 -	By Delegate Walker: All state buildings and rest areas within WV have sharp containers	54					
2091 -	By Delegate Walker: Decriminalization and legalization of cannabis with a taxing mechanism to bring more revenue to the state	54					
2092 -	By Delegates Walker and Hornby: To clarify that impermissible discrimination includes discrimination based on certain hair textures and styles	55					
2093 -	By Delegate Howell: Provide that you can make monthly payments on property taxes	55					
2094 -	By Delegate Walker: Reforming the community reinvestment act to ensure investment in low income communities	55					
2095 -	By Delegate Walker: Relating to wild and wonderful restoration Task Force	55					
2096 -	By Delegate Walker: Repeal right to work	55					
2097 -	By Delegate Walker: Creation of a Higher Education Prison Task Force	56					
2098 -	By Delegate Walker: Increase the minimum salary for Child Support Attorneys	56					
2099 -	By Delegate Walker: Allowing a tenant to recover deposits in full if a landlord has failed any Dwelling Unit Inspections	56					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2100 -	By Delegate Walker: Medical Facility Protection Act	56					
2101 -	By Delegate Walker: Relating to obtaining an appropriate gender marker for state documents	57					
2102 -	By Delegate C. Pritt: End qualified immunity	57					
2103 -	By Delegate C. Pritt: An affirmative defense to violation of a parenting plan is a de facto parenting plan	57					
2104 -	By Delegates McGeehan, Hillenbrand, and Dillon: Right to keep and bear arms	57					
2105 -	By Delegate C. Pritt: Right to travel bill	58					
2106 -	By Delegate C. Pritt: Relating to family courts and juvenile petitions	58					
2107 -	By Delegate Martin: Relating to access of records in controlled substance monitoring	58					
2108 -	By Delegate C. Pritt: Prohibit parents from being restricted from monitoring virtual public education classrooms	59					
2109 -	By Delegate Pushkin: Requiring the Public Employees Agency and other health insurance providers to provide mental health parity	59					
2110 -	By Delegate Pushkin: Creating a domestic violence registry	59					
2111 -	By Delegate Pushkin: Increasing access to contraceptive drugs, devices, and procedures	60					
2112 -	By Delegate Mallow: Create a Police Officer's Bill of Rights	60					
2113 -	By Delegates Smith, Steele, McGeehan, Capito, Ellington, Skaff, Garcia, Fluharty, Fast, Gearheart, and Kimble: Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse	60	387			510	447, 480
2114 -	By Delegates Smith, Honaker, Phillips, Dean, Crouse, Howell, Clark, Longanacre, Horst, Summers, and Ellington: Allowing the concealed carry of firearms on and in Capitol grounds	60					
2115 -	By Delegate McGeehan: Exempting law-enforcement officers from payment of income and personal property taxes	61					
2116 -	By Delegate McGeehan: Home Instruction Tax Relief Act	61					
2117 -	By Delegate McGeehan: Relating to the hunting of coyotes	61					
2118 -	By Delegate McGeehan: Repealing the article on unfair trade practices	61					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2119 -	By Delegate Anderson: Local Energy Efficiency Partnership Act	61					
2120 -	By Delegate Anderson: Relating to the financing of environmental pollution control equipment for coal-fired power plants	62					
2121 -	By Delegate Anderson: Relating to the Adopt-A-Stream Program	62					
*2122 -	By Delegates Steele and Hillenbrand: Relating to custodial interrogation of a child	62	1102			1327	1189, 1227, 1228, 1282
2123 -	By Delegate Steele: Expanding definition of who may apply for grandparent visitation	63	656				
2124 -	By Delegate Steele: Removing Hepatitis B from the list of required vaccinations	63					
2125 -	By Delegate Steele: Eliminating the Human Rights Commission	63					
2126 -	By Delegate Steele: Relating to increasing the amount of money for which a purchase may be made without obtaining three bids to ten thousand dollars	64					
2127 -	By Delegate Steele: Relating to abolishing spousal support	64					
2128 -	By Delegates Steele and Crouse: Including three types of cancer for which rebuttable presumption of injury from employment exists for firefighters	64					
2129 -	By Delegate Steele: Relating to extended supervision for certain drug offenders	64					
2130 -	By Delegate Steele: Allowing deductions to determine adjusted gross income for student loan payments or mortgage payments in determining child support	65					
2131 -	By Delegate Steele: Prohibiting payroll deductions to electioneering organizations	65					
2132 -	By Delegate Steele: Providing that a municipal services user fee may not be imposed on employees of the state	65					
2133 -	By Delegates Steele and Ridenour: Granting tax credits for parents and legal guardians whose children are in a home schooling program or private school	65					
2134 -	By Delegates Toney, Summers, and Tully: To modify the teacher retirement system so that Tier 2 teachers may use annual/sick leave towards retirement	65	968				
2135 -	By Delegate Toney: Relating to pay for Board of Education members	66					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2136 -	By Delegates Toney and Hillenbrand: Provide a cost-of-living increase for certain individuals	66					
2137 -	By Delegates Toney, Statler, Hornbuckle, Dillon, Longanacre, and (Mr. Hansha: To allow money paid to state employees to go to their estate if they pass away before their retirement date	66	627, 628				
2138 -	By Delegate Toney: Permit beneficiary under the State Teachers Retirement System to convert to the maximum life annuity if the spouse dies within the first five years of the beneficiary's retirement	66					
2139 -	By Delegates Toney and Hillenbrand: To provide a 5% cost of living increase for state retirees who make under $60,000 per year	66					
2140 -	By Delegate Hornbuckle: Relating to insurance coverage for breast cancer screening	67					
2141 -	By Delegate Hornbuckle: Creating the Police Partnering with Communities Act	67					
2142 -	By Delegate Hornbuckle: Providing for the reintegration of inmates in correctional facilities	67					
2143 -	By Delegate Hornbuckle: Screening for adverse childhood experiences	67					
2144 -	By Delegate Barnhart: To create the "Council on Efficient Government Act."	68					
2145 -	By Delegate Hornbuckle: Be Exceptional Starting Today Act	68					
2146 -	By Delegate Hornbuckle: Workplace Violence Prevention for Health Care and Social Service Workers Act	69					
2147 -	By Delegate Smith: Allowing for surplus money collected above voter approved excess levy requests to remain with specific county and placed in general fund	69					
2148 -	By Delegate Hanna: To dissolve the West Virginia School Building Authority	70					
2149 -	By Delegate Hanna: Establishing the Katherine Johnson Academy	70					
*2150 -	By Delegate McGeehan: Requiring parents or guardians to participate in programs for juveniles in an out-of-home placement	71	967			1060	1022, 1032,
2151 -	By Delegate Smith: Relating to accessories to a crime	71					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2152 -	By Delegates McGeehan and Hillenbrand: Exempting social security benefits from personal income tax	72					
2153 -	By Delegate Rohrbach: State Settlement and Recovered Funds Accountability Act	72					
2154 -	By Delegate Anderson: Relating to admissibility of certain evidence in a civil action for damages	72					
2155 -	By Delegates McGeehan and Dillon: Defend the Guard Act	73					
2156 -	By Delegate McGeehan: Exempting firefighters and volunteer firefighters from payment of income and real and personal property taxes	73					
2157 -	By Delegates McGeehan and Dillon: Discontinuing the use of common core standards and assessments in the state	73					
2158 -	By Delegate McGeehan: Abolishing the Personal Income Tax	73					
2159 -	By Delegate Hansen: Establishing a community solar program for subscribers to gain credits against their utility bills	73					
2160 -	By Delegate Westfall: Create license plate for autism awareness	74					
2161 -	By Delegate Keaton: Increase the State Police Retirement Benefit multiplier	74					
2162 -	By Delegates Keaton and Holstein: Require medical malpractice insurers to establish a separate insurance pool for doctors who conduct abortions	74					
2163 -	By Delegate Keaton: Expanding the Manufacturing Investment Tax Credit	74					
2164 -	By Delegate Keaton: Stop Social Media Censorship Act	75					
2165 -	By Delegate Keaton: A bill dedicating 25 percent of insurance tax revenue to the PEIA Rainy Day Fund.	75					
2166 -	By Delegate Keaton: Relating to grandparents' rights to visit grandchildren	75					
2167 -	By Delegate Pushkin: Relating to calculating max number of students at alternative and year-round schools	75					
2168 -	By Delegate Pushkin: Providing tax credits to provide vehicles to certain persons	75					
2169 -	By Delegate Criss: Provide valuation limitations to the Tax Commissioner for coal properties and to clarify the penalty for non-filers	76	314				201

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2170 -	By Delegate Criss: Providing valuation limitations for coal property taxation and clarifying the penalties for non-filers	77					
2171 -	By Delegate Criss: Removing obsolete provisions regarding DOH standards for studded tires and chains	77	388				447, 480, 513
2172 -	By Delegates Mallow, Hillenbrand, and Holstein: Allow local governments to hold property owners more accountable for upkeep of buildings	77					
2173 -	By Delegate Mallow: Limit amount a county tax assessor can increase assessed value of antique or classic cars	78					
2174 -	By Delegate Mallow: Standardize gas and oil contracts	78					
2175 -	By Delegate Mallow: Relating generally to coal fired energy plants and wind power	78					
2176 -	By Delegate Mallow: Limit property tax increases on certain individuals	79					
2177 -	By Delegate Mallow: Require all tax assessments be done on a periodic schedule	79					
2178 -	By Delegate Mallow: Assure West Virginians proper access to water and sewage service at reasonable rates	79					
2179 -	By Delegate Mallow: To protect homeowners from unscrupulous contractors	79					
2180 -	By Delegate Skaff: Relating to the creation and administration of a scholarship program for college students who remain in-state after graduation	79					
2181 -	By Delegate Skaff: To establish a state animal abuse register	80					
2182 -	By Delegates Skaff and Dittman: To acknowledge that the mental health of higher education students is of paramount importance, and due to a variety of issues	80					
2183 -	By Delegate Skaff: Provide a state income tax credit for nurses to encourage recruitment and commitment to the profession in this state	80					
2184 -	By Delegate Skaff: Permitting election day registration of voters	81					
2185 -	By Delegate Skaff: Providing a tax credit to encourage new teachers to remain in the state	81					
2186 -	By Delegate Mallow: Relating to surgical smoke evacuation	81	824	956		985	899, 956
2187 -	By Delegate Horst: Updating the definition of ammunition relating to carry concealed weapons	82					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2188 -	By Delegates Horst, Kirby, Summers, C. Pritt, Phillips, Worrell, Mazzocchi, Nestor, Kimble, and Crouse: To allow those who are 18-20 years old to carry a deadly weapon concealed without a permit, as is allowed for those who are 21 or older	82					
*2189 -	By Delegates Horst, Crouse, Dillon, Thorne, Dean, Hardy, Bridges, Householder, Ridenour, Kimble, and Phillips: To create the "Protection of Property from Warrantless Searches Act."	82	1082				1132
2190 -	By Delegate Burkhammer: Relating to eligibility for workers' compensation benefits by requiring blood test after traumatic injury to determine intoxication	82					
2191 -	By Delegates Burkhammer, Steele, Ross, E. Pritt, Brooks, and Holstein: Provide volunteer firemen free license plates and vehicle registration	83	629				
2192 -	By Delegate Burkhammer: Relating to health insurance for living organ donors	83					
2193 -	By Delegates Burkhammer, Steele, Holstein, and Hillenbrand: Removing certain deductions for modification of social security income in adjusted gross income	83					
2194 -	By Delegates Jennings, Hillenbrand, and Ridenour: Establishing that companies requiring vaccine mandates lose immunity protection	83					
2195 -	By Delegate Jennings: To provide that third grade students be competent in reading and math before moving on to fourth grade	83					
*2196 -	By Delegate Jennings: To remove opioid treatment programs from requiring a certificate of need	84	611				650, 707, 709
2197 -	By Delegate Barnhart: To increase the amount of money given to jurors per day	84					
2198 -	By Delegates Barnhart and Tully: To modify the E-bike legislation in West Virginia Code	84					
2199 -	By Delegate Hornbuckle: Safe Play Act	85					
2200 -	By Delegate Hornbuckle: Creating the Fair Chance Act	85					
2201 -	By Delegate Hornbuckle: State Living Donor Protection Act	85					
2202 -	By Delegates Hornbuckle and Young: Creating the WV Community Development Equity Fund	85					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2203 -	By Delegate Hornbuckle: Requiring State Board of Education to establish a Personal Finance Literacy pilot program to be implemented in at least five public high schools	86					
2204 -	By Delegate Keaton: Increasing criminal penalties for certain crimes against houses of worship	86					
2205 -	By Delegate Fluharty: Prohibiting chairmen of state political parties during or up to one year after the termination of their employment as chairmen of those political parties from registering as lobbyists	86					
2206 -	By Delegate Mallow: Provide programs to educate senior citizens	86					
2207 -	By Delegate Mallow: Better protect citizens in the event of a car accident with an uninsured motorist	86					
2208 -	By Delegate Mallow: Assure West Virginians proper access to water and sewage service at reasonable rates	87					
2209 -	By Delegate Mallow: Relating to property taxes dedicated to volunteer fire departments	87					
2210 -	By Delegate Mallow: Require all registered voters to produce a photo ID to vote in all public office elections	87					
2211 -	By Delegate Mallow: Award military veterans with a “Veterans” license plate	87					
2212 -	By Delegate Mallow: Require that a public service district board that represents more than one community have at least one member from each community	87					
2213 -	By Delegate Mallow: Limit number of visitor bureaus that can exist in a county	88					
2214 -	By Delegate Mallow: Require special elections to be held same day as primary or general election	88					
2215 -	By Delegate Mallow: Require all public contracts be publicly advertised	88					
2216 -	By Delegates Crouse, Steele, Petitto, Dean, Bridges, Honaker, Shamblin, Jennings, Burkhammer, Ross, and Dillon: Remove standardized testing in public and private schools	88					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2217 -	By Delegates Crouse, Steele, Horst, C. Pritt, Butler, Pinson, Mazzocchi, Honaker, Longanacre, Lucas, and Maynor: Relating to natural immunity or antibodies to any illness to be treated as equal or better to vaccine induced immunity	89					
*2218 -	By Delegates Westfall, Garcia, Fast, Kelly, Kump, Fluharty, and Warner: Distracted Driving Act (Chapter 323, Acts, Regular Session, 2023)	89	204, 715	2747, 2756	2747, 2757	843	787, 814, 3202, 3212
2219 -	By Delegate Westfall: Relating to permitting medical cannabis to be dispensed in edible form	89					
2220 -	By Delegate Westfall: Create Fairness for Responsible Drivers	89					
*2221 -	By Delegates Westfall, Kelly, Steele, Shamblin, Hillenbrand, Kump, and Garcia: Relating to bankruptcy (Chapter 56, Acts, Regular Session, 2023)	90					
2222 -	By Delegate Westfall: Prohibiting driving slow in left lane except under certain circumstances	90	315				
2223 -	By Delegate Keaton: Relating to Personal Refundable Credit for resident individuals and families	90					
2224 -	By Delegate Keaton: Relating to West Virginia standard deduction of a resident individual	90					
2225 -	By Delegate Westfall: Requiring each county school board to employ at least one full time school nurse	91					
2226 -	By Delegate Westfall: Make criminal invasion of privacy a felony	91					
2227 -	By Delegate Foster: Limiting the maximum number of appointees to certain county and municipal bodies	91					
2228 -	By Delegates Foster and Espinosa: Removing the requirement for contractors to file payroll information on public improvement construction projects	91					
2229 -	By Delegate Hansen: Increasing transparency in the apportionment process for congressional and legislative districts	91					
2230 -	By Delegate Foster: Ensuring that legal or biological parents have equal access to any and all copies of birth registry forms	92					
2231 -	By Delegate Foster: Relating to teacher salary enhancement	92					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2232 -	By Delegate McGeehan: Relating to the transfer of certain revenues derived from lottery activities generally, restoring distribution to the West Virginia Infrastructure Fund to 2013 rates and decreasing the funds available for grants therefrom	92					
2233 -	By Delegate Toney: Make all state inmates regardless of sex members of the state convict road force	92					
2234 -	By Delegates Linville, Steele, and Holstein: Remove sales tax on gun safes and certain firearm safety devices	93					
2235 -	By Delegate Pushkin: Relating to the juvenile justice reform oversight committee	93					
2236 -	By Delegate Pushkin: Removing the one-time limit on the expungement of certain criminal convictions	93					
2237 -	By Delegate Pushkin: Relating to consumer protection of new manufactured home warranties	93					
2238 -	By Delegate Pushkin: Relating to the cultivation of medical cannabis	94					
2239 -	By Delegate Pushkin: Creating the Independent Redistricting Commission of the Joint Committee on Government and Finance	94					
2240 -	By Delegate Pushkin: Requiring urban renewal authorities to submit proposed urban renewal projects to the affected local county boards of health	95					
2241 -	By Delegate Pushkin: Relating to education to children and adults housed in correctional facilities and regional jails	95					
2242 -	By Delegate Martin: Requiring each high school student to complete a full credit course of study in personal finance	95					
2243 -	By Delegate Martin: Creating a process by which voters may recall a county ordinance in a special election	95					
2244 -	By Delegates Martin, C. Pritt, Brooks, Foster, and Fast: Providing a process by which a city may hold an election to recall an ordinance	96	336				
2245 -	By Delegates Riley and Steele: Eliminate double taxation on foreign income at the state level	96					
2246 -	By Delegate Hansen: Relating to unlawfully using electronic communication devices while driving	96					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2247 -	By Delegate Rohrbach: Relating to reorganizing the Department of Health and Human Resources	96					
2248 -	By Delegate Steele: Relating to magistrate employee appointments	97					
2249 -	By Delegate Steele: Specifying when a public employee's spouse may be covered by PEIA	97					
2250 -	By Delegate Steele: Adding Division of Corrections and Rehabilitation employees who work at institutions managed by the Commissioner to the Survivor Benefits Act	97					
2251 -	By Delegates Steele, Kirby, Foster, and Kump: Increasing penalties sexual offenses	97					
*2252 -	By Delegates Steele, Kirby, Kump, and Hornby: Relating to establishing criminal penalties for human trafficking	98	1083			1204	1135, 1186, 1203
2253 -	By Delegate Steele: Relating to controlled substance monitoring; and removing a dispensing prohibition	98					
2254 -	By Delegate Steele: Natural Gas Electric Generation Development Act	98					
2255 -	By Delegate Steele: To provide for no more than two licensed laboratories for medical cannabis testing in this state	99					
2256 -	By Delegate Steele: To provide for the full restoration of the Holly Grove Mansion	99					
2257 -	By Delegate Hansen: Allowing increased civil administrative penalties to be promulgated by legislative rules of by the Department of Environmental Protection	99					
2258 -	By Delegate Hansen: Relating to power generating plant sites	99					
2259 -	By Delegate C. Pritt: Relating to modifications of child support or alimony	100					
2260 -	By Delegate Hansen: Repealing section of code authorizing additional registration fees for alternative fuel vehicles	100					
2261 -	By Delegate Pushkin: Relating to the special community development school pilot program	100					
2262 -	By Delegate Pushkin: Permitting certain felons to work in licensed behavioral health facilities	100					
2263 -	By Delegate Pushkin: Allowing a bar to purchase liquor from a distillery or a mini-distillery	100					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2264 -	By Delegate Pushkin: Establishing the Minority Health Advisory Team	101					
2265 -	By Delegate Pushkin: Prohibiting the private ownership or operation of a prison	101					
2266 -	By Delegate Pushkin: Adding "sexual orientation" and "gender identity" to the categories covered by the Human Rights Act and WV Fair Housing Act	101					
2267 -	By Delegate Pushkin: Authorizing possession and smoking of medical cannabis by approved persons	101					
2268 -	By Delegate Pushkin: Providing a tax credit for obtaining certain certifications by the United States Green Building Council Leadership in Energy and Environmental Design green building rating system	102					
2269 -	By Delegate Linville: Recognize convictions of domestic battery in the fair and equitable distribution of marital property	102					
2270 -	By Delegate Fluharty: Exempting school buses with students on board from paying turnpike tolls	102					
2271 -	By Delegate Fluharty: Exempting law enforcement and emergency vehicles from paying turnpike tolls	102					
2272 -	By Delegate Fluharty: Relating to Good Samaritan Food Donation Act	102					
2273 -	By Delegate Fluharty: Expanding the amount of promise scholarship funds awarded to persons majoring in science, technology, engineering and mathematics	103					
2274 -	By Delegate Gearheart: Eliminating specific statutory restrictions on outdoor advertisement	103					
2275 -	By Delegate Howell: Creating the Intrastate Coal and Use Act	103					
2276 -	By Delegates Howell and E. Pritt: Issuing identification documents to homeless individuals residing at homeless shelters	103					
2277 -	By Delegate Howell: Permitting former members of the Legislature to remain eligible for insurance plans at full cost to the member and at no cost to the state	104					
2278 -	By Delegate Howell: Authorizing the DMV to issue certain vital records in the custody of the state registrar	104					
2279 -	By Delegate Statler: Relating to granting in-state resident status to economic development participants	104	576				

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2280 -	By Delegates Statler and Holstein: Relating to the criminal offense of desecration of graves and vandalizing cemeteries	105					
2281 -	By Delegate Statler: Exempt non-profits from certain road sign fees	105					
2282 -	By Delegate Statler: Relating generally to the distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments	105					
2283 -	By Delegate Statler: Relating to authorized expenditures of revenues from certain state funds for fire departments (Chapter 86, Acts, Regular Session, 2023)	105	733, 734, 1008		2031	1087	1038, 1063, 3202, 3212
2284 -	By Delegate Statler: Revise existing standards and establish the burden of proof imposed on civil litigants seeking to circumvent corporate structure in civil litigation	106					
2285 -	By Delegates Statler and Horst: Requiring that open hunting season for big game begin on a Saturday	106					
2286 -	By Delegate Walker: Making expungement of records for certain defendants found not guilty or have had charges dismissed to occur without petitioning the court	106					
2287 -	By Delegate Walker: Requiring sharps containers in all state buildings and facilities where the public is allowed	106					
2288 -	By Delegate Walker: Allowing disabled persons to operate small electric vehicles on the Greenbrier Trail	107					
2289 -	By Delegate Walker: Authorizing civil damages for any person who was subject to an intentionally false report made to law enforcement	107					
2290 -	By Delegate Walker: Relating to unlawful discriminatory practices in categories covered by the Human Rights Act and the Fair Housing Act	107					
2291 -	By Delegate Walker: Relating to state certification of industrial hemp and medical cannabis seed	107					
2292 -	By Delegate McGeehan: Continuing personal income tax adjustment to gross income of certain retirees receiving pensions from defined pension plans	108	733				
2293 -	By Delegates McGeehan and Coop-Gonzalez: Life at Conception Act of 2023	108					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2294 -	By Delegate Martin: Allow guns to be carried on capitol grounds	108					
2295 -	By Delegate Smith: To implement a Property Tax Poverty Exemption - School Excess Levy	108					
2296 -	By Delegate Cooper: Relating to the beginning and expiration of hunting and fishing licenses	108					
2297 -	By Delegate Hanna: Requiring all higher education institutions to use statewide contracts issued by the Purchasing Division	109					
2298 -	By Delegate McGeehan: Granting counties and municipalities a portion of the net terminal income from racetrack video lottery	109	487				
2299 -	By Delegate Anderson: To require that any municipality or county commission who intends to approve a location for a limited video lottery retailer must first announce their intention to do so and hold a public hearing before approval.	109					
2300 -	By Delegate Walker: Establishing tax credits for lead abatement in child occupied residences	109					
2301 -	By Delegate Walker: Expanding felony hate crime protections to individuals on the basis of perceived or actual sexual orientation	109					
2302 -	By Delegate Walker: Relating to rulemaking for healthcare plans	110					
2303 -	By Delegate Walker: Providing a tax exemption for income from a qualified retirement plan used to pay for long-term care	110					
2304 -	By Delegate Walker: Prohibiting the use of polystyrene containers	110					
*2305 -	By Delegate Howell: Relating to titling and registration of foreign market vehicles	110	962, 1146	1283, 1329		1327	1250, 1283
2306 -	By Delegate Howell: Provide certain classes of property protections from creditor collections	111					
2307 -	By Delegate Howell: To ensure false claims on property titles are not fault of landowner	111					
2308 -	By Delegates Howell and Martin: Prohibit a county from charging for a building permit if the value of the improvement is less than that required for a contractor's license	111	489				

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2309 -	By Delegate Howell: To require the Division of Forestry to create an online renewal process no later than July 1, 2023 (Chapter 311, Acts, Regular Session, 2023)	111	614, 792	896	1886	948	858, 896, 2057, 3212
2310 -	By Delegate Howell: Provide the Division of Motor Vehicles authority to develop an "Antique Fleet" program so that multiple antique motor vehicles may utilize a single registration plate. (Chapter 212, Acts, Regular Session, 2023)	112	204, 336	1682, 1695	1682	444, 1696	384, 401, 3202, 3212
2311 -	By Delegate Keaton: Relating to taxable exemptions for surviving spouses	112					
2312 -	By Delegate Keaton: Relating to abortions after detection of an unborn child's heartbeat	112					
2313 -	By Delegate Keaton: Increasing the personal exemption for personal income tax	112					
2314 -	By Delegate Keaton: Providing property tax relief to rare earth industries	112					
2315 -	By Delegate Fluharty: Prohibiting the home schooling of children in certain circumstances	113					
2316 -	By Delegate Fluharty: Establishing the "Stay in State" tax credit	113					
2317 -	By Delegate Fluharty: Prohibiting use of a person's credit history in certain insurance transactions	113					
2318 -	By Delegate Pushkin: Relating to certification of a patient's eligibility for medical cannabis	114					
2319 -	By Delegate Fluharty: Relating to drug testing of legislators	114					
2320 -	By Delegates Toney and Brooks: Changing the recommended guidelines for full-day and half-day cooks to the minimum ratio of one cook for every 110 meals	114					
2321 -	By Delegate C. Pritt: Require an ultrasound prior to abortion	114					
2322 -	By Delegate C. Pritt: Provide for crime of impersonating non-public persons on social media	114					
2323 -	By Delegate C. Pritt: Relating to creating the refugee information act	115					
2324 -	By Delegate C. Pritt: Allowing for child support arrears agreements that the Family Court must accept	115					
2325 -	By Delegate C. Pritt: Relating to adoption attorneys	115					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2326 -	By Delegate C. Pritt: Prohibit state funding for any organization that performs abortions	115					
2327 -	By Delegates C. Pritt and Crouse: Requiring party affiliation on school board elections	115					
2328 -	By Delegate C. Pritt: Faithless Elector law	116					
2329 -	By Delegates C. Pritt and Hillenbrand: Ban civil asset forfeiture unless person convicted	116					
2330 -	By Delegate C. Pritt: Prohibit electronic ballots	116					
2331 -	By Delegate C. Pritt: Repeal section relating to circuit courts having limited jurisdiction to hear divorce cases	118					
2332 -	By Delegate C. Pritt: Prohibit county clerk from charging or prohibiting person from taking pictures of public documents	117					
2333 -	By Delegate C. Pritt: Make gold and silver legal tender in WV	117					
2334 -	By Delegates C. Pritt and Crouse: Remove homeschool testing and portfolio requirements	117					
2335 -	By Delegate Martin: Establish the WV Constitution and the WV Code as the primary law in WV	117					
2336 -	By Delegates Martin and Ridenour: Requiring local entities to enforce immigration laws	117					
2337 -	By Delegate Statler: Prohibiting the placement of the name or likeness of public officials on state road signs	118					
2338 -	By Delegate Griffith: Relating generally to unlawful restraint of dogs	118					
2339 -	By Delegate Griffith: Requiring a telemarketer's location must be indicated on customer's caller ID	118					
2340 -	By Delegate Griffith: To remove limit of 140 days for retired substitute teachers	118					
2341 -	By Delegate Griffith: Incentivizing the Sale of Healthy, Local Produce.	118					
2342 -	By Delegates Griffith and Rowe: To require all prescribers of medication to include their purpose for prescribing the medication to the patient	119					
2343 -	By Delegate C. Pritt: Grant automatic expungement of criminal records in certain instances	119					
2344 -	By Delegate C. Pritt: Relating to providing a cap on property taxes	119					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2345 -	By Delegate C. Pritt: Relating to automatic voter registration	119					
*2346 -	By Delegate Toney: Declaring a shortage of qualified bus operators and allowing retired bus operators to accept employment (Chapter 298, Acts, Regular Session, 2023)	120	404, 711		2757	807, 2758	712, 781, 820, 3202, 3212
2347 -	By Delegates C. Pritt and Crouse: Establishing the Anti-Stereotyping Act	120					
2348 -	By Delegate Pushkin: Requiring West Virginia Medicaid managed care organizations to contract with any otherwise qualified provider	120					
2349 -	By Delegate Hornbuckle: Authorizing a temporary foreign brewers import license	120					
2350 -	By Delegate Hornbuckle: Granting full time employees of county boards of education three months of paid leave following the birth of a child	121					
2351 -	By Delegate Hornbuckle: Establishing a tax credit for businesses who hire, promote and develop women and minorities into executive, professional or administrative roles	121					
2352 -	By Delegate Hornbuckle: Relating to living anatomical gift	121					
2353 -	By Delegate Barnhart: To create a tax reduction savings fund for municipalities	121					
2354 -	By Delegate Hornbuckle: Student Rescue Act	122					
2355 -	By Delegate Hornbuckle: Establishing a pilot program to develop school-based mental and behavioral health services	122					
2356 -	By Delegate Hornbuckle: Prohibiting certain devices which enhance a diesel-powered vehicle's capacity to emit soot	122					
2357 -	By Delegate Hornbuckle: Granting jurisdiction to supervise youth sport league events to county boards of education and the Secondary School Activities Commission	122					
2358 -	By Delegate Hornbuckle: Making it a misdemeanor for a person to knowingly allow a felony drug offense to be committed on his or her property	123					
2359 -	By Delegate Hornbuckle: The Young Professional Tax Credits	123					
2360 -	By Delegate Hornbuckle: Collecting a tax from manufacturers and distributors of opium and opiate drugs to be used for funding addiction and prevention	123					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2361 -	By Delegate Holstein: To unseal adoption records after 21 years of age for adoptees for a one time fee of $30 and issuance of an original birth certificate for the common birth certificate fee.	123					
2362 -	By Delegate Holstein: To allow circuit court judges with at least six years of service to conceal carry if they so desire	123					
2363 -	By Delegate Holstein: To require a moment of silence at the beginning of school each day in the state	124					
2364 -	By Delegate Holstein: To exempt school buses from toll fees in West Virginia	124					
2365 -	By Delegate Holstein: Creating a hunter access program for private landowners to enter an agreement with the state to allow hunters to use their property	124					
2366 -	By Delegates Crouse and Steele: Require cameras in all classrooms	124					
2367 -	By Delegates Crouse, Steele, and Ridenour: Providing options to vaccinations and mask requirements as a condition to entry of schools	125					
2368 -	By Delegate Crouse: Provide for fines for hospitals that do not allow at least one visitor	125					
2369 -	By Delegate Gearheart: To allow landowners to pay hunters to hunt their property	126					
2370 -	By Delegate Gearheart: Requiring 50 percent of all reappropriated revenue accounts to be surrendered to general revenue	126					
2371 -	By Delegate Gearheart: Ensure State Road Construction Account funds are in addition to general highways funds provided to the DOT districts	126					
2372 -	By Delegate Gearheart: Relating to “unencumbered” special revenue accounts to be surrendered to general revenue under certain circumstances	126					
2373 -	By Delegate Gearheart: Requiring legislative approval of additional parkways bonds and removing tolls once bonds paid	126					
2374 -	By Delegate Gearheart: Make appointment process for Congressional seats the same as that for the US Senate	127					
2375 -	By Delegate Hott: Relating to hiring new West Virginia State Police Officers	127	490				
2376 -	By Delegates Hott and Ridenour: To ensure that hospitals do not provide lesser treatment to unvaccinated individuals as opposed to vaccinated individuals	127					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2377 -	By Delegate Fluharty: Relating to taxation of gambling and lottery winnings	127					
2378 -	By Delegate Rowe: Relating to the minimum wage	127					
2379 -	By Delegate Martin: Allow women to work on inmate road crews	127					
*2380 -	By Delegates Ellington and Toney: Relating to School Building Authority (Chapter 133, Acts, Regular Session, 2023)	128	577	649	2031	680	624, 3205, 3212
2381 -	By Delegate Ellington: Establishing the behavioral health workforce education initiative at the Higher Education Policy Commission	128					
2382 -	By Delegate Ellington: Relating to repealing school innovation zones provisions superseded by Innovation in Education Act	128					
2383 -	By Delegate Ellington: Relating generally to school nurses	129					
2384 -	By Delegate Longanacre: Providing for the Relief at the Pump Bill	129					
2385 -	By Delegate Longanacre: Creating the Prevention Through K-12 Education Act	129					
2386 -	By Delegates Longanacre, Steele, Dillon, Mazzocchi, and Kirby: Ban sanctuary cities in West Virginia	129					
2387 -	By Delegate Longanacre: Fair Advancements for State Employees Act	130					
2388 -	By Delegate Longanacre: Relating to the Save Our Volunteer Fire Departments Bill	130					
2389 -	By Delegate Longanacre: Provide for a special driver's license for those with physical disabilities	130					
2390 -	By Delegates Kimble, Horst, Kirby, McGeehan, Ridenour, Phillips, C. Pritt, Mazzocchi, and Fast: The Forming Open and Robust University Minds (FORUM) Act	131					
2391 -	By Delegate Rowe: To create a bill to designate February 3 as "Freedom Day," to memorialize the February 3, 1865 Act by the Legislature that abolished slavery in West Virginia.	131					
2392 -	By Delegate Rowe: Relating to assault with bodily fluids	131					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2393 -	By Delegate Rowe: To extend the Neighborhood Investment Program Act to July 1, 2026 and to increase the allowable tax credit	132					
2394 -	By Delegate Rowe: Require PSC annual report on ratepayer utility costs to the Joint Committee on Government and Finance	132					
2395 -	By Delegate Rowe: Make the Consumer Advocate division separate and independent from the PSC	132					
2396 -	By Delegate Fast: Relating to pyramid promotional schemes	132					
2397 -	By Delegate Fast: Modifying the definition of child abuse or neglect to exclude accidental injury	132					
2398 -	By Delegate Fast: Requiring the Human Rights Commission, when investigating a complaint of discrimination, to specifically include an examination of the intent of the person	132					
2399 -	By Delegate Fast: Repealing provision prohibiting employers from discriminating for use of tobacco products.	133					
2400 -	By Delegate Fast: Allowing a home improvement transaction to be performed under an oral contract	133					
2401 -	By Delegate Fast: Relating to relocation or closure of state higher education institutions	133					
2402 -	By Delegate Hott: To reaffirm and enhance the workers compensation exclusive remedy rule or doctrine	133					
2403 -	By Delegate Steele: Relating to penalties for conspiracy to commit murder	134					
2404 -	By Delegate Steele: Relating to repayment of legal services when payment is made by the state for public defender services	134					
2405 -	By Delegate Steele: Eliminate sales tax on Professional Employment Organization's administration fees	134					
2406 -	By Delegate Steele: Relating to licensure for polygraph examiners	134					
2407 -	By Delegates C. Pritt and Barnhart: Require photo identification on all EBT cards	135					
2408 -	By Delegate Hornbuckle: Mountaineer Games Sports League	135					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2409 -	By Delegate Hornbuckle: Provide a safe process for organic waste composting	135					
2410 -	By Delegate Hornbuckle: Establish the Commission on American History Enrichment	135					
2411 -	By Delegate Hornbuckle: To establish cultural competency training for teachers obtaining or renewing a teaching license in West Virginia	136					
*2412 -	By Delegates Hornbuckle, Rohrbach, Worrell, Linville, Lucas, Griffith, Anderson, and Adkins: Declaring November 14 every year, a special Memorial Day in remembrance of the Marshall University airplane crash (Chapter 185, Acts, Regular Session, 2023)	136	264	382	1009	383	333, 357, 1076, 1149
2413 -	By Delegate C. Pritt: Permitting pharmacists to dispense the drug ivermectin by means of a standing order	136					
2414 -	By Delegate C. Pritt: Placing notation on driver's license or ID cards regarding certain cognitive disabilities	136					
2415 -	By Delegates C. Pritt, Young, Kump, and Hornbuckle: Ban the Box Act	136					
2416 -	By Delegate C. Pritt: Prevent healthcare facilities from limiting the number of parents that are able to attend appointments for their children	137					
2417 -	By Delegate Pushkin: Directing the Supreme Court of Appeals to create a pilot domestic violence court in Kanawha County	137					
2418 -	By Delegate Burkhammer: Tax credits for living and deceased organ donors	137					
2419 -	By Delegate Pushkin: Relating to removing the Certificate of Need moratorium on opioid treatment facilities	137					
2420 -	By Delegate Pushkin: Establishing of the West Virginia Public Participation Act	137					
2421 -	By Delegate C. Pritt: The Campus Self Defense Act	138					
2422 -	By Delegate Keaton: Dedicate severance tax to State Road Fund over a three year period	138					
2423 -	By Delegates Keaton and Ridenour: Prohibit "divisive concepts" from schools, state agencies and any groups receiving state funding	138					
2424 -	By Delegate Keaton: Creating the Unborn Infants Wrongful Death Act	139					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2425 -	By Delegate Keaton: Require regulatory agency heads to have one year experience in the regulated industry	139					
2426 -	By Delegate Rohrbach: Authorizing the Secretary of the Department of Health and Human Resources to develop a submission procedures manual and adopt the same as a procedural rule.	139					
2427 -	By Delegate Rohrbach: Establishing the status of beds when an intermediate care facility for individuals with intellectual disabilities closes	139					
2428 -	By Delegates Rohrbach and Espinosa: Relating to foster care	140					
2429 -	By Delegate Rohrbach: Prohibit the practice of white bagging	140					
2430 -	By Delegate Rohrbach: To reduce copay cap on insulin and devices	140					
2431 -	By Delegate Rohrbach: Relating to the Ryan Brown Fund	141					
2432 -	By Delegates Rohrbach and Hillenbrand: Increasing the penalties for exposure of governmental representatives to fentanyl or any other harmful drug	141					
2433 -	By Delegate Toney: Creating three separate job titles for school bus operators	141					
2434 -	By Delegate Toney: Modifying the definitions and pay grades of certain school cafeteria personnel	141					
2435 -	By Delegate Tully: To strengthen anti-hazing laws and policies for Pre-K to Grade 12	141					
*2436 -	By Delegates Tully, Summers, Forsht, Hardy, Worrell, Jennings, Mallow, Honaker, Miller, Foggin, and Heckert: Relating to the implementation of an acuity-based patient classification system (Chapter 261, Acts, Regular Session, 2023)	142	493	2812, 2817	2812	598, 2818	536, 569, 3206, 3212
2437 -	By Delegate Tully: Relating to fetal body parts	142					
2438 -	By Delegate Cooper: Authorizing long term care facilities to increase their number of beds on certificate of need by 5% so long as those beds are filled by veterans	142					
2439 -	By Delegate Cooper: Exempting from the sales tax all-terrain vehicles and utility terrain vehicles used as farm equipment	142	613				
2440 -	By Delegates Kimble, Phillips, Kirby, Horst, Ridenour, and C. Pritt: To Protect Newborn Genetic Privacy Rights	142					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2441 -	By Delegate Hornbuckle: Reentry Task Force	143					
2442 -	By Delegate Cooper: Requiring that a state employee with a commercial driver's license have a current medical evaluation certification	143					
*2443 -	By Delegate Toney: Relating to service employees with National Association for Pupil Transportation Certifications	144	578			681	624, 650
2444 -	By Delegate Toney: Provide wardens with ability to use inmates to perform work in the upkeep local cemeteries	144					
2445 -	By Delegate Toney: To exempt EMS providers from Turnpike Tolls	144					
2446 -	By Delegate Walker: Food insecurity state wide tip line	144					
2447 -	By Delegate Walker: Create a CARE FOR ALL line	144					
2448 -	By Delegate Walker: Primary care physicians must inform patients about Triple Negative Breast Cancer	145					
2449 -	By Delegate Walker: Relating to general provisions of labor and industrial relation	145					
2450 -	By Delegate Dean: Relating to tax credit for disabled veterans for lifetime hunting, trapping and fishing license	145					
2451 -	By Delegate Dean: To allow another round of "buy in" to the old public employees retirement plan for those that didn't last time.	145					
2452 -	By Delegate Dean: To allow parents to retain their child for an extra year of school without losing a year of sports eligibility	146					
2453 -	By Delegate Dean: Allow anyone with a master's degree to sit for WV Bar exam and become licensed attorney	146					
2454 -	By Delegates Dean and Holstein: Creating WV Black Lung Program	146					
2455 -	By Delegate Martin: Defining a work day for school service personnel and removing a provision relating to employment of licensed practical nurses	146					
2456 -	By Delegate Martin: Relating to a customer constructing a connection or other infrastructure necessary for the customer to connect to the public utility	147					
2457 -	By Delegate Rohrbach: Amend section providing for waiver of tuition and fees for older persons auditing certain college classes	147					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2458 -	By Delegate Clark: Relating to public school personnel	147					
2459 -	By Delegate Clark: To clarify the application of zoning requirements to exempt wholesale generators	147					
2460 -	By Delegate Clark: Providing online privacy protection laws for children under 18 years of age	148					
2461 -	By Delegate Mazzocchi: Video and audio recordings in self-contained classrooms	148					
2462 -	By Delegate Mazzocchi: Relating to reasonable force in defense of self, real and personal property	148					
2463 -	By Delegate Miller: Allowing substitute teachers to work and not receive any deduction on their retirement over the 140-day of work	148					
2464 -	By Delegate Walker: Limitations to solitary confinement to 3 days per every 2 weeks	149					
2465 -	By Delegate Walker: Increase access to and amount covered of the promise scholarship to ensure full ride regardless of tuition costs, double majors, or courses of interest	149					
2466 -	By Delegate Walker: Repeal of taxing state employees pensions and social security	149					
2467 -	By Delegate Walker: Legal apprenticeships as alternatives to Law School to help those who cannot afford law school or have a disability	149					
2468 -	By Delegate Walker: Re-establish prevailing wage	150					
2469 -	By Delegate Walker: Keep federal level weight limits for trucking in the state of WV	150					
2470 -	By Delegate Walker: Creating a youth advisory council for civic engagement	150					
*2471 -	By Delegates Pinson, Steele, Hillenbrand, Butler, Burkhammer, and Fast: Relating to the suspension of driver's license for unpaid tickets	150	689, 902				905, 961
2472 -	By Delegate Fast: To add additional members to the West Virginia Parole Board	151					
2473 -	By Delegate Fast: To permit the limited use of juvenile records in grievance proceedings regarding employees of the Division of Corrections and Rehabilitation when such records prove relevant.	151					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2474 -	By Delegates Fast and Steele: Establishing the West Virginia Religious Freedom Restoration Act	151					
2475 -	By Delegates Fast and Steele: Provide for a raise for private investigators hired by public defender offices or court appointed panel attorneys	151					
2476 -	By Delegate Fast: Relating to property ownership by Farmland Protection Board	152					
2477 -	By Delegate Fast: Relating to the financial responsibility of inmates in relation to civil awards	152					
2478 -	By Delegates Fast and Steele: West Virginia Religious Freedom Restoration Act	152					
2479 -	By Delegate Hott: Relating to rules for hunting antlered deer	152					
2480 -	By Delegate Rowe: Relating to the intestate share of a decedent's surviving spouse	152					
2481 -	By Delegate Rowe: Increasing the state minimum wage	153					
2482 -	By Delegate Rowe: Relating to social determinants of health	153					
*2483 -	By Delegate Rowe: Creating a tax credit for improving facades in historic districts	153	1045, 1046	1228		1259	1138, 1189
2484 -	By Delegate Rowe: Requiring paving contracts for state highways to have special requirements to prevent potholes	153					
2485 -	By Delegate Rowe: Establishing reimbursement rates for congregate and in-home meals	154					
2486 -	By Delegate Rowe: Economic and Community Development Task Force	154					
2487 -	By Delegate Rowe: Relating to designation of social workers in the Department of Health and Human Services	154					
2488 -	By Delegate Rowe: Providing school days to register and transport students to vote	154					
2489 -	By Delegate Rowe: Allowing low income senior citizens to receive certain tax credits without filing a state income tax return	154					
2490 -	By Delegate Rowe: Establishing a procedure to name a kinship legal guardian	155					
2491 -	By Delegate Pinson: Relating to the Deputy Sheriff Retirement System Act	155					
2492 -	By Delegates Pinson, Steele, Kirby, and Ridenour: Relating to forbidding excessive government limitations on exercise on religion	155					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2493 -	By Delegate Pinson: To modify deputy sheriff's retirement pay and the cost of receiving certain reports	156					
2494 -	By Delegate Pinson: Requiring high school students to pass a test on the US Constitution to graduate from high school	156					
2495 -	By Delegates Pinson and Ridenour: Allowing private school students to play public school sports in some instances	156					
2496 -	By Delegates Pinson and Steele: Requiring that any doctor performing an abortion must be board-certified in obstetrics and gynecology	156					
2497 -	By Delegates Kimble, Phillips, McGeehan, Kirby, Horst, Burkhammer, C. Pritt, Mazzocchi, Fast, and Ridenour: Prohibit requiring Covid-19 vaccine or booster shot to attend in person classes at colleges and universities	157					
*2498 -	By Delegates Kimble, Phillips, Horst, Kirby, C. Pritt, and Fast: To require medication-assisted treatment programs to have written policies concerning community relations	157	656, 964	1063			1022, 1033
2499 -	By Delegates Kimble, Ridenour, Kirby, Horst, Phillips, Pinson, Burkhammer, C. Pritt, and Mazzocchi: Relating to dangerous crimes against children	157					
2500 -	By Delegates Kimble, McGeehan, Phillips, Horst, Kirby, C. Pritt, and Fast: Establishing criteria for the government's adoption of new and emerging surveillance technologies while ensuring privacy protections for individuals	157					
2501 -	By Delegates Kimble, Kirby, Horst, Burkhammer, Pinson, Phillips, C. Pritt, and Mazzocchi: Require hospitals with no ASL interpreter on staff provide technology for hearing or speech impaired patients to communicate	157					
2502 -	By Delegates Kimble, Phillips, Horst, Kirby, and C. Pritt: Repeal law requiring motorcycle riders to wear a helmet	158					
2503 -	By Delegate Foster: Requiring the Department of Health and Human resources to pay the attorney fees of an adoptive parent in a subsidized adoption	195					
2504 -	By Delegate Foster: Relating to PROMISE Scholarship Program requirements	195					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2505 -	By Delegates Criss, Heckert, and Fehrenbacher: Creating the Supported Decision-Making Act	195					
2506 -	By Delegates Linville, Howell, Cannon, Householder, Criss, Maynor, W. Hall, Espinosa, Riley, Fehrenbacher, and Chiarelli: Creating a title clearinghouse for non-resident businesses (Chapter 213, Acts, Regular Session, 2023)	195	237		631	356	311, 333, 357, 738, 910
2507 -	By Delegate Linville: Relating to the West Virginia public employees grievance procedure	196					
2508 -	By Delegate Keaton: Relating to the limitation of actions on agricultural land	196					
*2509 -	By Delegate Steele: Creating the Uniform Premarital Agreement Act (Chapter 113, Acts, Regular Session, 2023)	196	488	569, 2063, 2067	2063	599, 2068	536, 3202, 3213
2510 -	By Delegates Howell, Anderson, Hott, Zatezalo, Clark, Ferrell, Storch, Smith, Phillips, Cannon, and Linville: To establish the Rare Earth Element and Critical Mineral Investment Tax Credit Act	207	491				536, 569, 574
2511 -	By Delegates Howell, Clark, Smith, Crouse, Honaker, Ferrell, Cannon, Phillips, Kelly, Hott, and Zatezalo: Modify how sales tax is collected on seller financed vehicle transactions	197					
2512 -	By Delegates Howell, Hornbuckle, Capito, Clark, Ferrell, Storch, Smith, Phillips, Cannon, Kelly, and Hott: Transferring the administration of the West Virginia Small Business Innovation Research (SBIR) and Small Business Technology Transfer (SBTT) Matching Funds Program from the Department of Commerce to the Department of Economic Development	208	490				536
2513 -	By Delegates Smith, Clark, Howell, Phillips, Crouse, Zatezalo, Thorne, and Storch: Relating to the deadline by which county clerks must report voter participation history after an election into the statewide voter registration system	197					
2514 -	By Delegates Howell, Crouse, Jennings, Ferrell, Phillips, Honaker, Linville, Zatezalo, and Thorne: Increasing penalties for putting objects on highways	197					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2515 -	By Delegates Howell, Clark, Smith, Crouse, Jennings, Ferrell, Phillips, Honaker, Cannon, Linville, and Hott: Require agencies to develop and maintain an inventory of available services for single parents wanting to obtain degrees, secure training or reenter the workforce (Chapter 190, Acts, Regular Session, 2023)	197	362, 905	2068, 2082	2068	1013, 2082	906, 992, 3205, 3213
2516 -	By Delegates Reynolds, Storch, Cooper, Sheedy, Willis, Jeffries, W. Hall, Nestor, Kelly, Zatezalo, and Ferrell: Provide that coaching days do not count towards limit on days for retired employees	198					
2517 -	By Delegate Dillon: Medical Insurance Policy Owner's Notification Act	198					
2518 -	By Delegate Keaton: Amending the West Virginia Fresh Food Act	198					
2519 -	By Delegates Foster, Smith, Horst, McGeehan, Phillips, Longanacre, Barnhart, Reynolds, Cooper, Jennings, and Worrell: Repeal All Payer Claims Database	198					
2520 -	By Delegates Reynolds, Barnhart, Cooper, Sheedy, Jeffries, W. Hall, Kelly, Zatezalo, Willis, Miller, and Nestor: Free Gold Star License Plates to parents	199					
2521 -	By Delegates Criss and Householder: Creating the Public/Private Small Business Enhancement Program	199					
2522 -	By Delegate Foster: Repealing the West Virginia Jobs Act	199					
2523 -	By Delegates Foster, Espinosa, and Kump: Restricting the authority of the Board of Barbers and Cosmetologists to regulate the use of commonly available, retail beauty products	199					
2524 -	By Delegates Foster and Kump: Repealing the law which makes prime contractors liable for the failure of subcontractors to make proper payments for workers' compensation	199					
2525 -	By Delegate Foster: Relating to charging fees for municipal services	200					
*2526 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Relating to reducing the personal income tax (Chapter 312, Acts, Regular Session, 2023)	200	203	330, 1852, 1868	1852	331, 1870	261, 310, 329, 332, 1870, 1934, 1976
2527 -	By Delegate Steele: Relating to revising the criminal code generally	208					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2528 -	By Delegate Linville: Authorizing Division of Highways transfer of spending authority between appropriations	227					
2529 -	By Delegates Zatezalo, Barnhart, Cooper, Howell, Anderson, Smith, Linville, Willis, Criss, Butler, and Chiarelli: Relating to when vacancies in the office of magistrate shall be filled by election or appointment	227					
*2530 -	By Delegates Linville and Steele: Relating to the extension of the expiration of temporary registration plates from sixty days to ninety days (Chapter 214, Acts, Regular Session, 2023)	228	315	689	689	400, 697	357, 383, 399, 801
2531 -	By Delegate Linville: Requiring cooperation between the rail company and the Division of Highways when construction or maintenance activities are conducted by the company	228	387			511	388, 447, 480, 510
2532 -	By Delegates Cooper, Longanacre, Anderson, Reynolds, Zatezalo, Heckert, Sheedy, Smith, and Hillenbrand: Creating a liaison program with the federal Department of Veterans Affairs Transition Assistance Program	228					
2533 -	By Delegate Linville: Relating to a permanent windshield placard to be valid for the duration of the applicant's life (Chapter 324, Acts, Regular Session, 2023)	228	315	697	697	400, 698	358, 383, 801, 1009
2534 -	By Delegates Summers and Forsht: Relating to public employees insurance	228					
2535 -	By Delegates Summers, Tully, Forsht, and Petitto: Relating to prior authorizations	229					
2536 -	By Delegates Summers, Tully, Forsht, Miller, Heckert, and Kump: Permitting physicians to provide exemption certificates relating to required immunizations	229					
2537 -	By Delegates Summers, Kelly, Petitto, Heckert, Forsht, Foggin, and E. Pritt: Prohibiting covenant not to compete	230					
*2538 -	By Delegates Summers, Shamblin, Forsht, Miller, Hite, Heckert, Petitto, Pinson, Mazzocchi, Burkhammer, and Kimble: Requiring usage of child welfare information technology systems	230	540, 611, 1028			1158	651, 682, 1064, 1138, 1159
2539 -	By Delegates Westfall, Hott, Barnhart, and Espinosa: Relating to Delivery Network Company	230	449				

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2540 -	By Delegates Westfall, Hott, Espinosa, and Rowe: Travel Insurance Model Act (Chapter 195, Acts, Regular Session, 2023)	230	613, 796	2500, 2515	2499	948, 2516	858, 896, 3187, 3202, 3213
2541 -	By Delegates Criss, Heckert, Fehrenbacher, W. Hall, and Rohrbach: Add licensure requirement on substance use disorder inpatient provider facilities	231					
2542 -	By Delegates Coop-Gonzalez, C. Pritt, Martin, Kirby, Phillips, Sheedy, Brooks, Willis, Dillon, and Ridenour: Make it illegal for any state employee to access Tik Tok through a government device	231					
2543 -	By Delegates Criss, Heckert, Fehrenbacher, and W. Hall: Develop a licensure process for recovery residences or other residential settings that present as a location where substance use disorder recovery can be facilitated	231					
2544 -	By Delegates Criss, Heckert, and W. Hall: Make investigation and enforcement of the Patient Brokering Act the responsibility of OHFLAC	232					
2545 -	By Delegates Criss, Steele, Heckert, Kirby, and W. Hall: Require a study on homelessness be conducted by the Bureau for Behavioral Health	232					
2546 -	By Delegates Criss, Heckert, Fehrenbacher, and Rohrbach: Require Substance Use Disorder inpatient providers to offer patients transportation to certain places upon discharge	232					
2547 -	By Delegates C. Pritt, Horst, Coop-Gonzalez, Dean, Kirby, Kimble, Martin, Nestor, and Longanacre: Relating to the criminal forfeiture process act	232					
2548 -	By Delegates Kelly, Hott, Phillips, Honaker, Riley, Jeffries, Sheedy, Heckert, Shamblin, Petitto, and Forsht: Relating to temporary identification cards for released inmates	233	517, 714			807	782
2549 -	By Delegates Smith, Horst, Phillips, Crouse, Clark, Householder, Jennings, Tully, Honaker, Ellington, and Longanacre: Permit teachers in K-12 schools be authorized to carry concealed firearms as a designated school protection officer	233	484				

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2550 -	By Delegates Smith, Horst, Phillips, Crouse, Pinson, Honaker, Howell, Steele, Dean, Ellington, and Longanacre: Relating to Off Duty LEO and LEOSA Exemptions	233					
2551 -	By Delegate Foster: Creating the Homeschool Credential Recognition Act	234					
2552 -	By Delegates Hansen, Young, Williams, and Walker: Relating to requiring disclosure of the lawful activity that is the basis of a permit application with the Department of Environmental Protection	234					
2553 -	By Delegates Nestor, Horst, Hanna, Longanacre, Martin, Hott, Barnhart, Kump, Storch, Phillips, and Honaker: Expand the scope of hunting, fishing, and trapping benefits provided to former members of the United States Armed forces	234					
2554 -	By Delegates Smith, Westfall, Zatezalo, Pushkin, Phillips, Crouse, Householder, Steele, Ellington, Dean, and Martin: Allowing a person to manufacture a stated amount of alcoholic liquor for personal consumption	234					
2555 -	By Delegates Foster, Steele, and Ridenour: Relating to death penalty for first degree murder	234					
2556 -	By Delegates Brooks, Vance, Crouse, E. Pritt, Chiarelli, Willis, and Kirby: Eliminating fees for hunting and fishing licenses for military retirees.	251					
2557 -	By Delegate Gearheart: Make appointment process for Congressional seats the same as that for the US Senate	251					
2558 -	By Delegates Crouse, Kirby, Mallow, Longanacre, Kump, Forsht, Devault, Heckert, Hillenbrand, A. Hall, and Worrell: Permitting religious exemptions for compulsory immunizations	258					
2559 -	By Delegates Crouse, Willis, Mallow, Kump, Forsht, Heckert, Mazzocchi, Miller, Hillenbrand, Kirby, and Chiarelli: Prohibiting mask mandates by the State of West Virginia	251					
2560 -	By Delegates Crouse, Howell, Longanacre, Honaker, Petitto, Brooks, Maynor, Mallow, Ridenour, and Heckert: To require cameras in every classroom and room where children are present	252					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2561 -	By Delegates Crouse, Warner, Coop-Gonzalez, Hott, Kelly, Riley, Honaker, Cannon, Petitto, Butler, and Longanacre: Clarifying the announcement form and eligibility requirements for becoming a candidate for election to a public office	252					
2562 -	By Delegates Longanacre, Crouse, Cooper, Maynor, Petitto, and Jennings: Provide for a special drivers license for those with physical disabilities	252					
2563 -	By Delegates Linville, Kelly, Pinson, Honaker, Smith, Phillips, Hott, Steele, Foster, Adkins, and Holstein: Provide that someone guilty of a crime where victim was a police officer in performance of duties is ineligible for parole	252					
2564 -	By Delegate Linville: Repeal of administrative hearing procedures for DUI offenses (Chapter 70, Acts, Regular Session, 2023)	253	335		698	445	384, 401, 444, 801
2565 -	By Delegate Linville: Relating to registration plates	253					
2566 -	By Delegates Brooks, Kirby, Crouse, Willis, Chiarelli, Holstein, and Riley: Increasing the Homestead Property Tax Exemption	253					
*2567 -	By Delegates Ross, Linville, Dean, W. Hall, Dillon, Foggin, Coop-Gonzalez, and Kump: Relating to felony trespassing	253	1052	1228		1260	1138, 1189, 1259
2568 -	By Delegates Ross, Dillon, Linville, Cannon, Dean, and Bridges: Raising retirement rate for Deputy Sheriff's Retirement System	253					
*2569 -	By Delegates Espinosa, Ridenour, Clark, Ferrell, Steele, Criss, Barnhart, Hardy, Dean, and Howell: Establishing the Motorsport Responsibility Act (Chapter 215, Acts, Regular Session, 2023)	254	488	570, 1977, 1982	1977	600, 1983	536, 599, 3202, 3213
2570 -	By Delegates Gearheart, Crouse, Smith, Clark, Householder, A. Hall, Storch, Cooper, Butler, Ellington, and McGeehan: Requiring certain non-discretionary procedures be strictly complied with by the West Virginia Parkways Authority before tolls, rents, fees or charges may be increased	254					
2571 -	By Delegate Gearheart: Require county school boards to have members elected per district	254					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2572 -	By Delegates Horst, Jeffries, McGeehan, Phillips, Kirby, Ridenour, Smith, Kimble, Householder, Longanacre, and Mazzocchi: To create the Protection of Shared Physical and Digital Property from Warrantless Searches Act	254					
2573 -	By Delegates Horst, Jeffries, C. Pritt, Kimble, Kirby, Foster, Householder, Longanacre, Ridenour, Phillips, and Mazzocchi: To create the Criminal Forfeiture Act	255					
2574 -	By Delegates Horst, Householder, Longanacre, Foster, Hardy, Phillips, Worrell, Mazzocchi, Ridenour, Thorne, and Smith: Relating to warrantless entry of private lands	255					
2575 -	By Delegates Nestor, Horst, Hanna, Longanacre, Martin, Hott, Barnhart, Kump, Phillips, Gearheart, and Honaker: To expand recreational benefits to West Virginia Landowners to promote land ownership within the State, increase property value, bolster the State economy, and to provide additional benefits to West Virginia taxpayers	256					
2576 -	By Delegates Linville, Howell, Foster, Steele, Cannon, Householder, Longanacre, Adkins, Chiarelli, and Phillips: Municipalities may not assess a user fee when employee was not present in the municipality in the performance of his or her job	256	655				
2577 -	By Delegates Linville, Cannon, Householder, Criss, W. Hall, Chiarelli, and Phillips: Revoke spending authority for money used by an agency in support of a challenge to WV law	256					
2578 -	By Delegates Longanacre, Fehrenbacher, Heckert, Forsht, Tully, Sheedy, and Brooks: To create the Rural Area Department Volunteer Incentive Act of 2023	256					
2579 -	By Delegates Longanacre, Crouse, Dean, Nestor, Forsht, Heckert, and Brooks: Relating to the nonpartisan election of county superintendents of schools	257					
2580 -	By Delegates Longanacre, Forsht, Ridenour, and Brooks: Requiring an annual test for students to advance to the next grade level	257					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2581 -	By Delegate Longanacre: Relating to a permanent partial repeal of the gasoline tax in WV not to exceed 50% of the current tax	257					
2582 -	By Delegates Longanacre and Brooks: To reduce the amount of money provided in welfare programs for certain individuals	258					
2583 -	By Delegates Longanacre, Nestor, Ridenour, Hornby, Heckert, Tully, Hott, Brooks, Sheedy, Miller, and Jennings: Veterans' Welcome Home Grant	258					
2584 -	By Delegates Smith, Barnhart, Cooper, Kimble, Longanacre, Honaker, Ridenour, Hardy, Mallow, Steele, and McGeehan: Allow homestead exemptions for disabled veterans	258	490				
2585 -	By Delegates Smith, Cooper, Clark, Longanacre, Zatezalo, Linville, Espinosa, Riley, Ellington, Storch, and Ferrell: Authorizing a special election for presenting the question of a special levy renewal for levies expiring prior to the primary election scheduled for May 14, 2024	258					
2586 -	By Delegate Smith: Relating to establishing a thirty thousand dollar homestead exemption for taxpayers with a household income at or below U.S. Department of Health & Human Services Poverty Guidelines.	259					
*2587 -	By Delegates Smith, Barnhart, Howell, Dean, Hardy, Linville, Clark, Steele, Householder, McGeehan, and Foster: To reflect that County Sheriffs will be required to include a breakdown of the distribution of where a citizen's taxes will be paid (Chapter 313, Acts, Regular Session, 2023)	259	902		1668	1014	905, 992, 1013, 1934, 3213
2588 -	By Delegates Summers, Espinosa, Householder, Martin, Gearheart, Crouse, Tully, Fehrenbacher, Linville, and Hardy: Relating to indexing unemployment benefits based on the state average unemployment rate	259					
2589 -	By Delegates Summers, Espinosa, Householder, Martin, Gearheart, Crouse, Westfall, Tully, Fehrenbacher, Linville, and Hardy: Requiring work search activities to qualify for unemployment benefits	260					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2590 -	By Delegates Crouse, Kimble, Longanacre, Smith, Honaker, Butler, Coop-Gonzalez, Brooks, Heckert, and Devault: To remove the helmet law in West Virginia.	260					
2591 -	By Delegates Barnhart, Reynolds, Sheedy, Longanacre, C. Pritt, Ferrell, Summers, Cooper, and Zatezalo: To ensure party affiliation is consistent with candidate's voter registration	277					
2592 -	By Delegates Tully, Summers, Barnhart, Brooks, Hott, Phillips, Westfall, Jeffries, Mallow, Jennings, and Fast: To provide safe harbor peer review for nurses	277	824				
2593 -	By Delegates Hansen and Young: Creating the WV Energy Efficiency Jobs Creation Act	277					
2594 -	By Delegates Phillips, Hott, Jennings, Honaker, Brooks, Pinson, Jeffries, Longanacre, and Dean: Relating to the death penalty for first degree murder	278					
2595 -	By Delegates Barnhart, Holstein, and Mallow: To require that Public Service District Boards that represent more than one community to have at least one member from each community on the board.	279					
*2596 -	By Delegates Toney, Statler, Vance, Ellington, Cooper, Shamblin, Foggin, and Heckert: To modify when a nonresident student's transfer may be denied (Chapter 134, Acts, Regular Session, 2023)	279	485	621, 1108, 1109	1108	621, 1110	536, 571, 605, 1376, 1891
2597 -	By Delegates Toney, Vance, Ellington, Cooper, Brooks, Shamblin, Foggin, Heckert, Kirby, and Hardy: Amending performance evaluations of professional personnel (Chapter 299, Acts, Regular Session, 2023)	279	404	535	1886	534	480, 513, 2057, 3213
2598 -	By Delegates Toney, Vance, Ellington, Cooper, Brooks, Shamblin, and Foggin: Raising salaries for school service personnel	279	577				
2599 -	By Delegates Linville, Cannon, Keaton, Adkins, Chiarelli, Sheedy, Coop-Gonzalez, Barnhart, Clark, and Holstein: Creating the utility pole rights of way and easement mapping initiative	280	518, 714	782		808	715, 782

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2600 -	By Delegates Hott, Phillips, Jennings, Linville, Horst, and Honaker: Making disbursement of hotel occupancy tax wholly discretionary	280					
2601 -	By Delegates Crouse, Brooks, Kirby, Heckert, Maynor, Mallow, Hornby, Longanacre, Worrell, Steele, and Vance: To remove the taxation on burials, funerals and cremation	280					
2602 -	By Delegates Toney, Statler, Vance, Ellington, Cooper, Shamblin, and Kirby: Reestablishing certain specialized school service personnel classifications (Chapter 300, Acts, Regular Session, 2023)	280	336, 337		864	445	384, 401, 446, 1030, 1149, 1318
2603 -	By Delegates Crouse, Steele, Kimble, Mallow, Miller, Honaker, Longanacre, Brooks, Kirby, Ridenour, and Worrell: Relating to vaccination and mask requirements	281					
2604 -	By Delegates Westfall, Heckert, and Williams: All relating to dental health care service plans	281					
*2605 -	By Delegates Zatezalo, Anderson, Fehrenbacher, Reynolds, Barnhart, Cooper, Nestor, Riley, Linville, Howell, and Gearheart: Relating to Good Samaritan law (Chapter 1, Acts, Regular Session, 2023)	282	796	1891	1891, 1893	949, 1894	858, 896, 948, 3202, 3213
2606 -	By Delegate Foster: Removing and modifying certain requirements for employers relating to wages for construction of public improvements	282					
2607 -	By Delegates Statler and Ellington: Clarify that vehicles with a capacity larger than 10 passengers may be used to transport students provided that no more than 10 passengers may be transported at one time. (Chapter 135, Acts, Regular Session, 2023)	282	1001		1668	1159	1038, 1064, 1138, 3203, 3213
2608 -	By Delegates Statler, Jennings, and Barnhart: Allow pass-through entities to elect to be taxed at the entity level	282					
2609 -	By Delegates Worrell and Mallow: To require the Department of Environmental Protection to assume responsibility of cost and permitting of dams that are deemed to be under state control	282					
2610 -	By Delegate Worrell: Relating to choice of law provisions in franchise agreements	283					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2611 -	By Delegates Barnhart, Westfall, Hott, Espinosa, and Rowe: To remove certain territorial limitations on a banking institution's ability to offer messenger services or mobile banking facilities (Chapter 157, Acts, Regular Session, 2023)	283	449, 630		1668	725	683, 707, 1934, 3213
2612 -	By Delegate Foster: Authorizing a medical power of attorney representative to sign a binding arbitration agreement	283					
2613 -	By Delegates Summers, Tully, Jeffries, Miller, Forsht, Heckert, and Kelly: Relating to the administration of anesthetics	283	519			622	571, 606, 621, 622
2614 -	By Delegate Foster: Relating generally to hunting and fishing	284					
2615 -	By Delegate Foster: The Genealogical Record Integrity Act of 2023	284					
2616 -	By Delegate Foster: Relating to net metering	284					
2617 -	By Delegates Jeffries, Hanna, Jennings, Griffith, Keaton, and Holstein: Expire and appropriate funds from the Coronavirus State Fiscal Recovery Fund to the Reclamation of Abandoned and Dilapidated Properties Program Fund during fiscal year 2023.	284					
2618 -	By Delegates Jeffries, Jennings, Griffith, and Keaton: Authorize the Reclamation of Abandoned and Dilapidated Properties Program Fund to be used to demolish certain flood-damaged structures	284					
2619 -	By Delegates Burkhammer, Foster, Pinson, Crouse, Chiarelli, Summers, Espinosa, Kimble, Brooks, Ridenour, and C. Pritt: Amending Hope Scholarship eligibility	285	998				
2620 -	By Delegates Burkhammer, Steele, Pinson, Dean, and Vance: To create a new hunting license stamp for upland game bird	285					
*2621 -	By Delegates Burkhammer, Foster, and Hott: Relating generally to bail bondsman (Chapter 97, Acts, Regular Session, 2023)	285	613, 715	2517, 2526	2516	891, 2526	787, 814, 847, 3206, 3212
2622 -	By Delegates Longanacre, Ridenour, and Forsht: Relating to no child in the State of West Virginia should be admitted into the general classroom of a public school in WV unless they can speak basic English and meet the same expectations of non-special education students who are native English speakers	285					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2623 -	By Delegate Young: Relating to withholding tax on income of nonresidents from natural resources royalty payments	286					
2624 -	By Delegate Young: To implement trauma-informed practices in schools	286					
2625 -	By Delegate Young: Emergency Absentee Ballot Preparedness Act	286					
2626 -	By Delegate Young: Creating the Katherine Johnson and Dorothy Vaughan Fair Pay Act	286					
2627 -	By Delegate Foster: Relating to preventing compensatory damage awards for medical expenses from including certain sums	287					
2628 -	By Delegate Foster: Requiring certain boards that seek to increase a fee or seek to impose a new fee to also submit cost saving measures	287					
2629 -	By Delegate Foster: Relating to criminal trespass	287					
2630 -	By Delegates Hardy, Smith, Hornby, Kump, Hite, Espinosa, Gearheart, Riley, and Rowe: To allow county councils to change name to county commissions	287	826, 827				
2631 -	By Delegate Young: Authorizing dogs to be in certain licensed establishments	287					
2632 -	By Delegate Worrell: Repeal code relating to inspection of vehicles	288					
2633 -	By Delegates Householder, Espinosa, Horst, Phillips, Gearheart, Dillon, Smith, Brooks, Foster, Forsht, and Kirby: Relating to the Campus Self Defense Act	288					
2634 -	By Delegates Hanna and Mallow: Require compensation for state police officers when required to be on standby so they can be called back to work if necessary	288					
2635 -	By Delegate McGeehan: Exempting personal income earned by individuals working as teachers at primary and secondary schools from personal income tax	289					
2636 -	By Delegates Hanna and Holstein: To provide that out of school suspensions be considered "excused" absences.	289					
2637 -	By Delegate Foster: Creating a State Central Legal Advertising Website	289					
*2638 -	By Delegates Foster and Kump: Authorizing certain agencies of the Department of Administration to promulgate legislative rules (Chapter 203, Acts, Regular Session, 2023)	289	902		1668	1014	903, 905, 993, 1014, 2057, 3213

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2639 -	By Delegate Foster: Authorizing the Department of Administration to promulgate a legislative rule relating to parking	289	902				
*2640 -	By Delegate Foster: Authorizing certain agencies of the Department of Environmental Protection to promulgate legislative rules (Chapter 204, Acts, Regular Session, 2023)	290	452, 903	1015, 1894	1894	1015, 1895	266, 993, 1014, 1016, 1896, 3205, 3213
2641 -	By Delegate Foster: Authorizing the Department of Environmental Protection to promulgate a legislative rule relating to requirements for operating permits	290	453, 903				276
2642 -	By Delegate Foster: Authorizing the Department of Environmental Protection to promulgate a legislative rule relating to emission standards for hazardous air pollutants	290	452, 453, 903				266
2643 -	By Delegate Foster: Authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of ozone season nitrogen oxides emissions	290	452, 453, 903				270
2644 -	By Delegate Foster: Authorizing the Department of Environmental Protection to promulgate a legislative rule relating to rules for quarrying and reclamation	290	364, 365, 903				269
2645 -	By Delegate Foster: Authorizing the Department of Environmental Protection to promulgate a legislative rule relating to the recycling assistance grant program	291	364, 365, 903				267
2646 -	By Delegate Foster: Authorizing the Department of Environmental Protection to promulgate a legislative rule relating to Reclamation of Abandoned and Dilapidated Properties Grant Program	291	365, 903				271
2647 -	By Delegate Foster: Authorizing the Department of Environmental Protection to promulgate a legislative rule relating to reclamation of solar and wind electricity generating facilities	291	365, 903				267
*2648 -	By Delegate Foster: Authorizing certain agencies and boards of the DHHR to promulgate a legislative rule (Chapter 205, Acts, Regular Session, 2023)	291	454, 456, 1052	1896, 1902	1896	1260, 1904	272, 1138, 1189, 1229, 1260, 1904, 3205, 3213
2649 -	By Delegate Foster: Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to standards for local boards of health	291	454, 456, 1052				272

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2650 -	By Delegate Foster: Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to medical examiner requirements for postmortem inquiries	292	454, 456, 1052				272
2651 -	By Delegate Foster: Authorizing the Department of Health and Human Services to promulgate a legislative rule relating to Medical Cannabis Program - grower and processors	292	455, 456, 1052				267
2652 -	By Delegate Foster: Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Medical Cannabis Program - dispensaries	292	455, 456, 1052				267
2653 -	By Delegate Foster: Authorizing the Health Care Authority to promulgate a legislative rule relating to financial disclosure	292	455, 456, 1052				267
2654 -	By Delegate Foster: Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Uniform Bill Database	292	455, 456, 1052				272
2655 -	By Delegate Foster: Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to the development of methodologies to examine needs for substance use disorder treatment facilities within the state	293	455, 456				272
2656 -	By Delegate Foster: Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Core Behavioral Health Crisis Services System	293	455, 456, 1052				272
2657 -	By Delegate Foster: Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to child care centers licensing	293	455, 456, 1052				272
2658 -	By Delegate Foster: Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to minimum licensing requirements for residential childcare and treatment facilities for children and transitioning adults and vulnerable and transitioning youth group homes and programs in West Virginia	293	455, 456				267
2659 -	By Delegate Foster: Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to family child care facility licensing requirements	293	455, 456, 1052				267

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2660 -	By Delegate Foster: Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to family child care home registration requirements	294	454, 1052				272
2661 -	By Delegate Foster: Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to informal and relative family child care home registration requirements	294	455, 456, 1052				272
2662 -	By Delegate Foster: Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to out-of-school-time child care center licensing requirements	294	456, 1052				272
2663 -	By Delegate Foster: Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to goals for foster children	294	456, 1052				267
2664 -	By Delegate Foster: Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to deemed head start child care center licenses	294	456, 1052				267
2665 -	By Delegate Foster: Authorizing the Department of Health and Human Resources and the Insurance Commissioner to promulgate a legislative rule relating to All-Payers Claims Database - Submission Manual	295	456, 1052				276
2666 -	By Delegate Foster: Authorizing the Governor's Committee on Crime to promulgate a legislative rule relating to protocol for law enforcement response to domestic violence	295	652, 653				266
2667 -	By Delegate Foster: Authorizing the Division of Emergency Management to promulgate a legislative rule relating to National Flood Insurance Program	295	652, 653				271
2668 -	By Delegate Foster: Authorizing the Fire Commission to promulgate a legislative rule relating to hazardous substance emergency response training programs	295	492				271
2669 -	By Delegate Foster: Authorizing the Fire Commission to promulgate a legislative rule relating to certification of home inspectors	295	406, 407				267
2670 -	By Delegate Foster: Authorizing the Fire Commission to promulgate a legislative rule relating to volunteer firefighters' training, equipment, and operating standards	296	491, 492				271

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2671 -	By Delegate Foster: Authorizing the Fire Marshal to promulgate a legislative rule relating to certification of electrical inspectors	296	406, 407				271
2672 -	By Delegate Foster: Authorizing the Fire Marshal to promulgate a legislative rule relating to supervision of fire protection work	296	492				271
2673 -	By Delegate Foster: Authorizing the Fire Marshal to promulgate a legislative rule relating to electrician licensing	296	406, 407				271
2674 -	By Delegate Foster: Authorizing the Fire Marshal to promulgate a legislative rule relating to certification of home inspectors	296	406, 407				271
2675 -	By Delegate Foster: Authorizing the State Police to promulgate a legislative rule relating to West Virginia State Police professional standards investigations, employee rights, early identification system, psychological assessment, and progressive discipline	297	652, 653				275
2676 -	By Delegate Foster: Authorizing the Division of Financial Institutions to promulgate a legislative rule relating to money transmission services	297	710				271
2677 -	By Delegate Foster: Authorizing the Insurance Commission to promulgate a legislative rule relating to suitability in annuity transactions	297	710				268
2678 -	By Delegate Foster: Authorizing the Insurance Commission to promulgate a legislative rule relating to pharmacy auditing entities and pharmacy benefit managers	297	710				273, 276
2679 -	By Delegate Foster: Authorizing the Insurance Commission to promulgate a legislative rule relating to bail bondsmen in criminal case	297					
2680 -	By Delegate Foster: Authorizing the Lottery Commission to promulgate a legislative rule relating to West Virginia lottery sports wagering	297	710				268
2681 -	By Delegate Foster: Authorizing the Tax Department to promulgate a legislative rule relating to Valuation of producing and reserve oil, natural gas liquids, and natural gas for ad valorem property tax purposes	298	710				275
2682 -	By Delegate Foster: Authorizing the Tax Department to promulgate a legislative rule relating to West Virginia Film Industry Investment Act	298	712				275

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2683 -	By Delegate Foster: Authorizing the Tax Department to promulgate a legislative rule relating to Farm-to-Food Bank tax credit	298	710				269
2684 -	By Delegate Foster: Authorizing the Tax Department to promulgate a legislative rule relating to property transfer tax	298	710, 711				269
2685 -	By Delegate Foster: Authorizing the Tax Department to promulgate a legislative rule relating to municipal sales and use tax administration	298	710, 711				275
2686 -	By Delegate Foster: Authorizing the Tax Department to promulgate a legislative rule relating to personnel rule for the Tax Division	299	710, 711				269
2687 -	By Delegate Foster: Authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to administrative due process	299	494, 495				268
2688 -	By Delegate Foster: Authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to examination and issuance of driver's license	299	494, 495				273
2689 -	By Delegate Foster: Authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to denial, suspension, revocation, disqualification, restriction, non-renewal, cancellation, administrative appeals, and reinstatement of driving privileges	299	494				273
2690 -	By Delegate Foster: Authorizing the Division of Highways to promulgate a legislative rule relating to disposal, lease and management of real property and appurtenant structures and relocation assistance	299	495				273
2691 -	By Delegate Foster: Authorizing the Division of Highways to promulgate a legislative rule relating to construction and reconstruction of state roads	300					267
2692 -	By Delegate Foster: Authorizing the Board of Accountancy to promulgate a legislative rule relating to board rules of professional conduct	300					266
2693 -	By Delegate Foster: Authorizing the Board of Acupuncture to promulgate a legislative rule relating to advertising by licensed acupuncturists	300	406, 407				269

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2694 -	By Delegate Foster: Authorizing the Board of Acupuncture to promulgate a legislative rule relating to standards of practice of acupuncture by licensed acupuncturists	300	406, 407				269
2695 -	By Delegate Foster: Authorizing the Board of Acupuncture to promulgate a legislative rule relating to continuing education requirements	300	406, 407				269
2696 -	By Delegate Foster: Authorizing the Department of Agriculture to promulgate a legislative rule relating to West Virginia apiary rule	300	450, 451				269
2697 -	By Delegate Foster: Authorizing the Department of Agriculture to promulgate a legislative rule relating to schedule of charges for inspection services: fruit	301	450, 451				269
2698 -	By Delegate Foster: Authorizing the Department of Agriculture to promulgate a legislative rule relating to noxious weeds rule	301	450, 451				269
2699 -	By Delegate Foster: Authorizing the Department of Agriculture to promulgate a legislative rule relating to Grade “A” pasteurized milk	301	450, 451				270
2700 -	By Delegate Foster: Authorizing the Agriculture Commissioner to promulgate a legislative rule relating to inspection of nontraditional, domesticated animals	301	450, 451				270
2701 -	By Delegate Foster: Authorizing the Department of Agriculture to promulgate a legislative rule relating to hemp products	301	450, 451				270
2702 -	By Delegate Foster: Authorizing the Department of Agriculture to promulgate a legislative rule relating to livestock care standards	302	450, 451				270
2703 -	By Delegate Foster: Authorizing the Department of Agriculture to promulgate a legislative rule relating to farm to food bank tax credit	302	450, 451				270
2704 -	By Delegate Foster: Authorizing the Department of Agriculture to promulgate a legislative rule relating to farmers markets	302	451				270
2705 -	By Delegate Foster: Authorizing the Athletic Commission to promulgate a legislative rule relating to administrative rules of the West Virginia State Athletic Commission	302	486, 487				270

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2706 -	By Delegate Foster: Authorizing the Athletic Commission to promulgate a legislative rule relating to regulation of mixed martial arts	302	407				270
2707 -	By Delegate Foster: Authorizing the State Auditor to promulgate a legislative rule relating to standards for voluntary payroll deductions	302					266
2708 -	By Delegate Foster: Authorizing the Conservation Agency to promulgate a legislative rule relating to operation of West Virginia State Conservation Committee and conservation districts	303	451				270
2709 -	By Delegate Foster: Authorizing the Conservation Agency to promulgate a legislative rule relating to conservation district accounting and auditing standards	303	451				270
2710 -	By Delegate Foster: Authorizing the Board of Dentistry to promulgate a legislative rule relating to dental recovery networks	303	520, 521				270
2711 -	By Delegate Foster: Authorizing the Board of Funeral Service Examiners to promulgate a legislative rule relating to funeral director, embalmer, apprentice, courtesy card holders and funeral establishment requirements	303	407				271
2712 -	By Delegate Foster: Authorizing the Board of Funeral Service Examiners to promulgate a legislative rule relating to crematory requirements	303	407				272
2713 -	By Delegate Foster: Authorizing the Board of Funeral Service Examiners to promulgate a legislative rule relating to fee schedule	304	405, 406				272
2714 -	By Delegate Foster: Authorizing the Board of Landscape Architects to promulgate a legislative rule relating to registration of landscape architects	304	407				273
2715 -	By Delegate Foster: Authorizing the Board of Medicine to promulgate a legislative rule relating to licensing of physicians and podiatric physicians and disciplinary procedures for applicants, licensees, credential holders	304	520, 521				268
2716 -	By Delegate Foster: Authorizing the Board of Medicine to promulgate a legislative rule relating to licensure, practice requirements, disciplinary and complaint procedures, continuing education, physician assistants	304	520, 521				268

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2717 -	By Delegate Foster: Authorizing the Board of Medicine to promulgate a legislative rule relating to collaborative pharmacy practice	304	520, 521				268
2718 -	By Delegate Foster: Authorizing the Board of Medicine to promulgate a legislative rule relating to prohibiting sexual misconduct by health care practitioners	304	519, 520				268
2719 -	By Delegate Foster: Authorizing the Board of Optometry to promulgate a legislative rule relating to optometric telehealth practice	305	519, 520				273
2720 -	By Delegate Foster: Authorizing the Board of Osteopathic Medicine to promulgate a legislative rule relating to osteopathic physician assistants	305	520, 521				268
2721 -	By Delegate Foster: Authorizing the Board of Pharmacy to promulgate a legislative rule relating to licensure and practice of pharmacy	305	520				273
2722 -	By Delegate Foster: Authorizing the Board of Pharmacy to promulgate a legislative rule relating to Uniform Controlled Substance Act	305	520, 522				274
2723 -	By Delegate Foster: Authorizing the Board of Pharmacy to promulgate a legislative rule relating to Board of Pharmacy rules for registration of pharmacy technicians	305	520, 522				274
2724 -	By Delegate Foster: Authorizing the Board of Pharmacy to promulgate a legislative rule relating to regulations governing pharmacy permits	306	521, 522				274
2725 -	By Delegate Foster: Authorizing the Board of Pharmacy to promulgate a legislative rule relating to inspections	306	521, 522				274
2726 -	By Delegate Foster: Authorizing the Board of Pharmacy to promulgate a legislative rule relating to Donated Drug Repository Program	306	521, 522				274
2727 -	By Delegate Foster: Authorizing the Board of Examiners of Psychologists to promulgate a legislative rule relating to code of conduct	306	521, 522				268
2728 -	By Delegate Foster: Authorizing the Board of Registered Nurses to promulgate a legislative rule relating to telehealth practice	306	521, 522				269

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2729 -	By Delegate Foster: Authorizing the Board of Registered Nurses to promulgate a legislative rule relating to practitioner requirements for accessing the West Virginia Controlled Substance Monitoring Program database	306	521, 522				274
2730 -	By Delegate Foster: Authorizing the Board of Registered Nurses to promulgate a legislative rule relating to fees for services rendered by the board	307	519, 520				274
2731 -	By Delegate Foster: Authorizing the Board of Registered Nurses to promulgate a legislative rule relating to continuing education and competence	307	521, 522				274
2732 -	By Delegate Foster: Authorizing the Board of Registered Nurses to promulgate a legislative rule relating to limited prescriptive authority for nurses in advanced practice	307	521, 522				274
2733 -	By Delegate Foster: Authorizing the Board of Registered Nurses to promulgate a legislative rule relating to advanced practice registered nurse licensure requirements	307	519, 520				274
2734 -	By Delegate Foster: Authorizing the Board of Registered Nurses to promulgate a legislative rule relating to requirements for registration and licensure and conduct constituting professional misconduct	307	521, 522				268
2735 -	By Delegate Foster: Authorizing the Secretary of State to promulgate a legislative rule relating to early voting in-person satellite precincts	308					275
2736 -	By Delegate Foster: Authorizing the Secretary of State to promulgate a legislative rule relating to Combined Voter Registration and Driver Licensing Fund	308					275
2737 -	By Delegate Foster: Authorizing the Secretary of State to promulgate a legislative rule relating to administrative procedures for the Nonpublic Funding for Election Administration Fund	308					275
2738 -	By Delegate Foster: Authorizing the State Treasurer to promulgate a legislative rule relating to enforcement of the Uniform Unclaimed Property Act	308					275
2739 -	By Delegate Foster: Authorizing the State Treasurer to promulgate a legislative rule relating to Jumpstart Savings Program	308					275

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2740 -	By Delegate Foster: Authorizing the West Virginia Department of Economic Development to promulgate a legislative rule relating to Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program	308	712				271
2741 -	By Delegate Foster: Authorizing the Division of Labor to promulgate a legislative rule relating to the West Virginia Board of Manufactured Housing construction and safety	309	407				273
2742 -	By Delegate Foster: Authorizing the Division of Labor to promulgate a legislative rule relating to supervision of plumbing work	309	407				268
2743 -	By Delegate Foster: Authorizing the Division of Labor to promulgate a legislative rule relating to regulation of heating, ventilating, and cooling work	309	406				273
2744 -	By Delegate Foster: Authorizing the Division of Labor to promulgate a legislative rule relating to registration of service persons and service agencies	309	486, 487				273
2745 -	By Delegate Foster: Authorizing the Division of Labor to promulgate a legislative rule relating to registration of weighing and measuring devices used by businesses in commercial transactions	309	486, 487				273
2746 -	By Delegate Foster: Authorizing the Division of Natural Resources to promulgate a legislative rule relating to hunting, fishing, and other outfitters and guides	310	451				276
2747 -	By Delegate Foster: Authorizing the Division of Natural Resources to promulgate a legislative rule relating to commercial whitewater outfitters	310	451				276
2748 -	By Delegate Foster: Authorizing the Division of Natural Resources to promulgate a legislative rule relating to special motorboating regulations	310	451				268
2749 -	By Delegate Foster: Authorizing the Division of Natural Resources to promulgate a legislative rule relating to miscellaneous permits and licenses	310	451				276
2750 -	By Delegates Hardy, Householder, Willis, Foggin, Hornby, Chiarelli, Warner, Horst, and Espinosa: Relating to the state allocation of funding to regional councils	316					
2751 -	By Delegate Foster: Create the Volunteer Immunity and Charitable Organization Liability Limit Act	316					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2752 -	By Delegates Dillon, Steele, Ross, and Foster: Non-Profit Transparency and Accountability Act	316					
2753 -	By Delegate Steele: To modify e-bike laws in West Virginia	317	491				
*2754 -	By Delegates Summers, Tully, Forsht, Heckert, Petitto, Jeffries, and Espinosa: Relating to immunizations performed in a pharmacy (Chapter 234, Acts, Regular Session, 2023)	317	364		1983	477	401, 446, 476, 477, 3196, 3211
2755 -	By Delegate Foster: Create the Multi-Door Courthouse Act	317	363				
2756 -	By Delegates Summers, Tully, Forsht, Heckert, Petitto, Cannon, and Rohrbach: Relating to the controlled substance monitoring database; and adding the reporting of medical marijuana to the database	317	363				
*2757 -	By Delegates Summers, Forsht, Miller, Reynolds, Sheedy, Heckert, Petitto, Jeffries, and Cannon: Relating to expanding institutional eligibility for the WV Invests Grant Program (Chapter 179, Acts, Regular Session, 2023)	318	363		1886	477	401, 446, 478, 3203, 3213
2758 -	By Delegates Tully, Shamblin, Forsht, Miller, Heckert, and Petitto: Relating to updating the minimum standards for nursing homes	318					
*2759 -	By Delegates Summers, Tully, Forsht, Miller, Heckert, Petitto, and Reynolds: Relating to updating the health care provider tax (Chapter 314, Acts, Regular Session, 2023)	318	363, 1046		2031	1261	1138, 1189, 1229, 3196, 3211
*2760 -	By Delegates Ross, Dillon, Burkhammer, A. Hall, and Riley: To allow CPR fire fighters to drive ambulances when both attendants are needed to administer patient care (Chapter 325, Acts, Regular Session, 2023)	318	1004, 1073,	2981	2981	1262, 2982	1138, 1189, 1229, 1261, 2303, 3213
*2761 -	By Delegates Ross and Dillon: To allow classroom aides with 10 or more years of service and good evaluations to bid on teaching positions	318	1081			1204	1135, 1186
*2762 -	By Delegates Nestor, Horst, Clark, Hanna, Longanacre, Martin, Hott, Riley, Honaker, Vance, and Statler: Allowing variance in state fire code for certain buildings used solely for emergency equipment storage (Chapter 283, Acts, Regular Session, 2023)	319	628, 713	809	1668	809	782, 808, 2057, 3213

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2763 -	By Delegates Steele, Burkhammer, Foster, Smith, Mazzocchi, Butler, Heckert, and Brooks: To provide for an updated definition of first degree murder on a law enforcement officer	319					
2764 -	By Delegates Steele and Smith: Increase salary of constitutional officers	320					
2765 -	By Delegates Steele, Burkhammer, Foster, Smith, Holstein, Mazzocchi, Butler, and Brooks: Authorizing certain ambulance crew members, firefighters, rescue squad members and emergency service personnel to carry firearms	320					
2766 -	By Delegates Steele, Burkhammer, Foster, Smith, Holstein, Mazzocchi, and Butler: To clarify when inmates may receive “good time” or time served	320					
2767 -	By Delegates Steele, Foster, and Smith: Constitutional Officer Housing allowance	321					
2768 -	By Delegates Steele, Foster, Smith, Holstein, and Mazzocchi: To require all state entities and Chapter 30 boards to use “.gov” domains and e-mail addresses	321	574			681	624, 650
2769 -	By Delegates Foster, Riley, Smith, Butler, Jennings, Espinosa, Hanna, Householder, Burkhammer, Chiarelli, and Summers: Remove licensure requirements for certain radon specialists	321					
2770 -	By Delegates Foster and Brooks: Expanding the eligibility requirements for private investigator and security guard licensure	321					
2771 -	By Delegate Foster: Removing marijuana as a tested substance from the screening requirements	321					
2772 -	By Delegate Foster: Create the Statewide Online Education Act	322					
2773 -	By Delegate Foster: Create the Education Tax Credit	322					
2774 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Welcome Home Grant Program	322	653				
2775 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Raise pay for certain state employees	323					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2776 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Updating meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act (Chapter 315, Acts, Regular Session, 2023)	323	365		698	448	401, 447, 479, 801, 971
2777 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Updating federal taxable income and other terms in the West Virginia Corporation Net Income Tax Act (Chapter 316, Acts, Regular Session, 2023)	323	366		699	479	402, 447, 479, 801, 971
2778 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: To create curriculum transparency in public schools	323					
2779 -	By Delegates Street, Foster, Burkhammer, Willis, Chiarelli, Honaker, Hornby, Brooks, and Gearheart: To make those who fail drug test ineligible for unemployment	324	539				
2780 -	By Delegate Foster: Repeal municipal amusement tax	324					
2781 -	By Delegate Dillon: Establishing Comprehensive Highway Paving Plan	324					
2782 -	By Delegates Chiarelli, Foster, Kirby, Willis, Brooks, Keaton, Hanna, Hardy, Hornby, C. Pritt, and McGeehan: Require all municipal elections be held on the same election day in November that other state elections are on	324	737, 738, 1145				
2783 -	By Delegates Chiarelli, Foster, and Brooks: To remove primates as a dangerous wild animal	324					
2784 -	By Delegate Dillon: Relating to duty to prosecute	325					
2785 -	By Delegates Walker and Hansen: Relating to PEIA reimbursement	325					
2786 -	By Delegates Dillon, Ross, Chiarelli, and Holstein: Objective Reality in Government Act	325					
2787 -	By Delegate Dillon: Farm Direct Feed Sales Exemption	325	615				
2788 -	By Delegates Dillon, Ross, and Kump: Repealing vehicle inspection sticker requirements in WV	325					
*2789 -	By Delegates Crouse, Espinosa, McGeehan, Mallow, Longanacre, Kump, Forsht, Heckert, Worrell, Kirby, and Tully: Removing birthing centers from certificate of need	326	611, 612			726	651, 683, 706, 725

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2790 -	By Delegates Dillon, Foster, Ross, Burkhammer, Chiarelli, Gearheart, Longanacre, and Holstein: WV Historical Monument Preservation and Restoration Act	326					
2791 -	By Delegate Maynor: Relating to appointing members to county authorities	326					
2792 -	By Delegates Maynor, Kump, Kirby, Brooks, and Willis: Relating to Election Runoff	327					
2793 -	By Delegates Kelly, Phillips, Steele, Garcia, Foster, Honaker, Nestor, Ridenour, Shamblin, Westfall, and Mallow: Relating to mental health treatment for inmates	327	658				
2794 -	By Delegates Holstein and Brooks: To create a special license plate for 100% disabled veterans	327					
2795 -	By Delegate Holstein: To update the definition of libel in West Virginia	327					
2796 -	By Delegates Holstein, Foster, Mazzocchi, Linville, Horst, Cannon, and Steele: To exempt daylight fluorescent outer garments from sales	327					
2797 -	By Delegates Statler, Foster, Espinosa, Kimble, Crouse, and Ridenour: Providing that microschool tuition and fees are qualifying expenses for Hope Scholarship accounts	328					
2798 -	By Delegates Holstein, Mazzocchi, Adkins, Dean, Steele, Toney, Ross, Vance, Dillon, Bridges, and A. Hall: Clarifying that the time limitations provided for filing occupational pneumoconiosis claims do not apply or otherwise limit the ability of a claimant to obtain an evaluation from the Occupational Pneumoconiosis Board.	328					
2799 -	By Delegate Howell: Impose criminal liability and penalties upon purchasers of goods for delivery who refuse to return rejected goods to the vendor after the purchaser has had their purchase money reimbursed	328					
2800 -	By Delegate Ellington: All relating to authorizing legislative rules regarding higher education (Chapter 180, Acts, Regular Session, 2023)	328	405	971	971	535, 972	480, 513, 1076, 1256
2801 -	By Delegates Young, Cannon, Linville, C. Pritt, and Garcia: Relating to Social Media privacy and educational institutions	329	863, 864				
2802 -	By Delegate Young: Creating the Economic Development Tuition Waiver	329					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2803 -	By Delegate Young: Remove felonies from reason to disqualify from voting	329					
2804 -	By Delegate Worrell: Reinstate the Contractor Licensing Board under the Division of Labor in Chapter 21	338					
2805 -	By Delegate Worrell: Amending requirements for licensure relating to elevator mechanics, crane operators, HVAC, electricians, and plumbers	339					
2806 -	By Delegate Foster: Relating to an occupational limited license	340					
2807 -	By Delegate Foster: Creating the Virtual Public Schools Act	340					
2808 -	By Delegate Steele: Relating to taxation of gambling and lottery winnings	340					
2809 -	By Delegates Summers and Tully: Relating to protections for workers at state health care facilities who report unsafe patient care or unsafe patient conditions	340					
2810 -	By Delegate Young: Relating to data disposal protection	340					
2811 -	By Delegate Young: Permitting anyone over 65 to vote absentee	341					
2812 -	By Delegate Longanacre: Modifying legislative spending in both chambers	341					
2813 -	By Delegate Young: Provide for disclosure of potentially harmful ingredients in menstrual products	341					
*2814 -	By Delegates Young, Anderson, Zatezalo, Heckert, and Clark: To create a Hydrogen power task force (Chapter 168, Acts, Regular Session, 2023)	341	1194	2527	2527	1388, 2529	1306, 1346, 3206, 3212
2815 -	By Delegates Sheedy, Barnhart, Hillenbrand, Mallow, Willis, and Longanacre: Provide that first $5000 per year earned on Military Duty, Active, National Guard, or Reserves be exempt from the WV State Income Tax.	342					
2816 -	By Delegates Nestor, Hott, Kirby, Honaker, Forsht, Riley, Adkins, C. Pritt, Vance, Coop-Gonzalez, and Warner: Any judgment by a mayor, any individual exercising the mayor's functions, the police court judge, or municipal judge of city be obligated to the Model Rules of Judicial Conduct.	342					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2817 -	By Delegates Cannon, Linville, Riley, Keaton, Shamblin, and Chiarelli: Relating to Public Service Commission jurisdiction over alternative fuel for motor vehicles (Chapter 290, Acts, Regular Session, 2023)	342	517, 797		1984	949	859, 896, 3196, 3212
2818 -	By Delegates Horst, Mallow, Ferrell, Thorne, Holstein, Gearheart, and Kump: Make first day of gun season for deer to Saturday before Thanksgiving holiday	342					
2819 -	By Delegates Toney, Ellington, and Statler: To add State Fire Marshals to the statute to be included with law enforcement that receive information related to school safety requirements	343	628				
*2820 -	By Delegates Crouse, Steele, Burkhammer, Kimble, Worrell, Cannon, Dillon, Butler, Maynor, Lucas, and Pinson: To provide HOPE Scholarship recipients with the ability to play sports (Chapter 136, Acts, Regular Session, 2023)	343	906, 907	2985, 2989	2984	1016, 2990	993, 2990, 3205, 3213
*2821 -	By Delegates Cannon, Steele, Fluharty, Riley, Nestor, Storch, and Espinosa: Relating to taxation of gambling and lottery winnings (Chapter 317, Acts, Regular Session, 2023)	343	631, 828		3183	986	899, 956, 3206, 3213
2822 -	By Delegate Linville: Relating to the consumers sales and service tax and returning the refundable exemption for sales of construction and maintenance materials acquired by a second party for use in Division of Highways projects	343	730				
2823 -	By Delegates Kirby, Vance, Steele, Thorne, Foggin, Bridges, Crouse, C. Pritt, McGeehan, Brooks, and Hanna: Allowing for Religious Exemptions of Vaccine Requirements in Primary and Secondary Schools	344					
2824 -	By Delegates Kirby, Vance, Steele, Thorne, Foggin, Bridges, Maynor, Crouse, C. Pritt, Holstein, and Brooks: Relating to campus carry	344					
2825 -	By Delegates Kirby, Vance, Steele, Thorne, Heckert, Foggin, Bridges, Maynor, Crouse, C. Pritt, and McGeehan: Relating to prohibiting mask mandates	344					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2826 -	By Delegates Ellington, Toney, Statler, Gearheart, Storch, Mazzocchi, Smith, and Kump: Remove variable rate on gas tax	344					
2827 -	By Delegates Ellington, Clark, Smith, Chiarelli, Longanacre, Hornby, Statler, Toney, Rowe, and Espinosa: Make public charter schools eligible for Safe Schools Funds (Chapter 137, Acts, Regular Session, 2023)	344	405, 1028		1921	1160	1068, 1132, 1159, 3196, 3213
2828 -	By Delegates Ellington, Willis, Smith, Clark, Chiarelli, Statler, Hornby, Toney, and Hornbuckle: Relating to WV teaching salaries	345	577				
2829 -	By Delegates Walker, Pushkin, Hansen, Rowe, Hornbuckle, and Williams: To increase pay for EMT drivers	345					
2830 -	By Delegate Hansen: Providing for solar energy production on formerly mined land	345					
2831 -	By Delegate Ellington: Relating to limiting the personal income tax	345					
*2832 -	By Delegates Ellington, Clark, Smith, Chiarelli, Longanacre, Hornby, and Toney: Clarifying appropriate and inappropriate duties for school counselors while also providing the definition of a school counselor.	346	484			844	536, 571, 608, 623, 650, 683, 686, 790, 814, 815, 843
2833 -	By Delegates Ellington, Clark, Smith, Hornby, Statler, Toney, Tully, and Summers: Establishing the behavioral health workforce education initiative at the Higher Education Policy Commission	346	405				
2834 -	By Delegates Ellington, Smith, Chiarelli, Willis, Longanacre, Hornby, Statler, Toney, Hillenbrand, and Crouse: Amending the existing War Orphan program so children and spouses of deceased active-duty officers AND enlisted Service members would both be eligible for the War Orphan Education Program	346	654				
2835 -	By Delegates Rohrbach, Linville, Worrell, Hornbuckle, Crouse, Griffith, Lucas, Skaff, and Capito: Repeal outdated provisions of code relating to the West Virginia graduate college and Marshall University (Chapter 71, Acts, Regular Session, 2023)	346	485	600	716	600	537, 571, 910, 1055
2836 -	By Delegates Forsht and Hillenbrand: Relating to contested elections procedure update	346					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2837 -	By Delegates Ross, Keaton, Lucas, Dillon, and Crouse: Relating to intentionally fleeing or attempting to flee in a vehicle from a law-enforcement officer, probation officer, or parole officer	347					
2838 -	By Delegate Dillon: Litterbug Act	347					
2839 -	By Delegates Anderson, Zatezalo, Heckert, Cooper, Reynolds, Sheedy, Hott, Street, Barnhart, and Riley: Making a technical correction regarding an incorrect fund name and clarifying applicability to mine lands governed by SMCRA and the Abandoned Mine Lands Act (Chapter 149, Acts, Regular Session, 2023)	347	828		1886	987	899, 957, 2057, 3211
2840 -	By Delegates Clark, Riley, Smith, Ellington, Howell, Espinosa, and Kump: Relating to expenditures of federal appropriations from Congress to the Secretary of State for purposes that further the administration of federal elections held in the state	348					
2841 -	By Delegate Foster: To create the Occupational Licensing Legal Fund in the State Treasury	348					
2842 -	By Delegates Foster, Kump, and Martin: Repeal municipal license and tax when state license required	348	826, 827				
2843 -	By Delegate Young: Relating to statute of limitations for discrimination	348					
2844 -	By Delegate Young: Relating to anti-discrimination protections for independent contractors	348					
*2845 -	By Delegates Summers and Tully: Relating to removing expired provisions from the code (Chapter 72, Acts, Regular Session, 2023)	349	686		1076	809	727, 786, 1202, 1593
2846 -	By Delegates Holstein, Foster, Steele, and Forsht: To limit the amount of ballot propositions.	367					
2847 -	By Delegates Chiarelli, Hanna, Burkhammer, Willis, Brooks, Holstein, Heckert, Longanacre, Hite, Foster, and Ross: To impose a life sentence on fentanyl dealers	367					
*2848 -	By Delegates Riley, Linville, Cannon, Barnhart, Westfall, Clark, Fehrenbacher, W. Hall, Maynor, Adkins, and Hite: Water and Sewer Operator licensing reciprocity (Chapter 262, Acts, Regular Session, 2023)	367	494, 964		1984	1060	1022, 1033, 3196, 3211

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2849 -	By Delegates Kump, Ridenour, Martin, Foster, Vance, Phillips, Forsht, Brooks, and Maynor: Changing the local school board election from the Primary to the General	367					
*2850 -	By Delegate Ellington: Relating to students with exceptional needs	367	485			601	537, 571
2851 -	By Delegate Hansen: Relating to legalizing cannabis production, sales and adult consumption	368					
2852 -	By Delegate Hansen: Create the Orphan Well Prevention Act of 2023	368					
2853 -	By Delegates Holstein, Steele, and Hillenbrand: To increase the penalty for passing a school bus and causing injury	369					
2854 -	By Delegates Summers, McGeehan, Tully, Petitto, Miller, Forsht, Clark, Young, and Rohrbach: Relating to priorities for the use of funds for child-care and performance-based contracting	369	453, 454				
2855 -	By Delegates Hansen, Hornbuckle, E. Pritt, Griffith, Williams, Skaff, and Garcia: Relating to election reform	369					
2856 -	By Delegates Holstein, Steele, Keaton, Forsht, Smith, and Maynor: Relating to appointment of candidates after filing period	370					
2857 -	By Delegates Holstein, Foster, Steele, Keaton, and Forsht: The purpose of this bill is to give a 10-day right to appeal to the Supreme Court of Appeals a Secretary of State decision to not certify a candidacy.	370					
2858 -	By Delegates Holstein, Barnhart, Foster, Steele, Cannon, Keaton, Forsht, and Smith: To clarify the postmark date for election announcements	370					
2859 -	By Delegates Holstein, Foster, Steele, Keaton, Forsht, Smith, Maynor, and Warner: Relating to changing the process of election litigation	370					
*2860 -	By Delegates Heckert, Foggin, Westfall, Anderson, Brooks, Crouse, Vance, Honaker, Shamblin, Chiarelli, and Jennings: To dispose of old AFFF foam accumulated by fire departments (Chapter 284, Acts, Regular Session, 2023)	371	1004, 1148		1922	1328	1250, 1300, 3196, 3211
2861 -	By Delegates W. Hall, Westfall, Jeffries, Hott, Barnhart, and Riley: To raise the threshold for nominal referral fees from $25 to $100	371	613				

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2862 -	By Delegates Jeffries, Householder, Hardy, Worrell, Phillips, W. Hall, Kimble, Gearheart, and Keaton: Relating generally to requirements for shareholder voting by the West Virginia Investment Management Board and the Board of Treasury Investments (Chapter 274, Acts, Regular Session, 2023)	371	1054		3186	1479	1318, 1372, 1417, 3203, 3212
2863 -	By Delegate Young: Creating a homeless education coordinator for county schools	372					
2864 -	By Delegate Westfall: To require larger municipally owned public water and wastewater utilities to pass rates to meet the same standards as utilities regulated under Chapter 24 of the Code	372					
*2865 -	By Delegate Westfall: To clarify that the PSC may enter an order requiring corrective measures up to and including an acquisition of a distressed or failing utility (Chapter 291, Acts, Regular Session, 2023)	372	1092	2758, 2763	2758	1205, 2764	1135, 1186, 1204, 1206, 1207, 3207, 3213
2866 -	By Delegates Holstein, Foster, Steele, Keaton, and Forsht: Provisions for election observers during any election and at any voting or ballot-reviewing and ballot-counting location within West Virginia	373					
2867 -	By Delegates Steele, Young, Worrell, Foster, Hillenbrand, Shamblin, Kirby, Mazzocchi, Nestor, Brooks, and Keaton: Relating to microreactor development	373					
2868 -	By Delegate Foster: Establishing the Municipal Home Rule Program	373					
2869 -	By Delegate Young: Relating to law enforcement warrant for third party information	373					
*2870 -	By Delegate Westfall: Correcting a reference relating to siting certificates for certain electric generating facilities (Chapter 292, Acts, Regular Session, 2023)	373	516		1984	623	572, 606, 622, 3196, 3211
2871 -	By Delegates Kelly, Hott, Honaker, Shamblin, Westfall, Jeffries, Phillips, Reynolds, and Sheedy: Relating to awarding the service weapon of a retiring State Fire Marshal	373	800				
2872 -	By Delegates Kelly, Hott, Worrell, Kimble, Jeffries, Honaker, Shamblin, and Phillips: Clarifying mutual aid agreements in certain non-federally declared or non-states of emergency	374					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2873 -	By Delegates Kelly, Hott, Honaker, Shamblin, Westfall, Jeffries, Phillips, Reynolds, and Sheedy: To modify the approval process requirements for the First Responders Honor Board	374					
2874 -	By Delegates Kelly, Hott, Honaker, Shamblin, Westfall, Jeffries, Phillips, Reynolds, and Sheedy: Include State Fire Marshals in the code section with local law enforcement and first responders that receive information related to school safety requirements.	374					
2875 -	By Delegates Kirby, Steele, C. Pritt, Summers, Foster, Fast, Kimble, and Kump: Clarifying that Circuit Court Judges have the ability/authority to waive the requirement that a party pass a home study performed by the DHHR (Chapter 63, Acts, Regular Session, 2023)	375	1028, 1197	2530, 2533	2530	1389, 2534	1306, 1346, 1388, 3207, 3212
2876 -	By Delegate Young: Allowing the Secretary of State's office to transmit electronically the total ballots cast, counted, and rejected	375					
2877 -	By Delegate Young: Relating to the definition of employer for sexual harassment purposes	375					
2878 -	By Delegates Howell, Linville, Cannon, and Clark: To grant the Fleet Management Division oversight authority of the state vehicle fleet	375	517, 518, 1202		1418	1480	1254, 1318, 1372, 1479
2879 -	By Delegates Nestor, Hanna, Martin, Barnhart, Kump, Storch, Honaker, Vance, Crouse, Reynolds, and Ridenour: To provide a pay increase to state correctional workers in West Virginia	376	540				
2880 -	By Delegates E. Pritt and Griffith: Relating to the Waiving of Certain DMV Fees for Volunteer Firefighters	376					
2881 -	By Delegate E. Pritt: Relating to utility rate increases	376					
2882 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplemental appropriation to the Department of Economic Development (Chapter 9, Acts, Regular Session, 2023)	376	709		1009	845	787, 815, 844, 1076, 1256

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2883 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplemental appropriation from the Coronavirus State Fiscal Recovery Fund (Chapter 10, Acts, Regular Session, 2023)	377	1969, 1976		3178	2741	2255, 2740, 3191, 3211
2884 -	By Delegates Dillon, Pinson, Chiarelli, and Ross: Requiring a minimum of 7 year term in state prison for conviction of distributing controlled substances	377					
2885 -	By Delegates Dillon, Ross, Chiarelli, Burkhammer, Thorne, and Horst: Relating to life at conception	377					
2886 -	By Delegates Sheedy, Reynolds, Willis, and Longanacre: Elimination of the required annual vehicle inspection for vehicles not requiring a "Modified Inspection"	378					
2887 -	By Delegates Sheedy, Crouse, Willis, and Longanacre: Elimination of the helmet requirement for motorcycles	378					
2888 -	By Delegates Sheedy, Reynolds, Willis, and Longanacre: Elimination of Statewide Contracts that are awarded to out of state vendors	378					
2889 -	By Delegates Honaker, Ferrell, Longanacre, Hott, Pinson, Nestor, Brooks, Kelly, Barnhart, Foster, and Maynor: Increase the retirement benefit multiplier from 2.5% to 3% for Deputy Sherriff's retirement	378					
*2890 -	By Delegates Gearheart, Ellington, Westfall, Storch, Bridges, Foster, Butler, Householder, Cooper, Dean, and Heckert: Modifying student discipline (Chapter 301, Acts, Regular Session, 2023)	379	486	2765, 2770	2764	605, 2771	537, 571, 601, 3207, 3212
2891 -	By Delegate Foster: Repeal domestic animal tax	379					
2892 -	By Delegate Young: Relating to the Disconnection of Residential Utility during a State of Emergency	379					
2893 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Establishing a one-time bonus payment for certain retirants	379	610, 611				

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2894 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Authorizing a refundable tax credit, applied against personal income tax or corporation net income tax, as applicable, in the amount of property tax timely paid on certain vehicles	380					
2895 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Granting a cost of living stipend to correctional officers employed by the Division of Corrections and Rehabilitation	380	659				
*2896 -	By Delegates Anderson, Zatezalo, (Mr. Hansha, Smith, Riley, Foster, Steele, Tully, Young, Summers, and Hott: Relating to making West Virginia an Agreement State with the U. S. Nuclear Regulatory Commission	381	452, 630, 828				899, 957
2897 -	By Delegate Young: Permit registered voters to vote an absentee ballot by mail in all circumstances	382					
2898 -	By Delegate Hanshaw (Mr. Speaker), Delegate Skaff, and Delegate Coop-Gonzalez [By Request of the Executive]: Banning high-risk technologies on government systems	391	612				
2899 -	By Delegate Westfall: Repealing two sections of code relating to gas utility rates (Chapter 73, Acts, Regular Session, 2023)	390	731	982	1669	892	819, 856, 1934, 3213
*2900 -	By Delegates Hanshaw (Mr. Speaker), Hott, Phillips, Heckert, Riley, Rohrbach, and Pinson: Relating to the Deputy Sheriff Retirement System (Chapter 87, Acts, Regular Session, 2023)	391	733, 734, 1006	1300, 1329, 3080	3080	1329, 3083	1039, 1064, 1254, 1300, 1329, 3203, 3213
2901 -	By Delegate C. Pritt: State may not participate in or join the national school board association	391					
2902 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making supplementary appropriation to Department of Veterans' Assistance	391					
2903 -	By Delegate C. Pritt: Library boards who make decisions on books must have ideological equality	391					
2904 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to the Department of Commerce, Office of the Secretary (Chapter 11, Acts, Regular Session, 2023)	391	1416		3178	1711	1587, 1666, 1711, 3192, 3211

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*2905 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to State Board of Education - State Department of Education - Classroom Aide Program	392	1884			2003	1920, 1961, 2003
2906 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, from the balance of moneys remaining as an unappropriated balance in Lottery Net Profits (Chapter 12, Acts, Regular Session, 2023)	392	1073		1984	1389	1254, 1306, 1347, 1389, 3192, 3211
2907 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to the Department of Administration, Division of General Services (Chapter 13, Acts, Regular Session, 2023)	392	1883		3178	2004	1920, 1962, 2003, 2004, 3192, 3211
*2908 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to the Department of Commerce, Division of Forestry (Chapter 14, Acts, Regular Session, 2023)	393	1416		3178	1712	1587, 1666, 1712, 3192, 3211
2909 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplemental appropriation to the Department of Revenue, State Budget Office	393					
*2910 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Administration, Public Defender Services (Chapter 15, Acts, Regular Session, 2023)	393	1071		1985	1390	1072, 1254, 1306, 1347, 1390, 3192, 3211
*2911 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to the Department of Homeland Security, Division of Administrative Services (Chapter 16, Acts, Regular Session, 2023)	393	1679		3178	1912	1768, 1879, 1913, 1927, 3192, 3211
2912 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to State Board of Education, State Department of Education - Hope Scholarship	394					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2913 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to the DHHR, Consolidated Medical Services Fund (Chapter 17, Acts, Regular Session, 2023)	394					
*2914 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to the Governor's Office - Civil Contingent Fund (Chapter 18, Acts, Regular Session, 2023)	394	1679		3178	1913	1768, 1880, 1914, 1927, 3192, 3211
2915 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, from the balance of moneys remaining as an unappropriated balance in the State Excess Lottery Revenue Fund (Chapter 19, Acts, Regular Session, 2023)	395	1073		1985	1391	1254, 1306, 1347, 1390, 1391, 3192, 3211
2916 -	By Delegates Ridenour, Longanacre, Steele, Butler, Hillenbrand, Honaker, Sheedy, Cooper, Mazzocchi, and Warner: Relating to terrorism	395	655				
*2917 -	By Delegates Summers, Tully, and Rohrbach: Relating to allowing retired state employees who meet the minimum qualifications necessary, to render post-retirement employment with the Department of Health and Human Resources (Chapter 248, Acts, Regular Session, 2023)	395	453, 454, 1006	1985	1985, 3183, 3190	1160, 1986	1039, 1064, 1138, 1160, 1986, 3203, 3213
2918 -	By Delegate Westfall: Relating to the removal of animals left unattended in motor vehicles	395					
2919 -	By Delegates Chiarelli, Dillon, Keaton, Pinson, Jeffries, W. Hall, McGeehan, and Brooks: To ban adult-oriented stores from operating physical locations in West Virginia	396					
2920 -	By Delegates Chiarelli, Heckert, Longanacre, Foster, Coop-Gonzalez, Adkins, Ridenour, Jeffries, and W. Hall: To prohibit the distribution of smoking devices as part of a harm reduction program	396					
2921 -	By Delegate C. Pritt: Establish a memorial at the Capitol for the unborn whose lives were lost.	396					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2922 -	By Delegates Chiarelli, Shamblin, Ross, Dillon, and Lucas: To limit the number of vape stores and head shops to one for every 15,000 residents per county	396					
2923 -	By Delegates Chiarelli, Hanna, C. Pritt, and Pinson: To modify exemptions from criminal liability to include a distinction for biological lessons regarding reproduction.	397					
2924 -	By Delegates Chiarelli and Heckert: Cap the number of MAT facilities to 20 overall, with a limit of one per county	397					
2925 -	By Delegate C. Pritt: Get rid of vaccine requirement for families who want to provide respite care	397					
2926 -	By Delegate C. Pritt: To modify parenting if father encouraged an abortion	397					
2927 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriation to the Department of Homeland Security, Division of Corrections and Rehabilitation - Correctional Units	397					
*2928 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to DHHR, Division of Health (Chapter 20, Acts, Regular Session, 2023)	398	1884		3179	2005	1921, 1962, 2006, 3192, 3211
2929 -	By Delegate C. Pritt: To supersede all ordinances that restrict atv's on paved roads	398					
2930 -	By Delegate C. Pritt: To prohibit state jurisdiction over out of state divorces	398					
2931 -	By Delegate C. Pritt: Convention of states delegates have penalties for deviating from what they were sent to convention for	398					
2932 -	By Delegate C. Pritt: Bill to fund armed veterans at our schools.	399					
2933 -	By Delegate Reynolds: Increase in fines and criminal penalties when an employer fails to maintain employment records of an unauthorized employee	399	688				
2934 -	By Delegates Statler and Criss: Levying a tax on a pass-through entity's income apportioned to West Virginia	410					
2935 -	By Delegates Howell, Phillips, Clark, E. Pritt, Jennings, Hott, Tully, Ferrell, Shamblin, Vance, and Dean: Create the Tourism Event Emergency Medical Services Fund	411	629				

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2936 -	By Delegates Butler, Foster, Dean, Crouse, Dillon, Lucas, Kirby, Jeffries, Kimble, Pinson, and Longanacre: Establishing privacy regarding medical treatments	411					
2937 -	By Delegates Barnhart, Ferrell, Hott, Kelly, Riley, Miller, Statler, C. Pritt, Kump, Holstein, and Hillenbrand: To reduce the business license fee for WV Volunteer Fire Departments to $250	411	629, 1008			1129	1039, 1065, 1102, 1129
2938 -	By Delegates Foster, Burkhammer, Keaton, Householder, Hardy, Mazzocchi, Espinosa, Williams, and Walker: To modify the number of magistrates per county	411					
2939 -	By Delegate Rohrbach: Relating to filing of lien by municipalities for collection of refuse fees	412	1002, 1003, 1254	1480		1481	1373, 1419, 1419, 1480
2940 -	By Delegates Thorne, Chiarelli, Willis, Longanacre, Ridenour, A. Hall, Lucas, Mazzocchi, Hornby, and Hillenbrand: Establishing the Anti-Stereotyping Act	412					
2941 -	By Delegates Ellington, Clark, Willis, Hornby, Statler, and Toney: To extend the end date of the State Advisory Council on Postsecondary Attainment Goals	412	575			682	624, 650, 681
2942 -	By Delegates Ellington, Statler, Toney, and Mazzocchi: Relating to revocation of school personnel certification	412					
2943 -	By Delegates Ellington, Statler, Toney, Foster, and Kump: Providing that West Virginia residents would not have to renew their driver's license until they reach 65 years of age	413					
2944 -	By Delegates Coop-Gonzalez, Fast, Ridenour, Householder, Kimble, Mazzocchi, Crouse, McGeehan, Heckert, Petitto, and Pinson: Relating to DNA collection requirements in abortion cases relating to rape or incest	413					
2945 -	By Delegates Foster, Brooks, Butler, Steele, Kirby, Reynolds, Crouse, Chiarelli, Riley, Ferrell, and Smith: Relating to state boards of examination or registration	413					
2946 -	By Delegate Foster: Relating to eligibility verification for applicants for public assistance	413					
2947 -	By Delegate Foster: Relating to mandatory drug testing of all classes of employees in K through 12 schools	414					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2948 -	By Delegate Foster: To ensure that the WV Judiciary remains neutral and detached in matters related to allocation of custodial responsibility and decision-making responsibility of children	414					
2949 -	By Delegate Foster: Relating to disclosure of information by online marketplaces to inform consumers	414					
2950 -	By Delegate Young: Exempting certain hygiene products from sales tax	415					
2951 -	By Delegate Young: Removing certain drugs from schedule one	415					
2952 -	By Delegate Young: Creating online voters' guide	415					
*2953 -	By Delegates Criss, Householder, Hardy, Espinosa, Ridenour, and Clark: Creating the Commission on Cost-of-Living Adjustments	415	1224				1307, 1347, 1391
2954 -	By Delegates Riley, Keaton, and Smith: Eliminate need for Certificate of public convenience for water and sewer utilities	416					
2955 -	By Delegates Riley and Keaton: Relating to the establishment and operation of regional water, wastewater and stormwater authorities (Chapter 263, Acts, Regular Session, 2023)	416	731, 1000	1482		1482	1039, 1065, 1413, 1481, 1482, 3207
2956 -	By Delegates Burkhammer, Crouse, Steele, Butler, Kimble, and Keaton: Relating to access for minor children's medical records	416					
2957 -	By Delegate Riley: Create camera assisted enforcement of speeding in active work zones	416					
2958 -	By Delegate Burkhammer: To create the Business Tax Rebate Incentive Program	417					
2959 -	By Delegates Burkhammer and Martin: Relating to reemployment after retirement for certain legislative employees	418					
2960 -	By Delegates Burkhammer, Foster, and Keaton: To prohibit insurance policy limits from being accessed prior to a lawsuit	418					
2961 -	By Delegates Ellington, Chiarelli, Willis, Hornby, Summers, and Tully: Relating to abolishing the center for nursing and moving the functions to the Higher Education Policy Commission	418					
2962 -	By Delegate Young: Second Look Sentencing Act	418					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2963 -	By Delegate Young: Prohibit Department of Corrections and Rehabilitation from making inmates pay co-payment for medical or dental service by a doctor or nurse	419					
2964 -	By Delegate Young: Relating to online privacy protection for minors	419					
2965 -	By Delegates Walker, Young, and Hansen: To create a pilot project of tiny homes	419					
2966 -	By Delegates Walker, Young, and Pushkin: To create a tax incentive to landlords who allow a first time or second chance housing of houseless individuals, justice impacted persons, assault victims, veterans, and adults who age out of the foster care system.	419					
2967 -	By Delegates Cooper, Smith, Hillenbrand, Steele, Longanacre, Ridenour, Sheedy, Butler, Honaker, and Crouse: Expediting License Applications for active military members and veterans, and their spouses (Chapter 235, Acts, Regular Session, 2023)	420	653, 713	2818, 2827	2818, 3183	810, 2828	786, 3207, 3212
2968 -	By Delegates Cooper, Smith, Steele, Longanacre, Ridenour, Sheedy, Honaker, Holstein, and Crouse: Tuition and fee exemptions for service-connected Disabled Veterans and their dependents.	420	654				
2969 -	By Delegates Cooper, Smith, Hillenbrand, Steele, Longanacre, Ridenour, Sheedy, Butler, Honaker, and Holstein: Establish a refundable tax credit for veterans with a 100% service-connected disability	420					
2970 -	By Delegates Nestor, Steele, Martin, Longanacre, Hott, C. Pritt, Honaker, Garcia, Fast, Kirby, and Householder: Creating the equitable right to expungement	420	715	843		842	786, 810, 839
2971 -	By Delegate Young: Access to Rehabilitation Act	421					
2972 -	By Delegates C. Pritt and Chiarelli: To prohibit public university names for gender affirming care	421					
2973 -	By Delegates C. Pritt and Kump: No guardian ad litem is needed on adoptions if both parents sign a relinquishment	421					
2975 -	By Delegates C. Pritt and Phillips: Electric charging stations at state parks must charge market rates	421					
2976 -	By Delegates C. Pritt, McGeehan, and Chiarelli: Creating the Keep Roe Reversed Forever Act	422					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2977 -	By Delegate Foster: Reducing to one year the deadline for right to set aside deed	422					
2978 -	By Delegates Foster and Young: Eliminating the food handler examination and card	422					
2979 -	By Delegate Steele: Establishing an animal abuser registry	422					
2980 -	By Delegates Steele, Ridenour, and Mazzocchi: Removing bona fide schools, public libraries, and museums from the list of exemptions from criminal liability relating to distribution and display to minor of obscene matter	423					
2981 -	By Delegates Foster and C. Pritt: Prohibit the sheriff's department from posting mug shot photos for an arrest	423					
2982 -	By Delegate Williams: Increasing the minimum wage based upon increases in the consumer price index	423					
2983 -	By Delegate Williams: Relating to cruelty to animals	423					
2984 -	By Delegate Young: Relating to establishing a program for camera assisted speed enforcement in active school zones in this state	423					
2985 -	By Delegates Williams, Statler, Hansen, Young, and Rowe: Relating to authorizing municipalities to establish outdoor refreshment areas for consumption of alcoholic beverages and non-intoxicating beer	424	737, 738				
2986 -	By Delegate Williams: Creating a statutory right to petition circuit and family courts for sibling visitation	425					
2987 -	By Delegate Foster: To update the requirements of the state director of health to quarantine and enforce regulations in a specific place	425					
2988 -	By Delegate Young: Relating to wholesale importation of prescription drugs	425					
*2989 -	By Delegates Ellington, Walker, Hornby, Lucas, Dittman, Chiarelli, Mazzocchi, Hornbuckle, A. Hall, Toney, and Foggin: Relating to increasing the number of out-of-state medical students receiving in-state tuition rates who agree to practice for a specific time within West Virginia.	426	577, 1198			1392	1307, 1347, 1391

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
2990 -	By Delegate Foster: Ensure that persons appointed as guardian's ad litem in divorce and child custody and parenting cases are properly trained in certified courses of instruction with curricula grounded in the social science bases for determining the best interests of the child	426					
2991 -	By Delegate Steele: Establishing the crime of torture	426					
*2992 -	By Delegate Toney: Clarifying and updating school bus rules and the types of vehicles covered	426	1313			1483	1373, 1420
*2993 -	By Delegates Summers and Tully: Relating to rural emergency hospital licensure (Chapter 264, Acts, Regular Session, 2023)	426	825	1594	1594	988, 1596	899, 957, 3203, 3213
2994 -	By Delegates Summers and Tully: Relating to expired date of an optometrist's prescription	427					
2995 -	By Delegate Foster: Relating to requirements for a registered veterinary nurse	427					
2996 -	By Delegate C. Pritt: Public defender experience counts for judicial retirement	427					
2997 -	By Delegates C. Pritt, Kimble, Kump, Brooks, and Ridenour: To make the HOPE Scholarship applicable to all children	427					
2998 -	By Delegates C. Pritt, Chiarelli, and Kirby: Non-binary not permitted on birth certificates	427					
2999 -	By Delegates C. Pritt, Kirby, and Keaton: To choose to not vaccinate children does not amount to abuse and neglect	427					
3000 -	By Delegates C. Pritt, Kirby, and Phillips: Universities must accept religious, medical, or right of conscience exemptions to taking vaccinations	428					
3001 -	By Delegates C. Pritt, Chiarelli, and Kirby: To prohibit punishment for teachers who refuse to use pronouns inconsistent with a child's sex	428					
3002 -	By Delegates C. Pritt, Chiarelli, Keaton, Kirby, and Coop-Gonzalez: To create a crime to send someone abortion pills through the U.S. mail	428					
3003 -	By Delegates C. Pritt, Chiarelli, Keaton, and Kirby: Stop practice of medicine by telehealth for abortion prescriptions	428					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3004 -	By Delegate C. Pritt: Relating to transferred right of self-defense to a person who engages an active shooter on school grounds	428					
*3005 -	By Delegates Hardy, Foster, Criss, Hornby, Ridenour, Espinosa, Horst, W. Hall, and Westfall: Relating to accelerating the conversion of the state excise tax on the privilege of transferring real property into a county excise tax	429	1006, 1007			1161	1039, 1065, 1138, 1161
*3006 -	By Delegates Ferrell, Rohrbach, Reynolds, Hardy, Jeffries, Phillips, Honaker, Linville, Riley, Barnhart, and Kelly: West Virginia Critical Infrastructure Protection Act	429	1083	1282		1282	1136, 1187, 1274,
3007 -	By Delegates Hornby, Clark, Hardy, Capito, Householder, Dean, Hanshaw (Mr. Speaker), Riley, Holstein, Hite, and Skaff: To create the West Virginia Small Business Payroll Tax Credit Pilot Program	429	522				
3008 -	By Delegates Espinosa, Summers, Linville, Criss, Hardy, C. Pritt, and Holstein: Relating to clarifying the uniform statewide deadline for electronically submitted voter registration	430					
3009 -	By Delegates Espinosa, Linville, Storch, Criss, Hardy, Skaff, C. Pritt, and Garcia: Relating to voting rights of formerly incarcerated individuals	430					
3010 -	By Delegate Foster: Relating to medical marijuana	430					
3011 -	By Delegate Foster: Relating to the General Revenue Fund	430					
*3012 -	By Delegates Anderson, Zatezalo, Foggin, Heckert, Hott, Barnhart, Ferrell, Young, Hansen, Fehrenbacher, and Rowe: To encourage economic development regarding rare earth elements and critical minerals, as defined, by providing temporary severance tax relief (Chapter 318, Acts, Regular Session, 2023)	431	657				
*3013 -	By Delegates Espinosa, Ridenour, Householder, Hardy, Clark, Criss, Hite, Horst, (Mr. Hansha, Hornby, and Summers: Relating to authorizing the Jefferson County Commission to levy a special district excise tax (Chapter 88, Acts, Regular Session, 2023)	461	1072	1232, 1935, 1938	1934	1262, 1938	1138, 1189, 1231, 1263, 1939, 3203, 3213
3014 -	By Delegates Young, Kump, Hardy, Garcia, and Ward: Require Correctional Facilities to provide free feminine hygiene products	461					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3015 -	By Delegate Young: Creating the Food Infrastructure Grant	461					
3016 -	By Delegate Young: Establish food desert produce pilot program	462					
3017 -	By Delegate Young: Establish Food Waste Task Force	462					
*3018 -	By Delegates Young, Garcia, Crouse, Chiarelli, Hornby, Fast, Worrell, Holstein, and Hansen: Establishing that 18 is the age of consent and removing the ability of an underage person to obtaining a consent to marry through their parents, legal guardians, or by petition to the circuit court (Chapter 114, Acts, Regular Session, 2023)	462	1197	3002, 3006	3002	1484, 3007	1307, 1318, 1413, 1420, 1483, 3207, 3212
3019 -	By Delegate Young: Relating to student suicide prevention	462					
3020 -	By Delegate Young: To mandate that the Secretary of State to utilize the Electronic Registration Information Center	462					
3021 -	By Delegate Young: Expanding early childhood education programs to three-year-old children	463					
3022 -	By Delegate Young: Relating to childcare subsidies within DHHR, paid based on monthly enrollment	463					
3023 -	By Delegate Longanacre: To cut the WV gas tax by 50% for WV residents	463					
3024 -	By Delegate Young: Hunger-Free Campus Act	463					
3025 -	By Delegates Foster and Hardy: Relating to DNA data maintained for law enforcement purposes	463					
3026 -	By Delegates Ross, Mallow, Burkhammer, Marple, Devault, Adkins, and Dillon: To allow volunteer fire fighters to participate on fire scenes with department training captain approval prior to completing fireman 1 and 2	464	1004				
3027 -	By Delegates Ross, Chiarelli, Marple, Devault, Adkins, and Dillon: To remove the state requirement for EMT'S to be nationally certified.	464					
3028 -	By Delegates Ross, Dillon, and Chiarelli: To allow teachers can bank sick leave for years of service and/or insurance payments.	464					
3029 -	By Delegate Longanacre: Providing for the election of county school superintendents to four year terms.	464					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3030 -	By Delegate Young: Creating the Paid Parental Leave Pilot Program	465					
3031 -	By Delegates Kirby, Longanacre, Brooks, Toney, Butler, Thorne, Chiarelli, Pinson, Steele, and Foster: Eliminating West Virginia Greyhound Breeding Development Fund	465					
3032 -	By Delegate Linville: Relating to increasing the validity of a commercial instruction permit	467					
3033 -	By Delegate Young: Create Intergenerational Poverty Task Force	467					
3034 -	By Delegate Young: To create a Parolee Drivers Permit	467					
*3035 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Relating generally to high-quality education programs and school operations (Chapter 138, Acts, Regular Session, 2023)	467	1071, 1224	1349, 1393, 2828, 2851, 2855, 3139, 3142	2828	1392, 2857, 3144	1307, 1348, 3116, 3203, 3211
*3036 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Increasing the number of districts and the limit on approved costs under the BUILD WV Act (Chapter 121, Acts, Regular Session, 2023)	469	522, 711, 712		3179	811	787, 810, 3187, 3207, 3213
3037 -	By Delegate Longanacre: To create a partisan election for county board of education members.	469					
3038 -	By Delegates Pinson, Westfall, Fast, W. Hall, Kirby, Foggin, Honaker, Coop-Gonzalez, Ridenour, Kelly, and Hott: Add unborn persons to the definition of driving under the influence and causing injury or death to an unborn person.	469					
3039 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to Adjutant General - State Militia (Chapter 21, Acts, Regular Session, 2023)	469					
*3040 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to the Department of Administration, Office of the Secretary (Chapter 22, Acts, Regular Session, 2023)	470	1679	3063	3062	1915, 3064	1768, 1880, 1915, 1927, 3193, 3211

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3041 -	By Delegate Young: Permitting civil remedies for the unauthorized disclosure of intimate images	470					
*3042 -	By Delegates Pinson, Crouse, Foster, C. Pritt, Fast, Ridenour, Burkhammer, Kirby, Mallow, Worrell, and Martin: Relating to forbidding excessive government limitations on exercise of religion (Chapter 295, Acts, Regular Session, 2023)	470	1147		1470	1331	1250, 1300, 1682, 2259
3043 -	By Delegates Miller, Mallow, Nestor, Zatezalo, Honaker, Reynolds, Crouse, Devault, Jennings, and Barnhart: To require a blood draw/blood test after a motor vehicle accident to determine impairment of those involved.	471					
*3044 -	By Delegates Gearheart, Householder, Criss, Hardy, Espinosa, Storch, Smith, Nestor, Zatezalo, Maynor, and Ellington: Relating to the annual fee for limited video lottery terminal permits (Chapter 160, Acts, Regular Session, 2023)	471	793		1922	950	859, 896, 949, 950, 3196, 3212
3045 -	By Delegate Dillon: Relating to Emergency Agriculture Certification	471					
*3046 -	By Delegate Dillon: Fast Track for Agriculture Education Endorsement	471	997, 998			1414	1039, 1065, 1413, 1469
3047 -	By Delegates Dillon and Dean: Clarifying Classroom Overloads for Special Education	472					
3048 -	By Delegates Dillon, Chiarelli, and Crouse: Removal of Mandatory Homeschool Reporting	472					
*3049 -	By Delegates Holstein, Keaton, Mazzocchi, Forsht, and Dillon: To create the American Campuses Act	472	1313				1373, 1420, 1484,
3050 -	By Delegates Dillon and Ross: Repeal Teacher Required CE	472					
3051 -	By Delegate Foster: Repeal of authority granted to municipalities to levy business and occupation or privilege tax	472					
3052 -	By Delegate Young: Creating small business and minority populations economic and workforce development taskforce	472					
3053 -	By Delegate Young: Requesting a study to evaluate and analyze the potential for bulk energy storage resources	473					
3054 -	By Delegate Young: Student Suicide Prevention - ID Cards	473					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*3055 -	By Delegates Willis, Foster, Foggin, Chiarelli, Heckert, Storch, Young, Sheedy, Hornbuckle, Reynolds, and Ellington: To create a vocational math class for students interested in careers in the trades. (Chapter 139, Acts, Regular Session, 2023)	474	627	1111	1111	726, 1111	684, 707, 1376, 1891
3056 -	By Delegates Riley, Linville, Heckert, Mallow, Devault, Ferrell, Statler, Vance, Willis, and Warner: To change the requirement for an EMS Agency Vehicle Inspection from every year to every two years	474	799, 800				
3057 -	By Delegate Hansen: Amending surface mining reclamation requirements	474					
3058 -	By Delegates Street, Chiarelli, Hillenbrand, Ridenour, Cooper, W. Hall, Phillips, Butler, Keaton, Kimble, and Maynor: Increase budget of WVRNG West Virginian National Guard for military funerals in all branches of the military by VFW chapters	474					
*3059 -	By Delegates Reynolds, Dean, Bridges, Linville, Worrell, Willis, Honaker, Zatezalo, Barnhart, Burkhammer, and Holstein: Give PSC authority to fine Class I railroads for safety and operational violations.	475	1050	1232		1264	1138, 1189, 1232, 1263
3060 -	By Delegates Street, Chiarelli, Foggin, Hanna, Kirby, Burkhammer, Statler, Brooks, Keaton, Ellington, and Pinson: Permitting membership of the state teachers retirement system to include any person who has been retired by any other retirement system administered by the Board at the option of the retirant	476					
*3061 -	By Delegates Summers and Tully: Relating to updating the authority of the Foster Care Ombudsman (Chapter 64, Acts, Regular Session, 2023)	476	518	972	972	623, 979	572, 606, 623, 979, 1076, 1256
3062 -	By Delegate Linville: Relating to grass roots lobbying campaigns	499					
3063 -	By Delegate Linville: Relating to requirements for disclosure of donor contributions	499					
3064 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to Department of Homeland Security, West Virginia State Police	500					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3065 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities - Aeronautics Commission (Chapter 23, Acts, Regular Session, 2023)	500	1677		3176	1916	1768, 1880, 1915, 1916, 3193, 3211
3066 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to the Department of Education, State Board of Education - State Aid to Schools (Chapter 24, Acts, Regular Session, 2023)	500	1199		1987	1394	1307, 1368, 1395, 3193, 3211
3067 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to Department of Transportation, Division of Multimodal Transportation Facilities - Public Transit (Chapter 25, Acts, Regular Session, 2023)	500	1677		3176	1917	1769, 1880, 1917, 1918, 3193, 3211
3068 -	By Delegates Holstein, Statler, Toney, Steele, Dittman, Keaton, Hanna, Clark, and Hardy: To provide debt incentives for STEM teachers	501	795				
3069 -	By Delegates Kimble, C. Pritt, Jeffries, Butler, Kirby, Ridenour, Longanacre, Pinson, Mazzocchi, Phillips, and McGeehan: Require that all injuries and side effects from vaccines be reported by medical professional to the Bureau for Public Health	501					
3070 -	By Delegates Kirby, E. Pritt, A. Hall, Brooks, Vance, Foggin, Ridenour, Kump, and Hillenbrand: Increasing Retirement Benefits for Public Employees	502					
3071 -	By Delegates Gearheart, Longanacre, Butler, Householder, Honaker, Brooks, Barnhart, Dean, Smith, Hanna, and A. Hall: Requiring the approval of the Legislature and the Governor before additional bonds may be issued by the Parkways Authority	502					
3072 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to Department of Homeland Security, Division of Administrative Services	502	1073			1395	1254, 1307, 1368,

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3073 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to Adjutant General - State Militia (Chapter 26, Acts, Regular Session, 2023)	502	1883		3176	2007	1921, 1962, 2007, 3193, 3211
*3074 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities (Chapter 27, Acts, Regular Session, 2023)	503	1680		3177	1918	1769, 1880, 1917, 1918, 3193, 3211
3075 -	By Delegates Devault, Martin, Foster, and Mallow: To clarify that municipal B and O taxes shall only apply to the owner of a contract, and not to subcontractors on a project	503	1003				
3076 -	By Delegates Howell, Clark, Summers, Ellington, Storch, Westfall, Hornby, Crouse, Dittman, Petitto, and Heckert: Relating to hiring of therapists in schools	503					
*3077 -	By Delegates Tully, Summers, Brooks, Jennings, Longanacre, Foster, Barnhart, Kelly, Hott, Rohrbach, and Burkhammer: Relating to making the use of the multi-state real time tracking system permanent (Chapter 74, Acts, Regular Session, 2023)	503	687		3179	811	727, 787, 812, 3207, 3212
3078 -	By Delegates Summers, (Mr. Hansha, Ellington, Statler, Riley, Kelly, and Kump: Allow state employees to cash in on certain benefits	503					
3079 -	By Delegate Westfall: Relating to modify group accident and sickness insurance requirements	504					
3080 -	By Delegates Walker and Griffith: To mandate sharp containers, AED monitors, and first aid kits at WV rest areas	504					
3081 -	By Delegate Walker: To abolish felony murder charge in West Virginia	504					
3082 -	By Delegates Hardy, Foster, Ridenour, Hornby, Butler, and Keaton: Reducing rates for legal advertisement	504					
3083 -	By Delegate Foster: Prohibiting political subdivisions from enacting certain ordinances, regulations, local policies, local resolutions, or other legal requirements	504					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*3084 -	By Delegates Ellington, Statler, Toney, Clark, Mazzocchi, Longanacre, and Foggin: Relating to revising provisions related to public charter schools (Chapter 140, Acts, Regular Session, 2023)	506	795	2771	2771, 3187	1396, 2773	1225, 1307, 1368, 1397, 2774, 3206, 3213
3085 -	By Delegates Rohrbach, Shamblin, Ferrell, W. Hall, and Howell: Relating to hiring a "therapist" in WVDE	507					
3086 -	By Delegate Young: Men's Equality Act	507					
3087 -	By Delegate Young: Concerning the right of consumers of electricity to interconnect energy storage systems for use on their property	507					
3088 -	By Delegate Young: Relating to the Energy Storage Procurement Act	507					
3089 -	By Delegate Young: Tax credits for employers providing child care	508					
3090 -	By Delegate Foster: Repeal the code provisions requiring auctioneers to be licensed and for auctions to be conducted by a licensed auctioneer	508					
*3091 -	By Delegate Foster: Requiring counties provide fiscal information for State Auditor's WV Checkbook website	508	575, 624			682	650
*3092 -	By Delegates Foster, Longanacre, and Young: Relating to in-state food service permit reciprocity (Chapter 265, Acts, Regular Session, 2023)	508	734, 1000		3183	1485	1039, 1065, 1413, 1414, 1484, 3205, 3213
3093 -	By Delegates Howell, Clark, Storch, Westfall, Hornby, Crouse, Dittman, Petitto, Heckert, and Hillenbrand: Creating a tax credit against the corporate net income tax for companies paying moving expenses of employees to West Virginia	508	863				
3094 -	By Delegates Howell, Storch, Hornby, Crouse, Dittman, Petitto, Heckert, Hillenbrand, and Hornbuckle: To create the Remote Worker Home Development Act	509	969, 970				
*3095 -	By Delegates Howell, Westfall, Jeffries, Fast, Zatezalo, Kelly, Phillips, Hillenbrand, Clark, and Storch: Creating special revenue account known as School Building Authority Agricultural, Vocational and Technical Training Facilities Grant Fund	509	737, 1140, 1141	1301		1397	1250, 1331

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3096 -	By Delegates Howell, Clark, Westfall, Hornby, Crouse, Dittman, Petitto, Heckert, and Skaff: Creating the Distribution and Manufacturing Center Tax Credit Act	509	1026				
3097 -	By Delegates Foster, Phillips, Jeffries, Fast, Burkhammer, Keaton, Brooks, Martin, Crouse, Steele, and Hillenbrand: Banning Medicaid and CHIP from paying for child and adult transgender surgeries	523					
*3098 -	By Delegates Ellington, Statler, Toney, Clark, and Hornby: Relating to the West Virginia Summative Assessment and formative assessment	523	794			951	859, 896
3099 -	By Delegate Young: To establish a grant program for colleges that take steps to establish themselves as Student Basic Needs campuses	523					
3100 -	By Delegate Young: Requiring medical insurance providers to include infertility services in their policies	524					
*3101 -	By Delegates Jeffries, Kimble, Warner, Crouse, Tully, and Dittman: Relating to notification of breast density	524	964			1061	1022, 1033, 1060
3102 -	By Delegates Jeffries, Kimble, Dittman, Mazzocchi, and Hillenbrand: Creating Adopt-A-Trail volunteer programs for public land under DNR jurisdiction	524					
3103 -	By Delegates Jeffries, Summers, Kimble, Crouse, Householder, Phillips, Horst, Worrell, and Kump: To eliminate the restriction to carry a firearm on the state capitol complex grounds	525					
3104 -	By Delegates Cooper, Street, Heckert, and Sheedy: Require Surveyors to offer to record surveys of property	525					
3105 -	By Delegates Cooper, Toney, Heckert, and Sheedy: Requiring Director of transportation have 2 years experience for bus operator	525					
3106 -	By Delegates Burkhammer, Lucas, Chiarelli, Thorne, Brooks, Ferrell, Keaton, and Hillenbrand: Add Kratom to list of schedule I controlled substances	525					
3107 -	By Delegates Burkhammer, Householder, Foster, Butler, and Riley: Removing certain requirements from WV Jobs Act	525					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3108 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Hornbuckle [By Request of the Executive]: Supplementing and amending appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities - State Rail Authority (Chapter 28, Acts, Regular Session, 2023)	526					
3109 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Hornbuckle [By Request of the Executive]: Supplementing and amending appropriations to the State Board of Education - State Department of Education (Chapter 29, Acts, Regular Session, 2023)	526	1926	3177		2133	1964, 2029, 2132, 2133, 3193, 3211
*3110 -	By Delegates Anderson, Zatezalo, Horst, Hansen, Fehrenbacher, Cooper, Martin, Young, Hardy, and Heckert: Relating to funding the Office of Oil and Gas in the Department of Environmental Protection (Chapter 150, Acts, Regular Session, 2023)	526	657, 908, 909, 993, 1007	2774	2774	1162, 2775	1039, 1065, 1138, 3207, 3213
*3111 -	By Delegates Linville, Cannon, (Mr. Hansha, Phillips, Hardy, Summers, and Keaton: Creating Infrastructure Ready Jurisdictions	527	655, 732			892	819, 857
3112 -	By Delegate Walker: To create the Emergency Supplemental Victims Service Fund	527					
*3113 -	By Delegates Martin, Clark, Ferrell, Phillips, Hardy, Toney, Ellington, Barnhart, Tully, Mazzocchi, and Howell: Requiring high school students to complete course of study in personal finance (Chapter 141, Acts, Regular Session, 2023)	527	794	1596	1596, 1886	951, 1597	859, 897, 3190, 3212
*3114 -	By Delegates Street, Gearheart, Kirby, Butler, Burkhammer, Chiarelli, Mazzocchi, Hillenbrand, Petitto, Willis, and Brooks: Deny severance pay to employees of DOT for failure or refusal of drug testing (Chapter 249, Acts, Regular Session, 2023)	527	1001, 1002, 1103	1939	1939	1265, 1941,	1189, 1238, 3203, 3213
3115 -	By Delegates Howell, (Mr. Hansha, Summers, Rohrbach, Kelly, Jeffries, Petitto, Dittman, Cannon, Foggin, and Cooper: To allow the development of a specialized intermediate care facility for individuals with intellectual and developmental disabilities	528					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3116 -	By Delegates Crouse, Jeffries, Lucas, Butler, Maynor, Longanacre, Mazzocchi, Petitto, and Honaker: Creating the No Patient Left Alone Act	528					
3117 -	By Delegates Crouse, Worrell, Dillon, Lucas, Butler, Maynor, Longanacre, Mazzocchi, Petitto, and Honaker: Remove assessments for homeschoolers	529					
3118 -	By Delegates Butler, Foster, Willis, Dean, Crouse, Dillon, Lucas, Kirby, Jeffries, Kimble, and Cooper: Creating the Parents' Bill of Rights	529	827				
3119 -	By Delegates Crouse, Foster, Butler, Longanacre, Mazzocchi, Cannon, Shamblin, Lucas, Petitto, and Honaker: Authorizing expenditure of revenue from the Municipal Pension and Protection Fund and Fire Protection Fund	529					
3120 -	By Delegates Adkins, Kump, Heckert, and Hillenbrand: Split the jail bills among the cities, counties, and the state	529					
3121 -	By Delegate Jennings: Creating the Stop Our Scourge Act of 2023	530					
*3122 -	By Delegates Vance, Butler, Burkhammer, Longanacre, Dean, Kirby, Dillon, Nestor, Brooks, Toney, and Cooper: Permitting certain types of rifles using an encapsulated propellant charge that loads from the breech (Chapter 222, Acts, Regular Session, 2023)	530	733, 797		1170	989	859, 897, 957, 1376, 1891
3123 -	By Delegate Smith: Authorizing the Treasurer's Office to promulgate a legislative rule relating to Hope Scholarship Program	555					
3124 -	By Delegates Dean, Toney, Longanacre, Horst, Worrell, Foggin, Foster, Bridges, and Hillenbrand: To allow non-resident students enrolled at West Virginia colleges and universities to purchase their hunting and fishing licenses at the resident rate.	530					
3125 -	By Delegates Dean, Dillon, Jeffries, Kelly, Steele, Kirby, Toney, Reynolds, Vance, Longanacre, and Worrell: Allowing for a paid commission for sheriffs	531					
3126 -	By Delegates Dean, Dillon, Foster, Jeffries, Steele, Kirby, Toney, Vance, Longanacre, Worrell, and Foggin: Allotting counties $5,000 per deputy position to only be used for deputy pay raises	531					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3127 -	By Delegates Mazzocchi, Longanacre, Martin, Crouse, Holstein, Ridenour, Kimble, Honaker, Street, Brooks, and Warner: Requiring state entities, local entities and law enforcement agencies to cooperate with the enforcement of immigration laws	531					
3128 -	By Delegate Longanacre: Requiring open captions in movie theaters within the State of West Virginia to accommodate the deaf and hard of hearing	531					
3129 -	By Delegates Zatezalo, Anderson, Holstein, Horst, Hott, Hansen, Fehrenbacher, Cooper, Howell, Martin, and Young: Relating generally to establishing a design build program for the Department of Environmental Protection	532					
*3130 -	By Delegates Capito, Gearheart, Smith, Ellington, Steele, Cooper, Toney, and Riley: Creating the Coalfields Energy Research and Economic Development Authority	555	656, 657, 714			846	714, 787, 812, 845
3131 -	By Delegate Hillenbrand: Clarify pricing for gasoline to consumers	556					
3132 -	By Delegates Ridenour, Foster, Kirby, Steele, Kimble, Honaker, Hillenbrand, Martin, Phillips, Kump, and Zatezalo: Increasing penalties for Corruption	556					
*3133 -	By Delegates Barnhart, Ferrell, and Reynolds: Create a credit against the severance tax to encourage private companies to make infrastructure improvements to highways, roads and bridges in this state	556	863	1420, 1485	1485		1373, 1420,
3134 -	By Delegates Barnhart, Anderson, Jennings, Dittman, Kelly, and Miller: To raise the bid thresholds for municipal projects from $25,000 to $50,000	556	827				
*3135 -	By Delegates Westfall and Riley: To modify the salaries of the Governor and Constitutional officers beginning January 1, 2025 (Chapter 75, Acts, Regular Session, 2023)	557	1316	1421, 3144, 3146, 3147	3144, 3184	1487, 3148	1373, 1421, 1486, 3207, 3212
3136 -	By Delegates Westfall, Honaker, Householder, Espinosa, Hardy, Riley, Clark, Hite, Martin, Storch, and Young: Relating to brewer and resident brewer licenses	557					
3137 -	By Delegates Ridenour, Steele, Foster, Kirby, Kimble, Honaker, Warner, Martin, Phillips, Kump, and Zatezalo: Prohibiting Illegal Alien Human Smuggling	558					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3138 -	By Delegate C. Pritt: Allow magistrate assistants to assess fines on basic charges	558					
3139 -	By Delegate C. Pritt: To allow for modification of a family court order involving drugs in certain circumstances	558					
3140 -	By Delegates C. Pritt and Kump: Allowing treasurer to invest in gold and silver	558					
3141 -	By Delegates Summers and Tully: Relating to the practice of dentistry (Chapter 236, Acts, Regular Session, 2023)	558	610	683, 1598	1598, 1987	707, 1609	651, 683, 706, 3207, 3212
3142 -	By Delegate C. Pritt: Provide that family court can order certain services	558					
3143 -	By Delegates C. Pritt, Kimble, and Kump: Allow for religious exemptions for getting vaccinations	559					
3144 -	By Delegates C. Pritt, Kimble, Kump, and Ridenour: No vaccine mandate for schools	559					
*3145 -	By Delegates Storch, Howell, Clark, and Linville: Recognizing the Commission on Uniform State Laws as a presumptive provider of continuing legal education	559	716			846	788, 819
3146 -	By Delegates Storch, Howell, Clark, and Linville: Establishing in West Virginia Code, the contents of the Uniform Public Meetings During Emergencies Act (Chapter 169, Acts, Regular Session, 2023)	559	1222	2083	2083	1398, 2090	1307, 1368, 3204, 3213
*3147 -	By Delegates Storch, Howell, and Clark: To create the Upper Ohio Valley Trail Network (Chapter 223, Acts, Regular Session, 2023)	560	970	2775, 2776	2775	1061, 2777,	1023, 1033, 3207, 3212
*3148 -	By Delegates Storch, Marple, Anderson, E. Pritt, and C. Pritt: Relating to financing municipal policemen's and firemen's pension and relief funds (Chapter 89, Acts, Regular Session, 2023)	560	734, 1007	1922	1922	1162	1040, 1066, 1138, 3196, 3212
3149 -	By Delegates Storch, Howell, and Clark: Uniform Collaborative Law Act	560					
3150 -	By Delegate C. Pritt: Allow business owners to make undue burden claim to get excused from jury service	561					
3151 -	By Delegates Kelly, Jennings, Kimble, Worrell, Honaker, Shamblin, Garcia, Westfall, and Hott: Relating to assisting law enforcement officer in an emergency at the request of a responding officer	561	799				

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3152 -	By Delegates Kelly, Honaker, Worrell, and Hott: Relating to driving under the influence	561	799				
*3153 -	By Delegates Jennings, Mallow, Hillenbrand, Warner, DeVault, Garcia, Dean, Sheedy, Ferrell, Reynolds, and Rowe: Relating to distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers.	562	1005, 1345	1487, 1492, 3083, 3099, 3114	3083	1493, 3115	1345, 1421, 3116
3154 -	By Delegates Walker, Rowe, and Hansen: Increasing minimum wage to $10	562					
3155 -	By Delegates Walker and E. Pritt: Providing educational benefits to veterans who commit to WV residency	562					
3156 -	By Delegates Steele, Nestor, Fast, Kirby, Riley, C. Pritt, Hanna, Holstein, Dean, Shamblin, and Householder: Raising the compensation rates of panel attorneys (Chapter 110, Acts, Regular Session, 2023)	563	1222	2777	2777	1399, 2777	1308, 1368, 1398, 3207, 3212
3157 -	By Delegates Jennings, Smith, Ridenour, Phillips, Honaker, McGeehan, Butler, Hillenbrand, (Mr. Hansha, and Crouse: Relating to clarifying the duties, functions, prohibitions and restrictions applicable to the West Virginia Fusion Center	563					
3158 -	By Delegates Ferrell, Jeffries, Phillips, Honaker, Fehrenbacher, Barnhart, Storch, Rohrbach, Heckert, Foggin, and Worrell: To make certain acts of panhandling and solicitation unlawful	563					
3159 -	By Delegate Young: COVID-19 Supplemental paid sick leave	563					
3160 -	By Delegates Pushkin and Kump: Providing that records of Department of Health and Human Services of sustained and non-sustained allegations of child abuse or neglect are preserved	586					
3161 -	By Delegates Ross, Lucas, and Kump: Relating to state recognition of Native American tribes	586					
3162 -	By Delegates Ross, Hanna, and Keaton: Relating generally to solid waste facilities	587					
3163 -	By Delegates Summers and Tully: Revising the definition of attributed support, update the basic child support guidelines, and the calculation of ability to pay	587	828				

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*3164 -	By Delegates Summers, Tully, and Walker: To extend the termination date of the West Virginia Advisory Council on Rare Diseases due to a delay in beginning its duties (Chapter 266, Acts, Regular Session, 2023)	587	687		1077	812	727, 728, 787, 813, 1202, 1593
3165 -	By Delegates Linville and Kump: Relating to vehicles exempt from payment of registration fees for certain veterans	587	730				
3166 -	By Delegates Summers, Tully, and Heckert: To permit a hospital to hold a patient experiencing a psychiatric emergency for up to 72 hours (Chapter 267, Acts, Regular Session, 2023)	588	825, 1005	2778	2778	1205, 2778	1040, 1066, 1193, 3207, 3212
3167 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Hornbuckle [By Request of the Executive]: Supplementing and amending appropriations to State Board of Education - State Department of Education	588					
*3168 -	By Delegates Criss, (Mr. Hansha, Riley, and Espinosa: Ensuring investment in WV Tourism is competitive with other states and accessible long term (Chapter 321, Acts, Regular Session, 2023)	588	736, 737, 908, 909			1018	993, 1017, 3186, 3286, 3213
3169 -	By Delegates Howell, Clark, Hornby, Thorne, Ferrell, Jeffries, W. Hall, and Storch: Creating a Distribution Center Refundable Toll Payments Tax Credit Act	588	687				
3170 -	By Delegates Clark, Hornby, C. Pritt, Thorne, Ferrell, Jeffries, and W. Hall: Prohibiting municipalities in their permitting from charging other government entities for rights of way within municipal boundaries that are at least fifteen feet above ground level at their lowest point	589					
3171 -	By Delegates Howell, Hott, Clark, Phillips, Linville, Cannon, Hornby, C. Pritt, Thorne, Ferrell, and Jeffries: Provide that continuing education credits shall not expire for 3 years	589					
3172 -	By Delegates Mallow, Fast, Devault, C. Pritt, Adkins, Marple, Forsht, and Miller: Change filing fees that circuit courts may charge	589					
3173 -	By Delegate C. Pritt: To permit home distilling of bourbon	589					
3174 -	By Delegates Statler, Chiarelli, Warner, Walker, and Hansen: Relating generally to magistrate courts	590					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3175 -	By Delegate C. Pritt: A court has venue for adoption if it had jurisdiction over guardianships	590					
3176 -	By Delegates Thorne, Horst, Longanacre, A. Hall, Dillon, Devault, Howell, and Kump: Prohibit drag shows from being performed in front of minors and to prohibit people from dressing in drag when reading aloud during story time in schools.	590					
3177 -	By Delegate Linville: Relating to charitable bingo and alcohol sales and consumption while such bingo is taking places	590					
3178 -	By Delegate Burkhammer: Authorizing sheriffs who are members of the public retirement system to retire upon attaining the age of sixty-two with eight or more years of service.	591					
3179 -	By Delegate Walker: Relating to road work signs	591					
3180 -	By Delegate Walker: Wildlife corridors to reduce animal-vehicle collision	591					
3181 -	By Delegate Walker: Relating to when a warrant, capias for arrest is dismissed when charges are dismissed	591					
3182 -	By Delegates Heckert, Criss, Zatezalo, Crouse, Chiarelli, Devault, W. Hall, Fehrenbacher, Cooper, and Foggin: Relating generally to mental health treatment	591					
3183 -	By Delegates Dillon, Ross, Ridenour, and Longanacre: Child Protection Act	592					
3184 -	By Delegates Dillon, Foggin, Kirby, Ross, Butler, and Longanacre: WV Medical Information Confidentiality and Anti-Discrimination Act	592					
3185 -	By Delegates Dillon, Longanacre, Butler, and Ross: Transparency in Government Act	592					
3186 -	By Delegate Linville: Relating to powers of the Greater Huntington Parks and Recreation District	593					
3187 -	By Delegates Linville, Chiarelli, Keaton, Cannon, Ferrell, Crouse, Worrell, Horst, Willis, Warner, and Holstein: Relating to requirements imposed on social media companies to prevent corruption and provide transparency of election-related content made available on social media websites	593	689				
3188 -	By Delegates Linville, Tully, Summers, Young, and Maynor: Relating to the establishment of an alert system for missing cognitively impaired persons	594	1082			1206	1136, 1187, 1205

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*3189 -	By Delegates Riley, Hansen, Westfall, Clark, Horst, (Mr. Hansha, Hornby, Steele, Storch, Hardy, and Hillenbrand: The PFAS Protection Act (Chapter 151, Acts, Regular Session, 2023)	594	832, 1084	2534, 2541	2534	1206, 2542	1136, 1187, 3208, 3212
*3190 -	By Delegate Steele: Amending the definition of "minor" (Chapter 103, Acts, Regular Session, 2023)	595	904	1018, 2895, 2901, 2904	2895, 3181	1018, 2905	905, 994, 3206, 3213
*3191 -	By Delegates Summers, Tully, and Pushkin: Relating to certain facilities operated by the state government to obtain a license (Chapter 268, Acts, Regular Session, 2023)	595	687	814, 2983	2983	813, 2983	727, 787, 814, 2983, 3208, 3212
3192 -	By Delegates Ellington, Chiarelli, Willis, Hornby, Summers, Tully, and Toney: Abolishing the Center for Nursing and transferring its duties and authorities to the Higher Education Policy Commission	595	627, 909, 910			1019	994, 1020
3193 -	By Delegates Mallow, Devault, Adkins, Marple, Forsht, and Miller: Relating to damages for medical monitoring; establishing requirements for an order for payment of medical monitoring expenses	595					
3194 -	By Delegate C. Pritt: Free range parenting is not classified as abuse and neglect	596					
3195 -	By Delegate McGeehan: Relating to the management of personal service appropriations for vacant positions	596	626				
3196 -	By Delegates C. Pritt, Cannon, Chiarelli, Keaton, Kirby, Martin, Hanna, Fast, and Shamblin: Relating to racetrack casino decoupling	596					
3197 -	By Delegate McGeehan: Creating the Legislative Infrastructure Commission	597	626				
*3198 -	By Delegates Ferrell, Honaker, Worrell, Kelly, Foggin, Clark, Tully, Ward, W. Hall, Brooks, and Chiarelli: Relating to obtaining title to abandoned or junked motor vehicles abandoned on the property or place of business of an automobile dealer	633	1093			1207	1136, 1187
3199 -	By Delegates Summers and Ellington: Relating to removing the requirement that an ectopic pregnancy be reported (Chapter 269, Acts, Regular Session, 2023)	634	734	897	3184	952	819, 858, 897, 3208, 3213

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*3200 -	By Delegates Summers and Tully: Authorize DHHR to transfer state facilities to regional mental health centers or intellectual disability facilities	634	825			990	899, 957, 989
3201 -	By Delegate Toney: To include electric-powered school busses in the county foundation allowance	634	1029				
3202 -	By Delegates Westfall, Holstein, and Barnhart: Clarifying what parties are entitled to redeem delinquent property	634					
3203 -	By Delegates Steele, Hornby, Young, and Lucas: Relating generally to West Virginia Real Estate License Act (Chapter 237, Acts, Regular Session, 2023)	635	1314	2858, 2885	2858	1493, 2886	1373, 1422, 3208, 3212
3204 -	By Delegates Young and Longanacre: Mobile Food-Vendor Freedom Act	636					
3205 -	By Delegates Worrell, Tully, Crouse, Dean, C. Pritt, and McGeehan: Eliminating the certificate of need program	636					
3206 -	By Delegate Westfall: To establish a system to remediate fiscal emergencies of local governments, and to modernize the process for dissolution of municipal corporations in this State.	637	1002, 1003				
3207 -	By Delegate Tully: To prohibiting the use of electronic tracking devices	637					
3208 -	By Delegate C. Pritt: Automatic CPS expungement if an individual is not found to have committed abuse and neglect by court order	637					
3209 -	By Delegates Westfall and Skaff: Providing tax credits to incentivize investments and improvements in blighted properties in West Virginia	638	1026				
*3210 -	By Delegates Phillips, Horst, Crouse, and Thorne: Relating to the performance of installation of propane gas systems (Chapter 285, Acts, Regular Session, 2023)	638	791		1669	953	859, 898, 1934, 3213
*3211 -	By Delegates Storch, Anderson, Kump, Reynolds, Ferrell, Hite, C. Pritt, Marple, Hornbuckle, E. Pritt, and Fluharty: Relating to authorizing service credit for unused accrued annual or sick leave days for use in determining retirement benefits in the Municipal Police Officer and Firefighter Retirement System (Chapter 90, Acts, Regular Session, 2023)	638	968, 1142	1987, 1988	1987	1332, 1989	1251, 1303, 1331, 3203, 3213

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3212 -	By Delegates Storch, Howell, and Clark: Updating the provisions of the Uniform Commercial Code	638					
3213 -	By Delegate Dillon: Providing that Homeschooled Students be eligible to participate in public school extracurricular activities	640					
*3214 -	By Delegates Capito, Riley, Williams, Young, Storch, and Jennings: To create the Road Optimization & Assessment Data (ROAD) Pilot Project (Chapter 297, Acts, Regular Session, 2023)	641	1044, 1045	2542, 2545	2542	1266	1138, 1190, 1238, 3208, 3212
3215 -	By Delegate Riley: Relating to land use (Chapter 196, Acts, Regular Session, 2023)	641	862	1033	1669	1062	958, 994, 1022, 1061, 2057, 3212
3216 -	By Delegates Nestor, Martin, Steele, Holstein, Phillips, Keaton, Chiarelli, Hott, Riley, Brooks, and Statler: Funding EMS and School Resource Officers through marijuana tax	641					
3217 -	By Delegates Crouse, Vance, Smith, Cannon, Kirby, Ridenour, Heckert, Longanacre, Kimble, and Brooks: To eliminate the process of vehicle inspection in West Virginia	641					
3218 -	By Delegates Reynolds, Tully, Ferrell, Sheedy, Zatezalo, Jeffries, Willis, Hott, Hite, Kimble, and Mazzocchi: Relating to requiring suicide prevention resources be printed on student identification cards (Chapter 142, Acts, Regular Session, 2023)	642	861		1609	1020	958, 994, 1019, 1934, 3211
3219 -	By Delegates Nestor, Kump, Vance, Martin, Cannon, Longanacre, C. Pritt, Brooks, Butler, Holstein, and Steele: To permit retired magistrates to have the ability to carry concealed weapons without paying fee	642					
3220 -	By Delegates Barnhart, Anderson, Zatezalo, Cooper, Kelly, Worrell, Kimble, and Reynolds: Increasing amount of excess funds to be held over to following year	642					
3221 -	By Delegate Dillon: To extend the Hope Scholarship to Preschool	642					
3222 -	By Delegates Dillon, Longanacre, Butler, Ross, Dean, and Hanna: Direct Foundation Funding Act	642					
3223 -	By Delegate Dillon: To create a Special Education Instructor Entitlement	642	999				

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*3224 -	By Delegates Statler, Ellington, Toney, Hansen, Walker, Williams, Warner, and Chiarelli: Adding West Virginia Junior College to the list of eligible institutions that accept PROMISE scholarship recipients (Chapter 181, Acts, Regular Session, 2023)	643	795, 1198		3179	1399	1308, 1368, 3206, 3213
3225 -	By Delegates Hansen, Walker, and Williams: The Healthy and Safe Workplace Act	643					
3226 -	By Delegates Toney, Hott, E. Pritt, and Ward: Modifying the West Virginia State Police Retirement System	644					
3227 -	By Delegates Clark, Howell, Kirby, McGeehan, Ferrell, Storch, Cannon, Fehrenbacher, Hornby, W. Hall, and Petitto: Providing a tax credit against the state corporate net income tax to for-profit corporations or a tax credit against payroll withholdings for nonprofit corporations for expenditures related to the establishment and operation of employer-provided child-care facilities	644					
3228 -	By Delegates Clark, Ridenour, Mazzocchi, Hornby, and Willis: Heart Health Equity Inclusion	644					
3229 -	By Delegates Clark, Crouse, Ferrell, Honaker, Pinson, and Fast: Increase age to 21 for tobacco and vape sales to align with federal law	644					
3230 -	By Delegates Adkins, Mallow, Chiarelli, Jennings, Linville, Cannon, Devault, Phillips, Mazzocchi, and Dittman: Allow the mayors of class three and four towns to also serve as the chief of police	645	1002, 1003				
3231 -	By Delegates Howell, Linville, Garcia, and Keaton: To exempt from sales tax the purchase of solar energy equipment and installation	645					
*3232 -	By Delegates Riley and Nestor: Regulation of Sports Wagering	645	1103			1332	1190, 1251, 1303
*3233 -	By Delegates Cooper, Toney, Heckert, and Hott: Relating generally to uniform and equipment allowances for the National Guard (Chapter 286, Acts, Regular Session, 2023)	645	798, 1008	2090	2090	1130, 2091	1040, 1066, 1102, 1129, 3204, 3213
3234 -	By Delegates Storch, Marple, E. Pritt, Kump, C. Pritt, Anderson, and Hornbuckle: Relating to disability retirement medical examinations of public employee retirement systems	645					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3235 -	By Delegates Storch, Marple, E. Pritt, Kump, C. Pritt, Anderson, and Hornbuckle: Adding Natural Resource Police Officers Retirement System and public charter schools for federal pick-up contribution purposes	646					
3236 -	By Delegates Storch, Marple, Kump, C. Pritt, Anderson, and Hornbuckle: Relating to the Teachers Retirement System and the Teachers' Defined Contribution Retirement System	646					
3237 -	By Delegates Storch, Marple, Kump, C. Pritt, Anderson, and Hornbuckle: Ensure the retirement contributions, and delinquency charges if applicable, of charter school employees are paid upon school closure or by a successor	646					
3238 -	By Delegate Criss: Removing methanol and methanol fuel from the definition of special fuel	647					
3239 -	By Delegate Criss: Directing payment of the estate administration fee to the State Auditor	647					
3240 -	By Delegate Criss: Relating to cessation of West Virginia Fund	647					
3241 -	By Delegates Storch, Marple, E. Pritt, Kump, C. Pritt, and Hornbuckle: Setting the rate of interest on delinquent retirement contribution submissions	662					
3242 -	By Delegates Storch, Marple, E. Pritt, Kump, C. Pritt, Anderson, and Hornbuckle: Relating to the Emergency Medical Services Retirement System	663					
3243 -	By Delegates Storch, Marple, E. Pritt, Kump, C. Pritt, Anderson, and Hornbuckle: Relating to examinations for disability pensions	663					
3244 -	By Delegates Storch, Marple, C. Pritt, Anderson, and Hornbuckle: Relating to Municipal Pensions Oversight Board proposing legislative rules (Chapter 91, Acts, Regular Session, 2023)	663	968, 969, 1144		1922	1333	1251, 1303, 1332, 1333, 3196, 3212
3245 -	By Delegate Criss: Providing an election for pass-through entities to pay income tax at the entity level	663					
3246 -	By Delegates Criss and Kump: Repeal the additional one and one-half percent interest rate for underpayments	664					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*3247 -	By Delegates Linville, Rohrbach, Summers, Mazzocchi, Kump, and Tully: Relating to abuse and or neglect of individuals with an intellectual and or developmental disability	664	1094	1187, 1208		1208	1136, 1187,
3248 -	By Delegate Westfall: Expiring funds to the balance of the unappropriated surplus balance from the balance of moneys remaining in the Stripper Well NDL the Enforcement of Guardianship and Conservatorship, and the Technology Support and Acquisition Fund	664					
3249 -	By Delegate Westfall: To allow for sheriffs to collect additional funds for notice served related to tax sales	664					
3250 -	By Delegates Westfall and Mazzocchi: To authorize restitution to victims of securities fraud and to create a fund for that purpose	665					
3251 -	By Delegate Westfall: Relating to prompt payment of legitimate, uncontested invoices by State agencies	665					
3252 -	By Delegates Westfall and Kump: Prohibiting banks and payment networks from tracking firearm-related data and outlining penalties	665					
3253 -	By Delegate Westfall: To provide sufficient funding to the Jail Operations Partial Reimbursement Fund if a general revenue surplus exists in a given fiscal year	666					
*3254 -	By Delegates Street, Pinson, Butler, Keaton, Holstein, Forsht, Gearheart, Crouse, Howell, Hott, and Householder: Establishing the Hershel "Woody" Williams State Military Funeral Honor Guard	666	798, 799, 1142, 1143			1333	1251, 1303, 1333
3255 -	By Delegate Walker: Relating to granting parolees driving permits	666					
3256 -	By Delegate Young: To mandate that credit card payment be acceptable at toll booths	666					
3257 -	By Delegate Young: Relating to infant and maternity mortality	667					
3258 -	By Delegates Young and Kump: Ending the toll road when the bond is paid off	667					
3259 -	By Delegate Young: Exempting county school buses from paying the toll fees	667					
3260 -	By Delegates Young and Linville: Genetic Information Privacy Act	667					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*3261 -	By Delegate Young: Relating to Social Workers Qualifications (Chapter 238, Acts, Regular Session, 2023)	667	791	2091, 2095, 3161	2091, 2991, 3185	953, 3164	859, 898, 2991, 3053, 3160, 3208, 3212
3262 -	By Delegate Westfall: To allow the exemption of the Auditor's Office and the West Virginia Enterprise Resource Planning Board from the provisions of article three, chapter five-a of West Virginia Code at the Auditor's and Enterprise Resource Planning Board's discretion.	668					
3263 -	By Delegates Young, Steele, and Cannon: Provide for statewide participation in the federal Community Eligibility Provision for its duration	668					
3264 -	By Delegate Young: Allowing one free day for WV resident's to obtain new for-profit business license	668					
*3265 -	By Delegates Heckert, Adkins, Ross, Maynor, Foggin, Cooper, Miller, Crouse, and Kump: Remove statutory mandates that the sheriff of a county shall serve process or is responsible for cost of service or arrest by another law enforcement agency (Chapter 92, Acts, Regular Session, 2023)	668	1084	1246	1245	1209, 2547	1136, 1188, 3208, 3212
3266 -	By Delegates Reynolds, Barnhart, Ferrell, Honaker, Hillenbrand, Sheedy, Heckert, and Mazzocchi: To amend and reenact codes concerning the distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers as well as certain funds from the Fire Protection Fund.	668					
3267 -	By Delegates Hillenbrand, Burkhammer, Street, Sheedy, Phillips, Foggin, Cooper, Steele, Thorne, Horst, and Coop-Gonzalez: To allow elected officials to carry a concealed weapon if they have a valid concealed carry permit in government buildings	669					
3268 -	By Delegates Barnhart, Worrell, Linville, Reynolds, and Ferrell: Add protections for WV residents who reside out of state for certain time periods from non-renewal of licenses and registration	669	731			893	819, 858, 892, 893
3269 -	By Delegates Barnhart, Martin, and Reynolds: To require a semester of personal finance to be taught in high school as a prerequisite for graduation	669					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*3270 -	By Delegates Hott, Westfall, Householder, Criss, Espinosa, Hardy, Cooper, Heckert, Howell, Hillenbrand, and Jennings: To amend the deliberate intent statute to limit noneconomic damages to $500,000 (Chapter 331, Acts, Regular Session, 2023)	670	1220, 1221	1412		1400	1368, 1399, 1412, 3204, 3270
*3271 -	By Delegates Mazzocchi, Kimble, Holstein, Fast, Ellington, Longanacre, Horst, Walker, Statler, Keaton, and Warner: Relating to increasing monitoring of special education classrooms (Chapter 143, Acts, Regular Session, 2023)	670	861, 1148		3181	1334	1251, 1303, 3204, 3213
3272 -	By Delegates Criss, Hardy, Householder, Barnhart, Westfall, Jeffries, Hott, Capito, C. Pritt, Espinosa, and Riley: Relating to the operation of private trust companies in West Virginia (Chapter 154, Acts, Regular Session, 2023)	670	733, 795	1111, 1126	1111	954, 1127	859, 898, 1470, 1976
3273 -	By Delegates Keaton, Linville, Phillips, Steele, Cannon, Street, Clark, Zatezalo, Maynor, and Honaker: Create State Tech Transfer Commission	671	907				
*3274 -	By Delegates Worrell, Crouse, Westfall, Dean, Hornby, Petitto, Storch, Honaker, Hite, and Longanacre: Creating the Affordable Medicaid Buy-in Program	671	1049			1267	1138, 1190, 1238, 1266
3275 -	By Delegate C. Pritt: Relating to private prisons	671					
3276 -	By Delegate Young: Relating to requiring video cameras in certain special education classrooms	672					
3277 -	By Delegate Young: Establishing the Family and Medical Leave Insurance Benefits Act	672					
*3278 -	By Delegates Summers and Tully: Relating to the practice of optometry	673	735, 1000	1210		1210	1040, 1066, 1193, 1209
3279 -	By Delegates Linville, Phillips, Jeffries, Maynor, Howell, Steele, (Mr. Hansha, and McGeehan: Relating to municipal home rule appeals	673					
*3280 -	By Delegates Marple, Dean, Hott, Anderson, Zatezalo, Jennings, Adkins, Mallow, Petitto, DeVault, and Kimble: Authorizing adjustment from federal adjusted gross income for certain law enforcement pension benefit payments	905					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3281 -	By Delegates Storch, Anderson, Kump, Marple, Hornbuckle, E. Pritt, and Ferrell: To provide supplement funding for the plan and to increase recruitment and retention of certified officers for the agency	673					
3282 -	By Delegates Storch, Anderson, Kump, Marple, Hornbuckle, and E. Pritt: Relating to decreasing the time period of eligibility for nonduty disability from 10 to five or more years of contributory service for the West Virginia Municipal Police Officers and Firefighters Retirement System.	674					
3283 -	By Delegate Linville: Relating to reporting requirements under the Grant Transparency and Accountability Act	674	1091				
3284 -	By Delegates Fehrenbacher, Espinosa, Zatezalo, Hillenbrand, Mallow, Adkins, Westfall, Anderson, and Riley: Relating to the use of unmanned aircraft systems by law enforcement	674					
3285 -	By Delegates Dillon, Ross, and Dean: Relating to standardized test reporting exemptions for contingencies	674					
3286 -	By Delegate Criss: Relating to an additional modification decreasing federal taxable income (Chapter 319, Acts, Regular Session, 2023)	675	910	2096	2096	1020, 2097	994, 3204, 3213
3287 -	By Delegates Rohrbach and Criss: Providing that records of Department of Health and Human Services of sustained and non-sustained allegations of child abuse or neglect are preserved	675	1028				
3288 -	By Delegates Dean and Howell: Adding medical doctors and doctors of osteopathy to the category of medical professionals who are subject to the prohibition against therapeutic deception.	675					
3289 -	By Delegates Dean and Howell: Prohibiting any next of kin who is criminally responsible for the death of a relative from being involved in the decedent's burial arrangements	675					
3290 -	By Delegates Dean and Worrell: To clarify privileges for senior license holders for hunting and fishing	675					
3291 -	By Delegate E. Pritt: Relating generally to landlords and tenants	676					
3292 -	By Delegates Statler, Mallow, Jennings, and Sheedy: To expand the EMS retirement system	676					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*3293 -	By Delegates Statler, Ellington, Toney, Crouse, and Clark: Relating generally to identifying and educating exceptional children exhibiting indicators or diagnosed with dyslexia or dyscalculia	676	907			1021	994, 1020
3294 -	By Delegates Anderson, Zatezalo, Westfall, Fehrenbacher, Street, Crouse, Heckert, Bridges, Holstein, Cooper, and (Mr. Hansha: Ensuring future economic development with limitations, excise tax, and registration requirements of carbon offset agreements	676	706, 729				
3295 -	By Delegate Criss: Relating to terminating the authority of the Director of the Purchasing Division to impose a certain annual fee upon vendors	703					
3296 -	By Delegate Young: Provide for statewide participation in the federal Community Eligibility Provision for its duration	703					
3297 -	By Delegate Young: To allow patients to refuse residents and medical students from observing or performing medical care on patients	703					
3298 -	By Delegate Young: Prohibiting civil rights violations based on disability, gender identity or sexual orientation	703					
3299 -	By Delegates Storch, C. Pritt, Anderson, Kump, Marple, E. Pritt, and Hornbuckle: Relating to Natural Resource Police Officer Retirement (Chapter 250, Acts, Regular Session, 2023)	704	968, 969, 1141	1335	2031	1335	1251, 1304, 1396, 3212
3300 -	By Delegates Toney, Howell, and Clark: To provide for the creation of an "EV Manufacturers Investment Credit."	704	1042, 1043				
3301 -	By Delegates Storch, Barnhart, Willis, Criss, Capito, Hott, Hardy, Brooks, Westfall, Toney, and Martin: First Time Home Buyers Savings Account Act	704					
*3302 -	By Delegates Westfall, Burkhammer, Pinson, Capito, Kelly, Steele, Fast, Kimble, Martin, Kump, and C. Pritt: To recognize unborn child as distinct victim in a DUI causing death (Chapter 104, Acts, Regular Session, 2023)	705	798	2097, 2108	2097	954, 3160	859, 898, 3955, 2989, 3159, 3193, 3211

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*3303 -	By Delegates Reynolds, Bridges, Sheedy, Crouse, Hott, Zatezalo, Willis, Phillips, Ward, and Brooks: Clarifying and expanding the powers and duties of the director of the Coalfield Community Development Office (Chapter 122, Acts, Regular Session, 2023)	705	1075, 1316	3171, 3172	3171	1494, 3172	1373, 1422, 1493, 3204, 3211
3304 -	By Delegates Reynolds, Bridges, Sheedy, Crouse, Hott, Zatezalo, Willis, Phillips, Brooks, and Ward: Providing an exemption from the severance tax for coal sold to coal-fired power plants located within the State of West Virginia	705	963, 964				
3305 -	By Delegates Capito, Young, Hornby, Linville, and Willis: Creating the Small Business and Entrepreneurship Act	705	1042, 1043				
*3306 -	By Delegates Summers, Tully, and Heckert: Relating to the organizational structure of the Office of Drug Control Policy (Chapter 270, Acts, Regular Session, 2023)	706	736	2932, 2941, 2942	2932, 3185	894, 2943	819, 858, 893, 3208, 3212
3307 -	By Delegates Hanshaw (Mr. Speaker), Street, Zatezalo, Ward, Fluharty, Phillips, McGeehan, and Howell: Establishing the West Virginia-Ireland Trade Commission (Chapter 170, Acts, Regular Session, 2023)	719	736	1610, 1613	1610, 1614	894	819, 858, 3193, 3211
*3308 -	By Delegates Criss, Hardy, Householder, Storch, Ferrell, Howell, Reynolds, Anderson, Gearheart, Zatezalo, and Espinosa: Authorizing PSC consider and issue financing orders to certain utilities to permit the recovery of certain costs through securitization via consumer rate relief bonds (Chapter 293, Acts, Regular Session, 2023)	719	830		1470	990	899, 958, 991, 1890, 3211
3309 -	By Delegates Fluharty, Walker, Young, Hornbuckle, Skaff, and Pushkin: Establishing the Child Support from Conception Act	720					
3310 -	By Delegates Fluharty, Riley, Cannon, and Hornbuckle: Banning certain persons from sport wagering activities	720					
*3311 -	By Delegates Hornby, Phillips, Westfall, Willis, Hardy, Chiarelli, Maynor, Dean, Hite, Espinosa, and McGeehan: Relating to wine alcohol by volume as compared to beer (Chapter 5, Acts, Regular Session, 2023)	721	791		3186, 3311	955	859, 898, 3206, 3213

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3312 -	By Delegates Dean, Vance, Mazzocchi, Dillon, Skaff, A. Hall, Ross, Chiarelli, Shamblin, Holstein, and Bridges: Provide that all coal severance tax go to the county that produced the coal	721					
*3313 -	By Delegates Phillips, Martin, Fast, Nestor, Hornby, Barnhart, Longanacre, Thorne, and C. Pritt: Restraining county commissions from imposing rules and regulations on farmers beyond what is already prescribed through state statute	721	966, 1255	2908, 2923	2909	1494	1373, 1422
3314 -	By Delegates Statler and Toney: Increasing the special district excise tax to a rate or rates on sales within the boundaries of an economic opportunity development district	721	1090, 1091				
*3315 -	By Delegates Cooper and Heckert: Relating generally to readiness enhancement and commission bonuses (Chapter 287, Acts, Regular Session, 2023)	721	1009, 1199	2957, 2966	2957, 3184	1400	1308, 1368, 3208, 3212
3316 -	By Delegates Heckert, Foggin, Anderson, Hott, Riley, Zatezalo, Hillenbrand, Adkins, Marple, and Cooper: To create a domestic violence registry	722					
*3317 -	By Delegates Summers and Tully: Relating to removing specific continuing education requirements (Chapter 239, Acts, Regular Session, 2023)	722	826	1698, 1699	1697	991, 1700	900, 958, 992, 1700, 3193, 3212
*3318 -	By Delegates McGeehan and Ward: Relating to location of services provided by the Workforce Development Board as related to the one-stop delivery system	722	791	994		1021	859, 898, 958, 954
3319 -	By Delegate Burkhammer: Relating to sheriff's commission for collection of taxes	722					
3320 -	By Delegates E. Pritt, Hansen, Garcia, Williams, Griffith, Fluharty, Skaff, Rowe, Walker, Pushkin, and Young: Requiring the West Virginia Department of Corrections and Rehabilitation to provide an inmate with one physical copy of their birth certificate and social security card upon release	722					
3321 -	By Delegates Howell, Thorne, Storch, Ferrell, Heckert, Clark, Chiarelli, Holstein, Keaton, Toney, and Horst: Limiting the imposition of municipal business and occupation taxes	723					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3322 -	By Delegates Howell, Clark, Zatezalo, Storch, Ferrell, Chiarelli, Holstein, Cannon, Hanna, Keaton, and Toney: To provide that the first $100K made jointly or the first $50K filing single is exempt from the tax on social security	723					
3323 -	By Delegate E. Pritt: Relating to Drivers License Address Requirements	723					
3324 -	By Delegates Kirby, Foster, and Foggin: Relating to the reduction of State Gas Tax	723					
3325 -	By Delegates Kirby, Foggin, Crouse, Steele, Chiarelli, and Foster: Requiring a pharmacist to fill a prescription for individuals who have a valid prescription unless belief that prescription is fraudulent	723					
3326 -	By Delegates Linville and Summers: Relating to Privacy of Social Care information	724					
3327 -	By Delegates Foster and Crouse: Capping amount of moneys to third party vendors who collect business and occupation taxes on behalf of cities	724					
3328 -	By Delegates Howell, Dean, Heckert, and Zatezalo: Authorizing the Hatfield-McCoy Regional Recreation Authority to contract to build and maintain trails on privately owned property (Chapter 224, Acts, Regular Session, 2023)	724	862	2032	2032	1022	958, 995, 1021, 3196, 3212
3329 -	By Delegate Hanshaw (Mr. Speaker): Creating judicial circuits and assigning the number of circuit judges in each circuit to be elected in the 2024 election	743					
3330 -	By Delegates Hanshaw (Mr. Speaker) and Pritt, C.: Creating family court circuits and assigning the number of family court judges in each family court circuit to be elected in the 2024 election	743	1196			1495	1308, 1369, 1422, 1494
3331 -	By Delegates Hanshaw (Mr. Speaker) and Kump: Relating generally to support staff in the family courts and magistrate courts of this state	743	1196	1369,		1401	1308, 1369, 1400
*3332 -	By Delegates Hanshaw (Mr. Speaker), Pritt, C., and Vance: Creating judicial circuits and assigning the number of circuit judges in each circuit to be elected in the 2024 election (Chapter 98, Acts, Regular Session, 2023)	744	1221	1422, 3015, 3051	1575, 3015	1583, 3053	1308, 1369, 1422, 1495, 1575, 3053, 3188,, 3206, 3213

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3333 -	By Delegates Storch, Criss, Hardy, Capito, Kelly, Barnhart, Riley, Reynolds, Westfall, Willis, and Fluharty: To grant a tax credit for the amount of taxes paid for a royalty interest	744					
3334 -	By Delegates Storch, Criss, Hardy, Capito, Barnhart, Riley, Fluharty, Kelly, Fast, and Willis: Valuation of industrial property and natural resources property by Tax Commissioner	744					
3335 -	By Delegates Anderson, Heckert, Zatezalo, Street, and Willis: Providing for enhanced damages for non-payment of royalties due from oil, natural gas, or natural gas liquids production	744	963				
3336 -	By Delegate Riley: Relating to the Certified Industrial Business Expansion Development Program	745					
*3337 -	By Delegates Heckert, Fehrenbacher, Cooper, Foggin, Hott, Criss, (Mr. Hansha, Rohrbach, Petitto, A. Hall, and Anderson: Prohibiting additional drug and alcohol treatment facilities and services in a certain county (Chapter 271, Acts, Regular Session, 2023)	745	1026, 1027	1163, 1989, 1990	1989	1163, 1990	1068, 1102, 1130, 1162, 1163, 1991, 3193, 3212
3338 -	By Delegates Mazzocchi, Hott, Brooks, Steele, Sheedy, Ridenour, Kimble, Warner, and Longanacre: Relating to sentencing for prohibited acts with a firearm	745					
3339 -	By Delegates Mazzocchi, Chiarelli, Longanacre, Adkins, Hornby, Heckert, Street, Burkhammer, Fast, and Clark: Protection of minors from harmful material on internet	745					
3340 -	By Delegates Hardy, Espinosa, Storch, Statler, Hott, Hite, Horst, and Toney: To revise the West Virginia Tax Increment Financing Act (Chapter 93, Acts, Regular Session, 2023)	746	1009	1130	1377	1164	1040, 1069, 1102, 1130, 1165, 1682, 2259, 3213
*3341 -	By Delegates Maynor, Howell, Phillips, Lucas, Clark, Linville, Bridges, Crouse, Householder, Gearheart, and Willis: To allow cigar bars	746	1054, 1055			1267	1138, 1190, 1239, 1374
3342 -	By Delegates Gearheart, Householder, Storch, Howell, Clark, Maynor, Riley, Kump, Ellington, and Espinosa: Relating to cooperation between municipal and county economic development authorities	746	1044, 1223			1401	1369

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3343 -	By Delegate Burkhammer: To require for the demolition of old schools in certain circumstances	746					
*3344 -	By Delegates Criss, Storch, Riley, Gearheart, Reynolds, Hott, Statler, Rowe, Espinosa, Anderson, and Horst: To pay certain moral obligations of the state (Chapter 68, Acts, Regular Session, 2023)	747	1317		3186	1574	1373, 1430, 1496, 1575, 3208, 3212
3345 -	By Delegates Ferrell, Fehrenbacher, Mazzocchi, Storch, Dittman, W. Hall, Petitto, Chiarelli, Reynolds, Hite, and Warner: Providing increased protections for the welfare of domestic animals	747					
3346 -	By Delegates Howell, Clark, Summers, Ellington, Tully, Gearheart, Maynor, Zatezalo, Skaff, Miller, and Honaker: Mental Hygiene Reform Act	748					
3347 -	By Delegates Rowe, E. Pritt, Fast, and C. Pritt: Relating to the Upper Kanawha Valley Resiliency and Revitalization Program	748					
3348 -	By Delegates Rowe, Griffith, E. Pritt, Hansen, Pushkin, and Walker: To allow for the construction of safe entry ways to all public schools in West Virginia.	748					
3349 -	By Delegates Rowe and E. Pritt: Assisting governmental units training costs for certification of law enforcement officers	748					
3350 -	By Delegates Rowe, Fluharty, Skaff, Williams, Garcia, Young, E. Pritt, Griffith, Hansen, Walker, and Hornbuckle: To reduce the personal income tax to zero for those who make $80,000 per year or less	749					
3351 -	By Delegate Rowe: To reduce the personal income tax to zero for those who make $60,000 per year or less.	749					
3352 -	By Delegate Rowe: To reduce the personal income tax to zero for those making the median yearly income in West Virginia	749					
3353 -	By Delegates McGeehan, Dillon, and C. Pritt: Relating to the limitations on the financial relationships with foreign entities that have values antithetical to those of the State of West Virginia	749	999	1132		1165	1011, 1040, 1066, 1132

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
*3354 -	By Delegates Rowe, (Mr. Hansha, Foster, and Steele: To authorize municipalities to combine operations with other municipalities and counties to provide governmental services (Chapter 94, Acts, Regular Session, 2023)	805	1255	1496, 1506, 3148, 3158	3148, 3171	1506	1373, 1430, 3189, 3208, 3213
3355 -	By Delegate Tully: To criminalize joyriding of a bulldozer or heavy equipment	836					
3356 -	By Delegate Foster: Require Medicaid to submit all state plan amendments, waiver submissions and policy changes to the Legislature for rulemaking approval	836					
3357 -	By Delegate C. Pritt: Clarifying acceptance of e-file court orders without raised seal	836					
3358 -	By Delegate C. Pritt: Exemption from marriage and license participation	836					
3359 -	By Delegates Mazzocchi and Phillips: Creating the West Virginia Farm Fresh Dairy Act	836					
3360 -	By Delegates Kelly and Hott: Creating an office of the Inspector General within the Department of Homeland Security (Chapter 171, Acts, Regular Session, 2023)	837	1222	1370, 2967, 2971	2967	1401, 2971	1309, 1370, 1402, 3208, 3213
3361 -	By Delegates Rowe and Pushkin: Relating to the allocation of federal funds to county commissions and certain municipalities	837					
3362 -	By Delegates Riley, Kimble, Honaker, Heckert, Foggin, Ward, and Kelly: To make an attack on a K-9 officer a felony	837					
*3363 -	By Delegates Brooks, Foster, Kump, Hott, Ward, Honaker, Street, Dean, Bridges, Barnhart, and Kelly: Law Enforcement Officers Safety Act	837	1027, 1148			1337	1251, 1304, 1336
*3364 -	By Delegate Storch: Requiring the closure of certain municipal policemen's and firemen's pension and relief funds as condition of issuance of pension funding revenue bonds (Chapter 95, Acts, Regular Session, 2023)	838	969, 1144		1887	1336	1251, 1304, 1336, 2057, 3212
3365 -	By Delegate Riley: Relating to the Certified Industrial Business Expansion Development Program	838					
3366 -	By Delegates W. Hall, Shamblin, and Rohrbach: Creating the State Property Protection Act	838					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3367 -	By Delegates Butler, Brooks, Dillon, Ward, Longanacre, Burkhammer, Ridenour, Chiarelli, Ross, Hillenbrand, and Nestor: To provide for a pay raise for staff at correctional institutions	838					
3368 -	By Delegates Ridenour, Longanacre, and E. Pritt: Troop- to-Teachers	839	1071				
*3369 -	By Delegates Kelly, Hott, Garcia, Worrell, Westfall, Fast, and Kimble: Creating a School Safety Unit within the Division of Protective Services (Chapter 288, Acts, Regular Session, 2023)	839	1197		3186	1402	1309, 1370, 3204, 3211
*3370 -	By Delegates Howell and Storch: Creating loan program for certain properties and developments on U. S. Army Corps of Engineers land, state parks and resorts (Chapter 225, Acts, Regular Session, 2023)	839	1005, 1222	2779, 2784	2778	1403, 2785	1309, 1371, 1402, 3208, 3213
3371 -	By Delegates Ellington, Statler, and Toney: Relating to federal funds for land-grant institutions (Chapter 182, Acts, Regular Session, 2023)	871	998, 999, 1315		3185	1506	1373, 1430, 3209, 3213
3372 -	By Delegates Young, Shamblin, W. Hall, Skaff, Capito, Pushkin, and Ferrell: Relating to limitations on motor vehicles used by nonprofit cooperative recycling associations	871					
3373 -	By Delegate Young: To recognize school social workers as having the same status and funding as school counselors	871					
3374 -	By Delegate Capito: Relating generally to waivers from tuition and other costs and fees for certain resident veterans and their resident dependents	871					
3375 -	By Delegates E. Pritt, Walker, Hornbuckle, Pushkin, Young, Hansen, Garcia, Williams, and Fluharty: Relating to addressing School Discipline in Public Schools	872					
3376 -	By Delegates Ellington, Statler, and Toney: Relating to changing the term teacher in residence to clinical teacher of record	872	1001			1165	1066, 1138
3377 -	By Delegate Ellington: Remove the Privilege Tax	872					
3378 -	By Delegates Horst, Chiarelli, Ross, Butler, Dean, Keaton, Heckert, McGeehan, Hite, Brooks, and Dillon: Preserving and protecting the right to keep and bear arms	872					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3379 -	By Delegates E. Pritt, Brooks, Kirby, Foggin, Skaff, Fast, and Young: Providing DMV with certain medical information related to mental or physical disabilities as it relates to the ability of a person to drive safely	873					
3380 -	By Delegates Kimble, Mazzocchi, Warner, Steele, and Petitto: To permit the ownership of Japanese quail as pets without a permit so long as the quail are not kept for commercial purposes	873					
3381 -	By Delegates Kimble, Riley, Kelly, Ward, Adkins, Pinson, Kirby, Heckert, Foggin, Steele, and Petitto: Make it a felony to kill a canine officer	873					
3382 -	By Delegate Young: Child care expense tax credit	873					
3383 -	By Delegate Young: Youth Mental Health Protection Act	874					
3384 -	By Delegate Young: Agricultural Right to Repair Act	874					
3385 -	By Delegate Statler: Adjusting the value cap for rent-to-own agreements	874					
3386 -	By Delegates Kimble, Mazzocchi, Kelly, Jeffries, Phillips, (Mr. Hansha, Capito, McGeehan, Horst, Kirby, and Warner: To provide all National Merit Scholars free tuition to any West Virginia higher education institution in order to keep these scholars in state	874	1140				
3387 -	By Delegates Hardy, Storch, Westfall, and Espinosa: Extending the moratorium on the authorization of new convention and visitors bureaus for an additional two years (Chapter 96, Acts, Regular Session, 2023)	875	1029		1923	1166	1069, 1132, 1135, 1165, 3197, 3212
3388 -	By Delegate Summers: Creating the health care professionals preceptor tax credit	875					
3389 -	By Delegate Westfall: Allocating a percentage of county excise taxes for improvements to election administration	875					
3390 -	By Delegate Walker: Relating to the Antihazing Law	876					
3391 -	By Delegates Householder and Gearheart: Establishing filing deadlines for appeals of property tax valuations and issues involving property tax classification and taxability to the West Virginia Office of Tax Appeals (Chapter 320, Acts, Regular Session, 2023)	876	1029		1887	1166	1068, 1132, 1135, 1167, 2057, 3212

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3392 -	By Delegates Skaff, Clark, Williams, Howell, Garcia, and Linville: Relating to dedication of $30 million dollars of any budget surplus at the end of the fiscal year to the Development Office Promotion and Closing Fund	876	970				
3393 -	By Delegates Holstein and Mazzocchi: Prohibiting the delivery of unsolicited absentee ballot applications to any person who has not specifically requested one from the county clerk	877					
3394 -	By Delegates Holstein and Pinson: To require all electronic voting systems to be manufactured in the United States	877					
3395 -	By Delegates Holstein, Rohrbach, Mazzocchi, Capito, Steele, Householder, Linville, Fast, and Hornby: To require railroad companies to provide alternative entry and exit ways	877					
3396 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing, amending, and increasing existing items of appropriation from the State Road Fund to the Department of Transportation, Division of Highways (Chapter 30, Acts, Regular Session, 2023)	877	1073	1991	1991	1403, 1992	1254, 1309, 1370, 1404, 1992, 3194, 3211
3397 -	By Delegate Linville: Relating to broadband and political subdivisions	878	1048				
*3398 -	By Delegate McGeehan: Relating to the establishment of the West Virginia Memorial to Fallen Heroes of the Global War on Terrorism (Chapter 327, Acts, Regular Session, 2023)	878	1073, 1074	1286	1285	1268, 2789	1138, 1190, 1239, 1267, 3209, 3212
3399 -	By Delegates Howell, Martin, Young, and Miller: Increasing the tax credit for employers providing child care for employees	878					
3400 -	By Delegates Horst, Householder, Hardy, Phillips, Mallow, Summers, Foster, Espinosa, Ward, Howell, and Kimble: Firearm Industry Nondiscrimination Act	878					
3401 -	By Delegates Espinosa, Ridenour, Hardy, and Hornby: Relating to negligent homicide	879					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3402 -	By Delegates Foster, Brooks, Phillips, Steele, Fast, Maynor, Barnhart, and Kirby: Requiring annual report to the Joint Standing Committee on the Judiciary regarding statements of charges brought against a judge of this state	879					
3403 -	By Delegates Howell, Fehrenbacher, Martin, Young, Criss, Miller, and Storch: Providing a tax credit for employers with childcare facilities	879	1090, 1091				
3404 -	By Delegate Foster: Relating to the valuation of farm property	880					
*3405 -	By Delegates Foster, Kump, Kirby, and Ridenour: Change the maximum time period of a protective order to one year	880	1256	1507		1507	1373, 1430, 1506,
3406 -	By Delegate Cannon: Establishing presidential primary election in presidential election years	880					
3407 -	By Delegates Cannon, Linville, Hardy, Clark, Riley, and Barnhart: Relating to contribution limits in an election cycle	880					
3408 -	By Delegates Ellington, Hornby, Clark, and Crouse: To clean up statutory provisions regarding the Hope Scholarship program to better reflect the intent and operation of the program	880	1001	1431, 1507, 1544		1544	1040, 1078, 1413, 1431,
*3409 -	By Delegate Criss: Relating to authorizing application of the manufacturing investment tax credit and the manufacturing property tax adjustment credit against personal income tax	882				1268	1046, 1138, 1239,
3410 -	By Delegates Hornbuckle and Adkins: To allow public high schools to have full time athletic trainers	882					
3411 -	By Delegate Hornbuckle: To create an initiative to provide minorities and males with an incentive to join the public education field	882					
3412 -	By Delegate Linville: Relating generally to broadband	882	1048				
3413 -	By Delegate Hornbuckle: To increase the 35 year limit on interval pay raises to 40 years	883					
3414 -	By Delegate Westfall: Limiting recovery on claims for abuse in the State's school system	883					
3415 -	By Delegate Young: Maternal Health and Family Support Act	883					
3416 -	By Delegate Hornbuckle: To increase the minimum starting salary for a teacher to $50,000	884					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3417 -	By Delegate Howell: Including Potomac State College in the definition of community and technical college education program for participation in the "Learn and Earn Program"	884	1091			1210	1136, 1188,
3418 -	By Delegate C. Pritt: Providing clarity for expungement of domestic violence pretrial diversions	884					
3419 -	By Delegate Pushkin: Relating to wages of persons with disabilities	885					
3420 -	By Delegate Young: Relating to the reimbursement of sexual assault forensic medical examinations	885					
*3421 -	By Delegate Hanshaw (Mr. Speaker): Recodifying the code to eliminate conflicts	885	1148, 1149				1193
3422 -	By Delegate Dittman: To add nurses working in a nursing home to the overtime limitation	886					
3423 -	By Delegate Young: Relating to utility rate freeze	886					
3424 -	By Delegates Crouse, Honaker, Maynor, Mallow, Longanacre, Dean, Lucas, and Steele: Relating generally to the West Virginia State Athletic Commission	886	1145				
3425 -	By Delegate Young: Small Business Investment Grant Fund	887					
3426 -	By Delegate Gearheart: Establishing certain tenant protections and landlord notice requirements at rental properties	887					
3427 -	By Delegate Criss: Relating to consumers sales and service tax and use tax exemption for certain goods to be incorporated into a qualified, new or expanded warehouse or distribution facility	887	1029				1069
3428 -	By Delegate Howell: Relating to the West Virginia Business Ready Sites Program (Chapter 294, Acts, Regular Session, 2023)	888	969	1615, 1620	1614	1062, 1621	1023, 1034, 1621, 3190, 3212
3429 -	By Delegate Ferrell: Relating to eligibility requirements for student transfers to a public school for WVSSAC sanctioned sports	888					
3430 -	By Delegate Summers: To prohibit the bureau from assessing a fee upon local health departments	888	965				1023, 1034, 1042
3431 -	By Delegate Criss: Eliminating the requirement that the apprenticeship training tax credit base be limited to wages paid to apprentices in the construction trades	888	1029			1167	1069, 1132, 1135

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3432 -	By Delegate Hanshaw (Mr. Speaker): Relating to statutory construction (Chapter 303, Acts, Regular Session, 2023)	888	1145	2794, 2803	2794	1337, 2804	1251, 1334, 1337, 2804, 3209, 3213
3433 -	By Delegate Rowe: Create a division of forensic social work services in DHHR	889					
3434 -	By Delegate Young: Establishing a nuclear reactor pilot program	889					
3435 -	By Delegate Forsht: To revise the process for political subdivision to combine	889	1002, 1003				
3436 -	By Delegates Dillon and Ross: Restricting foreign ownership of land and other interests in the State of West Virginia	890					
3437 -	By Delegates Dillon, Dean, and Ross: Consumer Energy Affordability and Reliability Act	890					
3438 -	By Delegates Horst, Chiarelli, Smith, Summers, Thorne, DeVault, Jeffries, W. Hall, and Shamblin: To establish an auto-renewal licensing program that is eligible for discounts on licensing fees	890	1075				
3439 -	By Delegates Pinson, Westfall, and Burkhammer: To limit the civil liability of child placing agencies that obtain an insurance policy in an amount not less than $1 million per incident (Chapter 65, Acts, Regular Session, 2023)	890	1222	1371, 2966	2966	1404, 2967	1309, 1371, 3209, 3212
3440 -	By Delegates Linville and Westfall: Relating to costs of relocating public utility facilities, lines, or systems for certain highway construction projects	890	962				
3441 -	By Delegate Ellington: Revising the training requirements for members of the Higher Education Policy Commission, Council for Community and Technical College Education and the institutional governing boards (Chapter 183, Acts, Regular Session, 2023)	916	1001	3185	3185	1168	1041, 1067, 1138, 1167, 3209, 3212
3442 -	By Delegate Howell: Creating of the Mountain Bike Responsibility Act	916	1033				
3443 -	By Delegates Maynor, Linville, A. Hall, and Ridenour: Relating to a development or improvement on land subject to review by the State Historic Preservation Office (Chapter 197, Acts, Regular Session, 2023)	916	1195, 1311	2857	2857	1405	1371, 1404, 3185, 3209, 3212

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3444 -	By Delegate Phillips: Relating to the creation of the West Virginia Semiquincentennial Commission and Fund (Chapter 172, Acts, Regular Session, 2023)	917	1043		1941	1269, 1942	1138, 1190, 12393194, 3212
*3445 -	By Delegates Nestor and Kirby: Relating generally to probation and parole	917	1103, 1104	1304		1338	1190, 1239, 1304, 1337
3446 -	By Delegates Howell, Anderson, Westfall, Marple, Storch, Keaton, and Maynor: Clarifying the powers and duties of Public Service Commission as to electric generating facilities	917					
3447 -	By Delegate Ridenour: Relating to weighting final semester examinations	917					
3448 -	By Delegates Kelly and Hott: Relating generally to probation officer field training (Chapter 111, Acts, Regular Session, 2023)	918	1082	1942, 1945	1942	1211, 1946	1136, 1188, 3204, 3213
3449 -	By Delegates Hansen and Walker: Allowing recordings of closed meetings, and release in certain circumstances	918					
*3450 -	By Delegates Espinosa, Willis, Householder, Hardy, Criss, Zatezalo, Storch, Clark, Fluharty, and Shamblin: Relating generally to racetrack video lottery and the Licensed Racetrack Modernization Fund (Chapter 161, Acts, Regular Session, 2023)	918	1046, 1047	1240	1923	1270	1138, 1190, 1240, 1269, 3206, 3213
3451 -	By Delegates Hillenbrand, Ridenour, Sheedy, Street, and Cooper: Updating the veteran preference ratings in state code for state employment (Chapter 328, Acts, Regular Session, 2023)	918	1314	2889, 2896	2889	1546, 2895	1374, 1466, 3204, 3213
3452 -	By Delegate Young: To authorize an increase to the officer uniform allowance and to create a maternity and specialty uniform allowance	918					
3453 -	By Delegate Young: Consumer Data Protection Act	919					
3454 -	By Delegates Hornbuckle, Walker, and E. Pritt: Modifying the criminal penalties for overtaking or passing a stopped school bus	919					
3455 -	By Delegates Kimble and Jeffries: Relating to a patient's right to choose physician	919					
3456 -	By Delegates C. Pritt and Kimble: Prohibiting an inheritance if found to have engaged in elder abuse against decedent	919					
3457 -	By Delegates C. Pritt, Hillenbrand, and Ridenour: Provide voters with the ability to identify and verify their ballot cast in a statewide election	920					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3458 -	By Delegates Young and Pushkin: To create the Behavioral Health Reform and Innovation Council	920					
3459 -	By Delegate Phillips: To allow for a best value procurement evaluation for prequalified bidders	920	1036	1245			1138, 1191, 1245, 1254
3460 -	By Delegates Hott, Barnhart, and Westfall: Relating to merging of intrastate banks	920					
3461 -	By Delegate Walker: Relating to funding programs that supply feminine products and programs in the state	920					
3462 -	By Delegate Young: Relating generally to identifying and educating exceptional children exhibiting indicators or diagnosed with dyslexia or dyscalculia	921					
3463 -	By Delegates Walker, Pushkin, Hansen, Griffith, Hornbuckle, Rowe, Garcia, Williams, Skaff, Fluharty, and Young: To study ADA accessibility of the State Capitol	921					
3464 -	By Delegates Espinosa, Criss, Hardy, Summers, Ridenour, Householder, Storch, Willis, and Fluharty: Relating to the transfer of certain revenues derived from lottery activities	921	1199, 1309	1406		1406	1371, 1405
3465 -	By Delegates Heckert and Foggin: Relating to an involuntary commitment pilot program	921					
3466 -	By Delegate Toney: Relating to increasing the services the sheriff may charge	921					
3467 -	By Delegate Young: To allow for designated Outdoor Refreshment Areas	922					
3468 -	By Delegate Statler: To set the school calendar to 175 days of instruction to provide for 5 days of professional development	923					
3469 -	By Delegates Fluharty, Hornbuckle, Pushkin, E. Pritt, Young, and Skaff: Prohibiting persons convicted of a felony related to interfering with an election related proceeding of the United States Congress from running for or election to a public office	923					
3470 -	By Delegate Howell: Adding a category of additional compensation available to legislators for attending to constituent services	923					
3471 -	By Delegate Phillips: Relating to the appellate court for appeals of level 3 decisions issued by the Public Employees Grievance Board	923					
3472 -	By Delegates Walker and Hansen: Returning a woman's right to choose	924					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3473 -	By Delegates Linville and Maynor: Creating a workgroup relating to Dig Once Policy (Chapter 191, Acts, Regular Session, 2023)	924	1049	1245, 2886, 2888	2886	1270, 2889	1138, 1191, 1245, 1271, 2889, 3209, 3212
3474 -	By Delegate Steele: Increasing mandatory insurance coverage limits for proof of financial responsibility	924					
3475 -	By Delegate Steele: Relating to the offense of adulteration or alteration of medical cannabis testing results	924					
3476 -	By Delegate Pushkin: Establishing workers cooperative corporations	925					
3477 -	By Delegate Dillon: WV Emergency and Crisis Response Act	925					
3478 -	By Delegates Hillenbrand, Chiarelli, Coop-Gonzalez, Warner, Hanna, and Forsht: Relating to automotive tire disposal	925					
*3479 -	By Delegates Fehrenbacher, Espinosa, Mallow, Adkins, DeVault, Riley, Fast, Hillenbrand, Westfall, Anderson, and Zatezalo: Creating requirements for use of unmanned aerial vehicles (Chapter 105, Acts, Regular Session, 2023)	926	1055	1245, 1271, 2109, 2112	2109	1271	1138, 1191, 1245, 2113, 3204, 3213
*3480 -	By Delegates Hite, Horst, Miller, Hornby, Linville, and Cannon: Enact the West Virginia Consumer Financial Privacy Act of 2023	926	1311	1546		1571	1374, 1413, 1466,
3481 -	By Delegates Miller, Longanacre, Marple, Hite, Mallow, Jennings, DeVault, and Householder: Increasing the number of days that retirees in the Consolidated Public Retirement Board can work without a decrease in the amount they receive in retirement	926					
*3482 -	By Delegate Howell: To create the Coal Fired Grid Stabilization and Security Act of 2023 (Chapter 123, Acts, Regular Session, 2023)	926	1070	1571, 2992, 3001	2992	1572, 3002	1138, 1191, 1193, 1375, 1466, 1571, 3205, 3211
3483 -	By Delegates Espinosa and Householder: Approve the creation of the West Virginia First Foundation	926					
*3484 -	By Delegates Householder, Jeffries, Gearheart, and Espinosa: Relating to SNAP benefits	927	1074				1138, 1191, 1193
3485 -	By Delegates Householder, Jeffries, Gearheart, and Espinosa: Relating to Medicaid Waiver Package	927					
3486 -	By Delegate Crouse: Allocating a percentage of county excise taxes received from transfers of title to real estate in each county for election administration improvements	927					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3487 -	By Delegates Summers and Tully: Relating to cost-sharing calculations for certain Health Savings Account-qualified High Deductible Health Plans	928					
3488 -	By Delegate Cannon: Moving the state primaries to August	928					
3489 -	By Delegates Foster, Crouse, and Cannon: To make the fire board or county commission responsible for the operations of every fire department within their county	929					
3490 -	By Delegates Hanshaw (Mr. Speaker), Jeffries, Phillips, and Kelly: Relating to consolidation of local governments	929	1146				
3491 -	By Delegate Rowe: To increase criminal penalty for shooting at or killing a uniformed police officer	929					
3492 -	By Delegates Barnhart, Holstein, Forsht, Dean, Vance, Summers, Ferrell, Willis, and Marple: Relating to the distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments	929					
3493 -	By Delegates Capito, Holstein, Martin, Horst, C. Pritt, and Kump: Relating to prohibiting certain foreign ownership of agricultural land	930	1070			1272	1138, 1191, 1248
3494 -	By Delegates Reynolds, Zatezalo, Sheedy, Ferrell, Heckert, Willis, Hott, and Storch: Relating to withholding tax on income of nonresidents from natural resources royalty payments	930					
3495 -	By Delegate Holstein: To modify certain election laws, early voting laws, and absentee voting laws	930					
3496 -	By Delegates Holstein, McGeehan, Pinson, and Mazzocchi: To create the Responsible Fatherhood Act	931					
3497 -	By Delegates Holstein, Hornby, Jeffries, Kimble, Hanna, Foster, and Keaton: To prohibit rank choice voting in West Virginia	931					
3498 -	By Delegates Linville, Cannon, Fast, Young, and Keaton: Relating to the Consumer Data Protection Act and establishing a framework for controlling and processing personal data in the State	931	1044				

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3499 -	By Delegates Fast, Petitto, Warner, Lucas, C. Pritt, Cooper, and Steele: To permit joint tenancy with rights of survivorship when transfer on death deeds specify a joint tenancy with right of survivorship (Chapter 155, Acts, Regular Session, 2023)	932	1095	1211, 2547, 2549	2547	1213, 2550	1136, 1188, 1211, 3205, 3213
3500 -	By Delegates Westfall, Barnhart, and Hott: Allowing consumer lenders to permit employees to conduct certain business at locations other than the licensee's designated office (Chapter 158, Acts, Regular Session, 2023)	932	1255	2551, 2552	2550	1572, 2553	1374, 1466, 3204, 3213
3501 -	By Delegates Clark, Howell, Cannon, Ellington, Statler, Williams, Ross, Longanacre, Smith, Foggin, and Toney: Creating the Cardiopulmonary Resuscitation Instruction Fund	932	1095				
3502 -	By Delegate C. Pritt: Bifurcating the ethics commission	932					
3503 -	By Delegates C. Pritt, Longanacre, Horst, Coop-Gonzalez, Keaton, Kirby, Hornby, Phillips, McGeehan, and Hanna: Relating to nondiscrimination at institutions of higher education	932					
3504 -	By Delegate C. Pritt: Requiring sign up to run as an independent in January of election year	933					
3505 -	By Delegates Westfall, Shamblin, and Crouse: Requiring response by fire departments be based upon distance/travel time from fire scene	933					
3506 -	By Delegates Young, Walker, Hansen, and Hornbuckle: Relating to infant and maternity mortality	933					
3507 -	By Delegates Young, Pushkin, and Skaff: Mental Health and Substance Use Disorders Insurance Coverage Protection Act	933					
3508 -	By Delegates Young, Pushkin, and Skaff: To create the Core State Behavioral Health Crisis Services System	934					
3509 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission – Consumer Advocate Fund (Chapter 31, Acts, Regular Session, 2023)	934	1096		3186	1406	1132, 1254, 1310, 1371, 1407, 3194, 3211

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3510 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Administration, Office of Technology – Chief Technology Officer Administration Fund (Chapter 32, Acts, Regular Session, 2023)	935	1199		2032	1407	1310, 1371, 1407, 3194, 3211
3511 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Education, State Board of Education – School Lunch Program (Chapter 33, Acts, Regular Session, 2023)	935	1095		2032	1631	1132, 1375, 1468, 1585, 1632, 3194, 3211
3512 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services (Chapter 34, Acts, Regular Session, 2023)	935	1096		3187	1632	1132, 1375, 1468, 1632, 3194, 3211
3513 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority (Chapter 35, Acts, Regular Session, 2023)	935	1096		3186	1633	1132, 1468, 1585, 1633, 3194, 3211
3514 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Birth-to-Three Fund (Chapter 36, Acts, Regular Session, 2023)	936	1096		1387	1634	1132, 1375, 1468, 1585, 1634, 3187, 3194, 3211
3515 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Veterans' Assistance, Veterans' Facilities Support Fund (Chapter 37, Acts, Regular Session, 2023)	936	1096			1635	1132, 1375, 1468, 1585, 1634, 1635, 3187, 3194, 3211

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3516 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Safe Drinking Water Treatment (Chapter 38, Acts, Regular Session, 2023)	936	1096		3187	1635	1132, 1375, 1468, 1585, 1636, 3194, 3211
3517 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Division of Human Services – Child Care and Development (Chapter 39, Acts, Regular Session, 2023)	936	1096		3174	1636	1132, 1375, 1468, 1585, 1637, 3194, 3211
3518 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Agriculture (Chapter 40, Acts, Regular Session, 2023)	937	1096		3174	1637	1132, 1375, 1468, 1587, 1637, 3195, 3211
3519 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Transportation, Division of Motor Vehicles (Chapter 41, Acts, Regular Session, 2023)	937	1144		1887	1338	1251, 1305, 1339, 1976, 3211
3520 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Education, State Board of Education – Vocational Division (Chapter 42, Acts, Regular Session, 2023)	937	1144		1887	1339	1251, 1305, 1339, 1976, 3211
3521 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Division of Health – Maternal and Child Health (Chapter 43, Acts, Regular Session, 2023)	938	1144		1888	1340	1251, 1305, 1339, 1340, 1976, 3211
3522 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Commerce, Division of Natural Resources – License Fund – Wildlife Resources (Chapter 44, Acts, Regular Session, 2023)	938	1144		1888	1341	1252, 1305, 1340, 1341, 1976, 3211

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3523 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to Miscellaneous Boards and Commissions, Economic Development Authority (Chapter 45, Acts, Regular Session, 2023)	938	1144		1888	1341	1252, 1305, 1342, 1976, 3211
3524 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Agriculture – West Virginia Spay Neuter Assistance Fund (Chapter 46, Acts, Regular Session, 2023)	938	1096		3174	1638	1132, 1375, 1469, 1586, 1638, 3195, 3211
3525 -	By Delegates Howell and Young: Relating generally to taxation of solar panels used as energy wholesale generator or small scale utility	939					
3526 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission (Chapter 47, Acts, Regular Session, 2023)	939	1199			1408	1310, 1371, 1408, 3175, 3195, 3211
3527 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending appropriations to Department of Education, School Building Authority (Chapter 48, Acts, Regular Session, 2023)	939	1200		1888	1409	1310, 1372, 1409, 1976, 3211
3528 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – Hospital Services Revenue Account Special Fund Capital Improvement, Renovation and Operations (Chapter 49, Acts, Regular Session, 2023)	939	1145		1888	1342	1252, 1306, 1343, 1976, 3211
3529 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Commerce, State Board of Rehabilitation – Division of Rehabilitation Services (Chapter 50, Acts, Regular Session, 2023)	940	1221		2032	1410	1310, 1372, 1410, 3195, 3211

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3530 -	By Delegates Young, Williams, Garcia, Pushkin, Hansen, E. Pritt, Griffith, Rowe, Walker, Hornbuckle, and Fluharty: Relating to tax reductions and other aid	940					
3531 -	By Delegates Foster, Keaton, Linville, Butler, Cannon, Reynolds, and Brooks: Relating to issuance of restricted license	940					
3532 -	By Delegate Burkhammer: Creating a Meat Cutting and Processing Program	940					
3533 -	By Delegates Hornbuckle and Adkins: Granting jurisdiction to supervise youth sport league events to county boards of education and the West Virginia Athletic Trainers Association	941					
3534 -	By Delegates Worrell, Ferrell, and Rohrbach: Relating to insurance copayments for certain services	941					
3535 -	By Delegate Ridenour: Prohibiting the transportation and incarceration of political prisoners in West Virginia	941					
3536 -	By Delegates Storch, Howell, and Westfall: Relating to annual suicide prevention training and dissemination of resources for school staff	942					
3537 -	By Delegate Butler: Relating to granting the Intermediate Court of Appeals jurisdiction to hear certified questions	942					
3538 -	By Delegate Howell: Relating to limitations on the computation, imposition and collection of the business and occupation tax by municipalities	942					
3539 -	By Delegate Steele: Relating to increasing individual customer on-site generator limits	942					
3540 -	By Delegates Espinosa and Hite: Requiring regular reporting of recommended reimbursement rates for IDD providers	942					
3541 -	By Delegates Rowe, Griffith, Pushkin, and Walker: Moving recovery of certain expenses from the reconcilable rate to be charged to the users of the broadband facilities	943					
3542 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Expiring funds to the Department of Administration, Board of Risk and Insurance Management, Public Entity Insurance Trust Fund (Chapter 51, Acts, Regular Session, 2023)	943	1926		3175	2133	1964, 2029, 2134, 3195, 3211

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3543 -	By Delegates Hornby, Hanna, Hite, Horst, Ellington, Clark, Smith, Willis, and Tully: Relating to WV Secondary School Activities	943					
3544 -	By Delegates Dittman, Howell, Thorne, A. Hall, and Skaff: Offering a tax credit to property owners who provide lease land to the state for access for bike trails and rafting/kayaking	943	1025				
3545 -	By Delegates Pushkin, Rowe, and Walker: Expiring funds to the Treasurer's Office - American Rescue Plan Low-income Assistance Program	944					
3546 -	By Delegates Clark, Ferrell, Longanacre, Maynor, Jennings, Walker, Hornby, Ellington, and Willis: Providing for contracted employment of substitute teachers for 180 instructional days	944	999				
3547 -	By Delegates Clark, Ferrell, Longanacre, Maynor, Jennings, Walker, Ellington, and Toney: Increasing the number of personal leave days that county board of education employees may use (Chapter 302, Acts, Regular Session, 2023)	944	998		1904	1168	1041, 1067, 1138, 1904, 3204, 3213
3548 -	By Delegates Clark, Ferrell, Longanacre, Hanna, Maynor, Jennings, Hite, Walker, Ellington, and Toney: Relating to teacher duty-free lunch and daily planning periods	944	1001	1067		1169	1041, 1067, 1138, 1168,
3549 -	By Delegates Clark, Statler, Ferrell, Longanacre, Hanna, Jennings, Hornby, Hite, Walker, Ellington, and Toney: Relating to classroom teachers and special education classroom teachers individualized education program requirements	945	1001			1169	1041, 1068, 1138
3550 -	By Delegate C. Pritt: Relating to state political party committees	945					
*3551 -	By Delegates C. Pritt, Crouse, Clark, Garcia, Shamblin, and Fluharty: Provide for criminal history record restrictions for certain persons	945	1104			1273	1191, 1248, 1272,
3552 -	By Delegates Brooks, Phillips, Honaker, Hott, and Heckert: Relating to per diem jail costs (Chapter 79, Acts, Regular Session, 2023)	1035		1248, 3007, 3013, 3014	3007, 3186	1273, 3014	1158, 1136, 1191, 3209, 3213
3553 -	By Delegates Summers, Espinosa, Gearheart, Horst, Hott, Riley, Barnhart, Mazzocchi, Anderson, and Rowe: Supplementing and amending appropriations to Department of Health and Human Resources (Chapter 52, Acts, Regular Session, 2023)	1881			3175	2008	1921, 1962, 2007, 2008, 3195, 3211

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3554 -	By Delegate Howell: Relating to prohibiting a municipality or the governing body of any municipality from limiting rental of a property	1070					1138, 1192, 1248, 1306, 1343, 1573
3555 -	By Delegates Statler, Toney, Foggin, Hornby, Lucas, Mazzocchi, E. Pritt, and Willis: Relating to student purchase and refunds of course material (Chapter 184, Acts, Regular Session, 2023)	1032		2805	2804	1214, 2806	1136, 1188, 3209, 3213
3556 -	By Delegates Steele, Garcia, Fast, and Marple: Uniform Recognition and Enforcement of Canadian Domestic Violence Protective Orders Act	1104				1274	1192, 1249, 1273
3557 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Veterans' Assistance (Chapter 53, Acts, Regular Session, 2023)	1128			3175	1713	1416, 1587, 1666, 1714, 3195, 3211
3558 -	By Delegates Howell, Clark, A. Hall, Fehrenbacher, and Petitto: Relating to providing an exception to the provisions of the Uniform Common Interest Ownership Act (UCOIA)	1139					1252, 1254
3559 -	By Delegates Westfall, Fluharty, Hillenbrand, Steele, Ward, Ridenour, Warner, Martin, Kump, Marple, and Kimble: Relating to defining a newborn safety device (Chapter 66, Acts, Regular Session, 2023)	1196		1372, 2809	2806	2809	1310, 1372, 1411, 3209, 3212
3560 -	By Delegate Howell: Relating to expanding the definitions of land and recreational purposes (Chapter 3, Acts, Regular Session, 2023)	1202			3185	1412	1310, 1372, 3209, 3212
3561 -	By Delegates Phillips, McGeehan, Chiarelli, Adkins, and Longanacre: Relating generally to creating the Joint Legislative Committee on Civic Life	1467					1573
3562 -	By Delegates Jennings, Phillips, McGeehan, Crouse, Honaker, Dean, Heckert, Longanacre, Adkins, Brooks, and C. Pritt: Relating to the West Virginia Fusion Center	1573					
3563 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services (Chapter 54, Acts, Regular Session, 2023)	1883			3176	2008	1921, 1962, 2009, 3195, 3211

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
3564 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Division of Human Services - Energy Assistance (Chapter 55, Acts, Regular Session, 2023)	1478			3186	2009	1883, 1921, 1362, 2010, 3195, 3211

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*Denotes Committee Substitute

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
1 -	By Delegate Hanshaw (Mr. Speaker): Raising a Joint Assembly to hear remarks of the Governor	25			159	25	
*2 -	By Delegates Cooper, Longanacre, Anderson, Heckert, Reynolds, Sheedy, and Smith: U. S. Army Cpl. Billy F. Mann Memorial Bridge	189	1045, 1107		2033	1157	1157
3 -	By Delegate Westfall: Oscar J. Harris Frozen Camp Road Bridge	189					
4 -	By Delegates Reynolds, Cooper, Sheedy, Zatezalo, Miller, Horst, Jeffries, Willis, W. Hall, Nestor, and Kelly: U. S. Army MSG Jon D. Wayt Memorial Bridge	190	1047, 1312		2033	1324	
5 -	By Delegates Toney, Statler, Vance, Ellington, Cooper, Dittman, Brooks, Shamblin, Foggin, Heckert, and Kirby: To study the legislative findings public school support plan.	250					
6 -	By Delegates Holstein and Brooks: Proclaiming and making the fiddle the official musical instrument of the State of West Virginia	316					
7 -	By Delegates Holstein and Ridenour: U.S. Army SSG James C. Vickers Silver Star Highway	337					
8 -	By Delegate Walker: A study of public charter schools student population	390					
9 -	By Delegate Rowe: U. S. Army PFC Walter C. Horner Memorial Bridge	460	1312		2033	1324	
10 -	By Delegate Rowe: Shelby “Cubby” Foster and Robert “Robbie” Collins Memorial Road	460	1312	2924	2924	1324, 2925	
11 -	By Delegates Hanshaw (Mr. Speaker), Anderson, Brooks, Cannon, Chiarelli, Ellington, Foster, Garcia, Gearheart, Hall, A., Hornbuckle, Hott, Householder, Linville, Lucas, McGeehan, Phillips, Riley, Rohrbach, Smith, Statler, Steele, Storch, Street, Thorne, Vance, Warner, Westfall, Worrell, Young, and Zatezalo: Relating to Higher Education Consortium for Emerging Energy Technologies	554	580		1622	620	

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
12 -	By Delegates Heckert, Criss, Zatezalo, Mallow, Crouse, Sheedy, Chiarelli, Devault, Warner, Fehrenbacher, and W. Hall: Requesting that the Division of Highways place roadway welcome signs containing the phrase "West Virginia a Purple Heart State"	555	1415, 1675			1700	
13 -	By Delegates Chiarelli, Devault, Warner, Householder, Sheedy, Horst, Mallow, Street, C. Pritt, Hillenbrand, and Brooks: Make 2nd week of February of every year a week of recognition of the Boy Scouts of America.	555	580		1056	620	
14 -	By Delegates Ward and Espinosa: Stanley W. and Evelyn C. See Memorial Bridge	619	1047, 1108			1157	1156
15 -	By Delegates Hillenbrand, Cooper, Ridenour, Sheedy, Heckert, Kirby, Crouse, Nestor, Kimble, Griffith, and Mazzocchi: Requesting That the Joint Committee on Government and Finance send official correspondence to West Virginia's federal delegations stating West Virginia veterans' concerns and objections to the two TRICARE for Life ("TFL") proposals	661	1003, 1769			1870	
16 -	By Delegates Gearheart, Smith, Maynor, Ellington, Cooper, Worrell, Longanacre, Butler, McGeehan, Ridenour, and Householder: U. S. Army Staff Sgt. James Ira "Junior" Spurrier Memorial Bridge	661	1047, 1108			1157	1156
17 -	By Delegate Dillon: CSA Army PVT Nathaniel Perry Memorial Trail	702	1200				
18 -	By Delegate Dillon: Ira "Noon" Copley & Marie Copley Memorial Bridge	703					
19 -	By Delegates Young, Cannon, Clark, Crouse, Dean, DeVault, Dittman, Ellington, Fluharty, Foggin, Garcia, Gearheart, Griffith, Heckert, Hillenbrand, Honaker, Hornbuckle, Howell, Jennings, Keaton, Kirby, Linville, Longanacre, Lucas, Mallow, Marple, Miller, E. Pritt, Pushkin, Riley, Ross, Rowe, Sheedy, Statler, Thorne, Toney, Vance, Warner, Williams, Willis, and Zatezalo: Declaring the "pepperoni roll" to be the official state food of West Virginia	718	1076				
20 -	By Delegates Young and Walker: Requesting the establishment of the Appalachian Dialect Act.	719					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
21 -	By Delegate Westfall: Michael Lee "Rube" Ruben Memorial Bridge	743	1047, 1108		2033	1157	1156
22 -	By Delegate Hanshaw (Mr. Speaker): U.S. Army T/5 Doyle Bedell Taylor Memorial Bridge	743	1047, 1108		2033	1157	1156
23 -	By Delegate Holstein: U.S. Army SGT Theron Turner Memorial Bridge	835	1200, 1312		2925	1324	
24 -	By Delegate Linville: U. S. Army PFC Herman H. Lucas Memorial Bridge	835	1047, 1108		2033	1157	1156
25 -	By Delegates Hite, Hardy, Hornby, Horst, Reynolds, Riley, Hanna, Ridenour, Espinosa, Maynor, and Garcia: U. S. Marine Corps, PFC John Louis "Johnny" Brumbaugh, Jr. Memorial Bridge	835	1047, 1108		2034	1157	1156
26 -	By Delegate Capito: U.S. Army SGT Samuel D. Roberts Sr. Memorial Bridge	835	1047, 1108		2034	1157	1156
27 -	By Delegates Summers, Toney, Mallow, Fehrenbacher, Honaker, Hite, Vance, Barnhart, Miller, W. Hall, and Forsht: Requesting Joint Committee on Government and Finance study all benefits of state employees to determine which benefits, if any, may be refused by an employee in exchange for a cash equivalent.	868	1050, 1108			1158	
28 -	By Delegates Dittman, Mazzocchi, and Petitto: Terra Dawn Lewis Memorial Road and Bridge	868	1047, 1108			1157	1156
29 -	By Delegate Hanshaw (Mr. Speaker): Amending Joint Rule 13 of the Joint Rules of the Senate and House that clarifies that when two or more bills amending the same statute are passed in the same session, the last passed controls	870			1030	870	
30 -	By Delegates Dillon, Dean, Linville, and Ross: Urging that the Commissioner of Highways designate the completion of the four lane highway from Prichard, West Virginia, to Williamson, West Virginia, to be a high priority project.	869					
*31 -	By Delegates Ross, Lucas, Dillon, Cannon, Chiarelli, Griffith, Pushkin, Adkins, Hornbuckle, Linville, and Butler: Permitting the West Virginia Department of Tourism to proceed with procuring bids/interest in companies to place a lodge on the property of Beech Fork Lake.	869	1147, 1344			1388	

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
32 -	By Delegate Dillon: The Albert "Ab" Baisden Memorial Bridge.	869	1047, 1108			1157	1156
33 -	By Delegates Skaff, Pushkin, and Fluharty: Lt. Col. Mitchell M. Mickel Memorial Bridge	869	1415, 1675	2926	2926	1701	
34 -	By Delegates Hite, Horst, Reynolds, Storch, Hanna, Willis, and Barnhart: William N. "Shug" Kisner Memorial Bridge	870	1200, 1312		2034	1324	
35 -	By Delegate Young: Declaring the Guyandotte River Crayfish (Cambarus veteranus) the official crustacean for the State of West Virginia.	870					
36 -	By Delegates Skaff and Young: U. S. Army Pvt. Charles A. White, Sr. Memorial Bridge	915	1415, 1675			1701	
37 -	By Delegates Ridenour, Crouse, A. Hall, Mazzocchi, Adkins, and Hillenbrand: Proposing to Congress that a convention of states be called	915					
38 -	By Delegates Howell, Clark, Crouse, DeVault, Dittman, Fehrenbacher, A. Hall, Hanna, Hornbuckle, Hornby, Hott, Marple, Pinson, Sheedy, Skaff, Storch, Street, Thorne, and Willis: Requesting Joint Committee study building welcome centers on Appalachian Development Highways	1010					
39 -	By Delegates Howell, Burkhammer, Clark, Hott, Martin, Nestor, Phillips, and Ward: Requesting the Department of Highways study the possibility of turning US 48 into Interstate 66.	984					
40 -	By Delegate Toney: USMC Corporal Larry Allen "Crocky" Holstein, Jr. Memorial Bridge	984	1200, 1312	1325	2034	1326	
41 -	By Delegate Linville: U. S. Army PFC Herman H. Lucas Memorial Bridge	1010	1200, 1312			1325	
42 -	By Delegates Ellington, Gearheart, Smith, and Ridenour: U. S. Army SSG William Joseph "Will" Thompson Memorial Bridge	1010	1200, 1312	2927, 2929	2926	1325, 2929	
43 -	By Delegate Westfall: U.S. Navy Quartermaster C.E. "Red" Landfried Memorial Bridge	1011	1200, 1312			1325	
44 -	By Delegates Fast, Brooks, and Ridenour: U. S. Army PV2 Harold Richard Plumley Memorial Bridge	1011	1200, 1312			1326	1326
45 -	By Delegates Toney and Vance: Lewis Joseph D'Antoni Memorial Road	1032	1200, 1312			1325	

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
46 -	By Delegate Forsht: Requesting the Joint Committee on Government and Finance study the current instances of rules enforcement and judication by the same organization and make recommendations for eliminating this practice.	1032					
47 -	By Delegates Hott, Kelly, Reynolds, Coop-Gonzalez, Ward, Heckert, Riley, Smith, Petitto, Mazzocchi, and Marple: U. S. Army SGT Walter Hedrick Memorial Bridge	1085	1200, 1312		2034	1325	
48 -	By Delegates Hanshaw (Mr. Speaker), Rowe, Pinson, Skaff, Pritt, E., Young, Griffith, and Hansen: Requesting that the Jointy Committee on Government and Finance study the social work services of the DHHR in child abuse and neglect cases.	1085					
49 -	By Delegates Ward, Smith, Crouse, Hott, Ridenour, Thorne, Maynor, Marple, Dean, Lucas, and Keaton: U. S. Army 1SG Elmer C. Lofton Memorial Bridge	1127	1200, 1312		2035	1325	
50 -	By Delegate Toney: U. S. Army PVT Leon 'Deacon' Stover Memorial Bridge	1127	1200, 1312			1325	
51 -	By Delegates Coop-Gonzalez and Nestor: U. S. Army SFC Samuel Evans Miller Memorial Bridge	1155	1415, 1675			1701	
52 -	By Delegate Barnhart: Study the financial effects of raising the threshold from $25,000 to $50,000 for the requirement of bids for municipal, public service district, county and state public works project.	1202	1930, 2037			2115	
53 -	By Delegates Dean, Summers, Worrell, Steele, Hardy, Smith, Hite, Keaton, Hanna, Cannon, and Skaff: Legislative Oversight Commission on Health and Human Resources Accountability study the implementation of Electronic Visit Verification in West Virginia Medicaid's Home and Community Based Services.	1203					
54 -	By Delegate Foster: U.S. Army PFC Russell Richard Ferguson Memorial Bridge	1203	1415, 1675		2035	1701	
55 -	By Delegates Pinson and Westfall: Chief Lee Thomas Memorial Bridge.	1203	1415, 1675			1701	
56 -	By Delegates Gearheart and Smith: George M. Hall Memorial Bridge	1323	1415, 1675			1701	

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
57 -	By Delegates Howell, Clark, Cannon, Fehrenbacher, Nestor, Lucas, and Skaff: Requesting Department of Economic Development to create a plan of incentives to encourage small businesses in highly regulated states to relocate to WV	1323	1965, 2037			2115	
58 -	By Delegates Jennings, Street, Storch, Barnhart, Reynolds, Cooper, Dittman, Smith, Jeffries, Tully, and Hornby: U. S. Army SSG Steven "Todd" Shay Memorial Bridge	1323	1415, 1675		2035	1701	
59 -	By Delegates Howell, A. Hall, Clark, Dillon, Petitto, Storch, Ferrell, Fehrenbacher, Cannon, Nestor, and Lucas: Requesting a study to establish a motorsport events welcome center and implement a program to promote motorsport events in West Virginia	1323	1966, 2037			2115	
60 -	By Delegates Howell, Clark, Petitto, Dittman, Ferrell, Hornby, E. Pritt, Hanna, Cannon, Thorne, and W. Hall: Requesting the Joint Committee on Government and Finance study the economic and tourism impacts creating a cross state biking and hiking trail.	1324	1966, 2038			2115	
61 -	By Delegate Jeffries: U.S. Army Sgt. John Edsel Edens Memorial Road	1387	1675	2930, 2931	2930	1701, 2931	
62 -	By Delegates Mazzocchi, Holstein, Adkins, Ridenour, Bridges, Butler, Honaker, Heckert, Smith, Longanacre, and Cooper: U.S. Army PFC Clayton Collins Memorial Bridge	1477	1770		2035	1871	1871
63 -	By Delegates Sheedy, Butler, Hanna, Hillenbrand, Street, DeVault, Heckert, Chiarelli, Longanacre, Willis, and Crouse: Proclaiming and making the AR-15 the official rifle of the State of West Virginia.	1478					
64 -	By Delegates Skaff, Young, Pushkin, Ferrell, W. Hall, and Shamblin: U. S. Army Air Corps PVT-II Charles A. White Memorial Road	1627	1770			1871	
65 -	By Delegates Linville and Cannon: Requesting a study of the effects of eliminating the mandatory inspection of motor vehicles	1967	2038			2115	
66 -	By Delegates Linville and Cannon: Requesting a study on the effects of conservation easements	1967	2038			2115	
67 -	By Delegates Linville and Cannon: Requesting a study of the effects of using blockchain technology on vital public and government data security.	1968	2038			2115	

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
68 -	By Delegates Linville and Cannon: Requesting a study on the effects of site preparedness on economic development.	1968	2038			2115	
69 -	By Delegates Linville and Cannon: Requesting a study on the use of larger crews and continuous working hours on smaller roadway projects.	1968	2038			2115	
70 -	By Delegate Howell: Requesting a study to assess on selective regulation of short-term rental properties.	1974	2745			2747	2476
71 -	By Delegates Vance, Burkhammer, Toney, Brooks, Kirby, Worrell, Holstein, Dean, Fast, A. Hall, and Longanacre: November 7th to be designated as "Pastor Appreciation Day" in West Virginia.	1995	2745			2747	2476
72 -	By Delegates Mazzocchi, Adkins, Anderson, Brooks, Clark, Cooper, Crouse, Dean, DeVault, Ferrell, Forsht, Hillenbrand, Hite, Holstein, Honaker, Hott, Howell, Jeffries, Jennings, Kelly, Kirby, Lucas, Mallow, Marple, Miller, Nestor, Petitto, C. Pritt, Ridenour, Sheedy, Steele, Storch, Tully, Ward, Westfall, Willis, Worrell, and Zatezalo: To study the effect of the establishment Whole-Homes Repair Act of 2023.	1996	2745			2747	2476
73 -	By Delegate Howell: Requesting a study to assess whether amending the tax code to provide tax incentives upon manufacturing.	1974	2745			2747	2476
74 -	By Delegate Howell: Requesting a study to assess whether the code contains outdated excessive or unnecessary provisions.	1975	2745			2747	2476
75 -	By Delegate Howell: Requesting a study concerning the construction of welcome centers.	1975	2745			2747	2476
76 -	By Delegate Storch: Requesting a study of creating regional intra-state tourism districts	1974	2746			2747	2476
77 -	By Delegate Storch: Requesting a study concerning tourism related infrastructure issues post covid-19.	1974	2746			2747	2476
78 -	By Delegate Hanshaw (Mr. Speaker): Proclaiming the extension of a state of emergency in our correctional institutions	2113				2114	

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
79 -	By Delegate Hornby: Requesting the Department of Economic Development to create a plan of incentives to encourage small businesses based in agri-tourism, craft breweries, distilleries, vineyards, wineries and other specialized agriculture of tourism interest to locate or relocate to West Virginia	2114	2746			2747	2476
80 -	By Delegates Holstein, Adkins, Anderson, Barnhart, Brooks, Burkhammer, Butler, Cannon, Capito, Chiarelli, Clark, Cooper, Coop-Gonzalez, Criss, Crouse, Dean, DeVault, Dittman, Ellington, Espinosa, Fast, Fehrenbacher, Ferrell, Fluharty, Forsht, Foster, Garcia, Gearheart, Griffith, A. Hall, W. Hall, Hanna, Hansen, (Mr. Hansha, Hardy, Heckert, Hillenbrand, Hite, Honaker, Hornbuckle, Hornby, Horst, Hott, Householder, Howell, Jeffries, Jennings, Keaton, Kelly, Kimble, Kirby, Linville, Longanacre, Lucas, Marple, Maynor, Mazzocchi, McGeehan, Miller, Petitto, Phillips, Pinson, C. Pritt, E. Pritt, Pushkin, Reynolds, Ridenour, Riley, Rohrbach, Rowe, Shamblin, Sheedy, Skaff, Smith, Statler, Steele, Storch, Street, Summers, Thorne, Toney, Tully, Vance, Walker, Ward, Warner, Westfall, Williams, Willis, Young, and Zatezalo: To study pediatric cancer in Appalachia and to provide directive language asking for a report on this issue in the appalachian region.	2554	2746			2747	2476
81 -	By Delegates Hillenbrand, DeVault, and Linville: Requesting Joint Committee on Government and Finance study on the problem of tire disposal and finding solutions to rid our landscape of waste tires.	2554	2746			2747	2476
82 -	By Delegates Capito, Westfall, Fast, Hornby, Criss, and Summers: February to be designated annually as West Virginia Cancer Prevention Month.	2555	2746			2747	2476
83 -	By Delegates Howell and Clark: Joint Committee on Government and Finance study concerning debt collection practices by non-profit hospitals and/or health clinics who are funded in whole or in part by state funding appropriation in WV and assess the propriety of debt collection practices	2794					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
84 -	By Delegates Rohrbach and Ferrell: Requesting the Joint Committee on Government and Finance study state aid for students of veterinary medicine	2794					

The Senate's adoption of House Concurrent Resolutions 15, 51, 52, 78, 80, and 82 was erroneously omitted from reference in the daily journal.

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*Denotes Committee Substitute

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
1 -	By Delegate Steele: Guaranteeing the right of the citizens of West Virginia to hunt and fish	29	965				
2 -	By Delegate Hanna: Lower the age to run for a State Senator to 21	29					
3 -	By Delegate McGeehan: Taxpayers Bill of Rights	30					
4 -	By Delegate Horst: Amend the state Constitution to give the people the powers of initiative, referendum and recall	30					
5 -	By Delegate Skaff: Allowing an elected state official to be a government employee or employee of a public school, college, or university	30					
6 -	By Delegate Mallow: Increasing the Homestead Exemption	30					
7 -	By Delegate Mallow: Increase Homestead exemption	31					
8 -	By Delegate Steele: Disabled Veteran's Property Tax Exemption Amendment	31					
9 -	By Delegate Hansen: Natural Resources and the Public Estate Amendment	31					
10 -	By Delegate Howell: Senior Citizen Homestead Valuation Amendment	31					
11 -	By Delegate Kimble: Initiative, Referendum and Recall	32					
12 -	By Delegate Walker: Amending the Constitution to provide for the right to food, food sovereignty and freedom from hunger	32					
13 -	By Delegate Fast: Repealing the business and inventory ad valorem tangible personal property tax.	32					
14 -	By Delegates Kump, Householder, Criss, Linville, Foster, Maynor, Hite, Hornby, Horst, Phillips, and Crouse: Amending the Homestead Exemption of the Constitution	206					
15 -	By Delegate McGeehan: Super-Majority Required for Passage of Tax Bill Amendment	250					
16 -	By Delegate Foster: Manufacturing inventory and equipment tax exemption amendment	410					

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by Senate	Adopted by House	OTHER PROCEEDINGS
17 -	By Delegates Kimble, Chiarelli, and Longanacre: Providing for the election of members of the State Board of Education	410	997				
18 -	By Delegates Holstein, Forsht, and Steele: To established a tiered reduction on property taxes for disabled veterans.	460					
19 -	By Delegate Foster: Providing Term Limits for certain Constitutional Officers	460					
20 -	By Delegates Thorne, Horst, Kirby, Pinson, Dillon, A. Hall, Dittman, Hornby, Householder, and Miller: Right to Farm and Ranch Amendment	498	732				
21 -	By Delegates Hornbuckle, Fluharty, Skaff, Young, Kirby, Garcia, Dean, Bridges, Smith, Pushkin, and McGeehan: Amending Constitution to allow for possession, manufacture and sale of cannabis	499					
22 -	By Delegate Young: To allow certain state employees the eligibility to a seat in the legislature	555					
23 -	By Delegates Horst, Kump, Mazzocchi, Linville, Phillips, C. Pritt, McGeehan, Hite, Coop-Gonzalez, Kimble, and Longanacre: Relating to the prohibition of unreasonable searches and seizures.	662					
24 -	By Delegates Hillenbrand, Mallow, DeVault, Hott, Barnhart, Honaker, Hardy, Jennings, Statler, and Keaton: Lowering the threshold required for a fire levy	662					
25 -	By Delegates Worrell, Mazzocchi, Dillon, Kirby, and Ridenour: Relating to the right to refuse any medical treatment, injection, device, vaccine or prophylactic	805					
26 -	By Delegate Forsht: Legislature Assembly Amendment	870					
27 -	By Delegates Miller, Householder, Marple, Longanacre, Hite, DeVault, and Coop-Gonzalez: To give a personal tax break of 50% to disabled veterans and 50% off hunting or fishing licenses.	915					
28 -	By Delegate McGeehan: Relating to preventing any individual from serving in the office of Secretary of State, Auditor, State Treasurer, Commissioner of Agriculture, or Attorney General for more than three consecutive terms	915					

REGULAR SESSION, 2023

*Denotes Committee Substitute

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
1 -	By Delegate Hanshaw (Mr. Speaker): Adoption of the House Rules	26			28	
2 -	By Delegate Hanshaw (Mr. Speaker): Publication of the Acts of the Legislature, Journals of the House, Manual of the House and Senate, and payment of travel expenses	29			29	
3 -	By Delegate Hanshaw (Mr. Speaker): Authorizing the appointment of employees for this, the First Regular Session of the Eighty-sixth Legislature, 2023	29			29	
4 -	By Delegates Holstein, Foster, and Steele: A resolution condemning calls to defund the police.	337				
5 -	By Delegates Tully, Adkins, Anderson, Barnhart, Bridges, Brooks, Burkhammer, Butler, Cannon, Capito, Chiarelli, Clark, Cooper, Coop-Gonzalez, Crouse, Dean, Devault, Dillon, Dittman, Espinosa, Fast, Fehrenbacher, Ferrell, Foggin, Forsht, Foster, Gearheart, Griffith, A. Hall, W. Hall, (Mr. Hansha, Hardy, Heckert, Hillenbrand, Hite, Honaker, Hornby, Horst, Hott, Householder, Howell, Jeffries, Jennings, Keaton, Kelly, Kimble, Kirby, Kump, Linville, Longanacre, Lucas, Mallow, Marple, Martin, Maynor, Mazzocchi, McGeehan, Miller, Nestor, Petitto, Phillips, Pinson, C. Pritt, E. Pritt, Pushkin, Reynolds, Ridenour, Riley, Rohrbach, Ross, Rowe, Shamblin, Sheedy, Smith, Statler, Street, Summers, Thorne, Toney, Vance, Warner, Willis, Worrell, Young, and Zatezalo: To honor the life of Nicholas County Deputy Sheriff Thomas “Tom” Baker.	361			361	361
6 -	By Delegates Foster, Brooks, Ridenour, Crouse, Steele, Longanacre, Phillips, Maynor, (Mr. Hansha, Dean, and Dillon: Empowering the House Committee on the Judiciary to investigate allegations of impeachable offenses against a Judge of the Family Court	390				
9 -	By Delegate Longanacre: Resolution to not support any infringement upon the 2nd Amendment	554				
10 -	By Delegates Ross, Lucas, Householder, Dillon, Dean, Worrell, Linville, Cannon, Chiarelli, Rohrbach, and Warner: Completion of US 52 from Kenova West Virginia to Prichard West Virginia	554				

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
11 -	By Delegates Howell, Anderson, Brooks, Cannon, Capito, Clark, Coop-Gonzalez, Crouse, Devault, Ellington, Fast, Ferrell, Fluharty, Garcia, Griffith, A. Hall, W. Hall, Hanna, Hansen, Heckert, Hillenbrand, Hite, Honaker, Hornbuckle, Hornby, Horst, Hott, Jennings, Keaton, Kirby, Kump, Linville, Lucas, Mallow, Marple, Martin, Maynor, Mazzocchi, Miller, E. Pritt, Pushkin, Riley, Rowe, Sheedy, Skaff, Statler, Storch, Summers, Thorne, Toney, Tully, Walker, Ward, Warner, Westfall, Williams, Willis, Young, Zatezalo, (Mr. Hansha, and Espinosa: Reaffirming the longstanding sisterhood partnership between West Virginia and Taiwan.	633	1344		1344	
12 -	By Delegates Barnhart, Anderson, Brooks, Butler, Cannon, Coop-Gonzalez, Crouse, Dean, Fehrenbacher, Ferrell, Foggin, Forsht, Gearheart, A. Hall, Heckert, Hite, Honaker, Horst, Hott, Kelly, Kump, Linville, Longanacre, Mallow, Miller, Nestor, Reynolds, Rohrbach, Shamblin, Sheedy, Storch, Summers, Vance, Westfall, Worrell, and Zatezalo: Encouraging Monongahela Power to purchase Pleasants Power Station	661	831, 966		967	966
13 -	By Delegates Ridenour, Thorne, Mazzocchi, Kimble, Foster, Kirby, Honaker, Longanacre, Crouse, A. Hall, Dillon, and Adkins: A resolution requesting a combined investigative task force be created (United States House of Representatives) to incorporate or coordinate with other state, national and international investigations, entities, and activities to discuss and investigate the origins of and the response to the pandemic.	868				
14 -	By Delegates Ridenour, Crouse, A. Hall, Dillon, Mazzocchi, and Adkins: Disband the FBI and other politicized intelligence and law enforcement agencies.	914				
15 -	By Delegates Skaff, Griffith, Hornbuckle, Pushkin, Garcia, and Hansen: Proclaiming that the State of West Virginia supports admitting Washington, D.C. into the Union as a state of the United States of America.	984				

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
16 -	By Delegates Anderson, Brooks, Burkhammer, Butler, Cannon, Chiarelli, Clark, Cooper, Coop-Gonzalez, Crouse, Dean, DeVault, Dillon, Dittman, Fast, Fehrenbacher, Ferrell, Foggin, Forsht, Gearheart, A. Hall, W. Hall, Heckert, Hillenbrand, Hite, Holstein, Honaker, Horst, Hott, Householder, Jeffries, Jennings, Keaton, Kimble, Kirby, Kump, Linville, Longanacre, Lucas, Mallow, Marple, Martin, Maynor, Mazzocchi, McGeehan, Miller, Nestor, Petitto, Phillips, Pinson, C. Pritt, Reynolds, Ridenour, Riley, Rohrbach, Ross, Shamblin, Smith, Steele, Street, Thorne, Tully, Vance, Ward, Warner, Westfall, Willis, Worrell, and Zatezalo: Calling for condemnation of the new FDA regulations.	1085				
17 -	By Delegates Anderson, Zatezalo, Fehrenbacher, Barnhart, Foggin, Young, Heckert, Warner, Rowe, Hansen, and Street: Urging the West Virginia Geologic and Economic Survey to work with groups to evaluate policy options to encourage the capture and beneficial use of coal mine methane	1155	1194, 1344		1387	
18 -	By Delegates Linville, Hornbuckle, Adkins, Anderson, Bridges, Brooks, Burkhammer, Butler, Cannon, Chiarelli, Clark, Coop-Gonzalez, Crouse, Dean, DeVault, Dillon, Dittman, Ferrell, Fluharty, Foggin, Forsht, Garcia, A. Hall, W. Hall, Hanna, Hansen, Heckert, Hillenbrand, Hite, Holstein, Honaker, Horst, Hott, Howell, Jennings, Keaton, Kirby, Kump, Longanacre, Lucas, Marple, Mazzocchi, Miller, Petitto, Phillips, C. Pritt, E. Pritt, Pushkin, Ross, Rowe, Skaff, Street, Tully, Ward, Warner, Williams, Willis, and Young: Urging the Congress of the United States to enact federal law that allows for the expiration on pharmaceutical product patents in certain instances	2553				

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
19 -	By Delegates Hanshaw (Mr. Speaker), Adkins, Anderson, Barnhart, Bridges, Brooks, Burkhammer, Butler, Cannon, Capito, Chiarelli, Clark, Cooper, Coop-Gonzalez, Criss, Crouse, Dean, DeVault, Dillon, Dittman, Ellington, Espinosa, Fast, Fehrenbacher, Ferrell, Fluharty, Foggin, Forsht, Foster, Garcia, Gearheart, Griffith, Hall, A., Hall, W., Hanna, Hansen, Hardy, Heckert, Hillenbrand, Hite, Holstein, Honaker, Hornbuckle, Hornby, Horst, Hott, Householder, Howell, Jeffries, Jennings, Keaton, Kelly, Kimble, Kirby, Kump, Linville, Longanacre, Lucas, Mallow, Marple, Martin, Maynor, Mazzocchi, McGeehan, Miller, Nestor, Petitto, Phillips, Pinson, Pritt, C., Pritt, E., Pushkin, Reynolds, Ridenour, Riley, Rohrbach, Ross, Rowe, Shamblin, Sheedy, Skaff, Smith, Statler, Steele, Storch, Street, Summers, Thorne, Toney, Tully, Vance, Walker, Ward, Warner, Westfall, Williams, Willis, Worrell, Young, and Zatezalo: Medal of Valor nominee Firefighter John Dean Forbush	2789			2790	2790
20 -	By Delegates Hanshaw (Mr. Speaker), Adkins, Anderson, Barnhart, Bridges, Brooks, Burkhammer, Butler, Cannon, Capito, Chiarelli, Clark, Cooper, Coop-Gonzalez, Criss, Crouse, Dean, DeVault, Dillon, Dittman, Ellington, Espinosa, Fast, Fehrenbacher, Ferrell, Fluharty, Foggin, Forsht, Foster, Garcia, Gearheart, Griffith, Hall, A., Hall, W., Hanna, Hansen, Hardy, Heckert, Hillenbrand, Hite, Holstein, Honaker, Hornbuckle, Hornby, Horst, Hott, Householder, Howell, Jeffries, Jennings, Keaton, Kelly, Kimble, Kirby, Kump, Linville, Longanacre, Lucas, Mallow, Marple, Martin, Maynor, Mazzocchi, McGeehan, Miller, Nestor, Petitto, Phillips, Pinson, Pritt, C., Pritt, E., Pushkin, Reynolds, Ridenour, Riley, Rohrbach, Ross, Rowe, Shamblin, Sheedy, Skaff, Smith, Statler, Steele, Storch, Street, Summers, Thorne, Toney, Tully, Vance, Walker, Ward, Warner, Westfall, Williams, Willis, Worrell, Young, and Zatezalo: Medal of Valor nomination of Deputy Thomas E. Baker, III	2790			2790	2790

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
21 -	By Delegates Hanshaw (Mr. Speaker), Adkins, Anderson, Barnhart, Bridges, Brooks, Burkhammer, Butler, Cannon, Capito, Chiarelli, Clark, Cooper, Coop-Gonzalez, Criss, Crouse, Dean, DeVault, Dillon, Dittman, Ellington, Espinosa, Fast, Fehrenbacher, Ferrell, Fluharty, Foggin, Forsht, Foster, Garcia, Gearheart, Griffith, Hall, A., Hall, W., Hanna, Hansen, Hardy, Heckert, Hillenbrand, Hite, Holstein, Honaker, Hornbuckle, Hornby, Horst, Hott, Householder, Howell, Jeffries, Jennings, Keaton, Kelly, Kimble, Kirby, Kump, Linville, Longanacre, Lucas, Mallow, Marple, Martin, Maynor, Mazzocchi, McGeehan, Miller, Nestor, Petitto, Phillips, Pinson, Pritt, C., Pritt, E., Pushkin, Reynolds, Ridenour, Riley, Rohrbach, Ross, Rowe, Shamblin, Sheedy, Skaff, Smith, Statler, Steele, Storch, Street, Summers, Thorne, Toney, Tully, Vance, Walker, Ward, Warner, Westfall, Williams, Willis, Worrell, Young, and Zatezalo: Medal of Valor nominee, WV State Police Trooper Eric Michael Workman.	2791			2791	2791
22 -	By Delegates Hanshaw (Mr. Speaker), Adkins, Anderson, Barnhart, Bridges, Brooks, Burkhammer, Butler, Cannon, Capito, Chiarelli, Clark, Cooper, Coop-Gonzalez, Criss, Crouse, Dean, DeVault, Dillon, Dittman, Ellington, Espinosa, Fast, Fehrenbacher, Ferrell, Fluharty, Foggin, Forsht, Foster, Garcia, Gearheart, Griffith, Hall, A., Hall, W., Hanna, Hansen, Hardy, Heckert, Hillenbrand, Hite, Holstein, Honaker, Hornbuckle, Hornby, Horst, Hott, Householder, Howell, Jeffries, Jennings, Keaton, Kelly, Kimble, Kirby, Kump, Linville, Longanacre, Lucas, Mallow, Marple, Martin, Maynor, Mazzocchi, McGeehan, Miller, Nestor, Petitto, Phillips, Pinson, Pritt, C., Pritt, E., Pushkin, Reynolds, Ridenour, Riley, Rohrbach, Ross, Rowe, Shamblin, Sheedy, Skaff, Smith, Statler, Steele, Storch, Street, Summers, Thorne, Toney, Tully, Vance, Walker, Ward, Warner, Westfall, Williams, Willis, Worrell, Young, and Zatezalo: Medal of Valor nomination of WV State Police Corporal Marshall Lee Bailey	2791			2792	2792

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
23 -	By Delegates Hanshaw (Mr. Speaker), Adkins, Anderson, Barnhart, Bridges, Brooks, Burkhammer, Butler, Cannon, Capito, Chiarelli, Clark, Cooper, Coop-Gonzalez, Criss, Crouse, Dean, DeVault, Dillon, Dittman, Ellington, Espinosa, Fast, Fehrenbacher, Ferrell, Fluharty, Foggin, Forsht, Foster, Garcia, Gearheart, Griffith, Hall, A., Hall, W., Hanna, Hansen, Hardy, Heckert, Hillenbrand, Hite, Holstein, Honaker, Hornbuckle, Hornby, Horst, Hott, Householder, Howell, Jeffries, Jennings, Keaton, Kelly, Kimble, Kirby, Kump, Linville, Longanacre, Lucas, Mallow, Marple, Martin, Maynor, Mazzocchi, McGeehan, Miller, Nestor, Petitto, Phillips, Pinson, Pritt, C., Pritt, E., Pushkin, Reynolds, Ridenour, Riley, Rohrbach, Ross, Rowe, Shamblin, Sheedy, Skaff, Smith, Statler, Steele, Storch, Street, Summers, Thorne, Toney, Tully, Vance, Walker, Ward, Warner, Westfall, Williams, Willis, Worrell, Young, and Zatezalo: Medal of Valor nomination of retired Roane County Sheriff's Deputy John Westfall.	2792			2792	2792
24 -	By Delegates Hanshaw (Mr. Speaker), Adkins, Anderson, Barnhart, Bridges, Brooks, Burkhammer, Butler, Cannon, Capito, Chiarelli, Clark, Cooper, Coop-Gonzalez, Criss, Crouse, Dean, DeVault, Dillon, Dittman, Ellington, Espinosa, Fast, Fehrenbacher, Ferrell, Fluharty, Foggin, Forsht, Foster, Garcia, Gearheart, Griffith, Hall, A., Hall, W., Hanna, Hansen, Hardy, Heckert, Hillenbrand, Hite, Holstein, Honaker, Hornbuckle, Hornby, Horst, Hott, Householder, Howell, Jeffries, Jennings, Keaton, Kelly, Kimble, Kirby, Kump, Linville, Longanacre, Lucas, Mallow, Marple, Martin, Maynor, Mazzocchi, McGeehan, Miller, Nestor, Petitto, Phillips, Pinson, Pritt, C., Pritt, E., Pushkin, Reynolds, Ridenour, Riley, Rohrbach, Ross, Rowe, Shamblin, Sheedy, Skaff, Smith, Statler, Steele, Storch, Street, Summers, Thorne, Toney, Tully, Vance, Walker, Ward, Warner, Westfall, Williams, Willis, Worrell, Young, and Zatezalo: Medal of Valor nominee, James W. Spencer of the Charleston Fire Department.	2792			2793	2793

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
25 -	By Delegates Hanshaw (Mr. Speaker), Adkins, Anderson, Barnhart, Bridges, Brooks, Burkhammer, Butler, Cannon, Capito, Chiarelli, Clark, Cooper, Coop-Gonzalez, Criss, Crouse, Dean, DeVault, Dillon, Dittman, Ellington, Espinosa, Fast, Fehrenbacher, Ferrell, Fluharty, Foggin, Forsht, Foster, Garcia, Gearheart, Griffith, Hall, A., Hall, W., Hanna, Hansen, Hardy, Heckert, Hillenbrand, Hite, Holstein, Honaker, Hornbuckle, Hornby, Horst, Hott, Householder, Howell, Jeffries, Jennings, Keaton, Kelly, Kimble, Kirby, Kump, Linville, Longanacre, Lucas, Mallow, Marple, Martin, Maynor, Mazzocchi, McGeehan, Miller, Nestor, Petitto, Phillips, Pinson, Pritt, C., Pritt, E., Pushkin, Reynolds, Ridenour, Riley, Rohrbach, Ross, Rowe, Shamblin, Sheedy, Skaff, Smith, Statler, Steele, Storch, Street, Summers, Thorne, Toney, Tully, Vance, Walker, Ward, Warner, Westfall, Williams, Willis, Worrell, Young, and Zatezalo: Medal of Valor nomination of Patrolman Cassie Marie Johnson.	2793			2793	2793

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*Denotes Committee Substitute

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
4 -	By Senators Maynard, Smith, Maroney, Woodrum, Plymale, Jeffries, Hunt, and Caputo: Creating Adopt-A-Trail volunteer programs for public land under DNR jurisdiction (Chapter 216, Acts, Regular Session, 2023)	495	630		724	630, 683, 707, 910, 1055
*10 -	By Senators Phillips, Karnes, Martin, Maynard, Tarr, Grady, Taylor, Roberts, Smith, Rucker, Hamilton, Barrett, Woodrum, Hunt, Azinger, Stuart, and Deeds: Campus Self-Defense Act (Chapter 174, Acts, Regular Session, 2023)	458	1006		1087	1038, 1062, 1087, 1318, 1593
21 -	By Senators Swope and Roberts: Requiring certain documents that contain wage records be considered confidential	659				
*31 -	By Senators Swope, Jeffries, Maynard, and Plymale: Relating to permissible expenditures by Water Development Authority from Infrastructure Fund	979				
*47 -	By Senators Rucker, Oliverio, and Roberts: Creating Charter Schools Stimulus Fund (Chapter 124, Acts, Regular Session, 2023)	910	1925, 1972		2555	1973, 2134, 3197, 3212
*50 -	By Senator Hamilton: Requiring one-year residency within district or county to fill vacancy in Legislature	738				
*51 -	By Senators Rucker, Grady, Maynard, and Chapman: Requiring impact statement in certain instances of school closing or consolidation (Chapter 125, Acts, Regular Session, 2023)	581	1140		1948	1193, 1591, 1667, 1713, 1872, 1906, 3190, 3211
*59 -	By Senators Takubo, Woodrum, Hunt, and Barrett: Requiring work search activities to qualify for unemployment benefits	911				
*62 -	By Senator Nelson: Establishing secondary location for racetrack video lottery terminals	1669				
*65 -	By Senators Nelson, Hamilton, and Stuart: Granting municipal fire marshal authority to assist law-enforcement officer	409				
74 -	By Senators Weld, Roberts, and Rucker: Providing for substantial deference to State Superintendent's interpretations of school laws	366				

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
*79 -	By Senators Weld, Hamilton, Woelfel, Queen, Barrett, and Oliverio: Relating to compensable diseases of certain firefighters covered by workers' compensation	1215				
*83 -	By Senators Takubo, Phillips, and Hamilton: Authorizing tactical medical professionals to carry firearms (Chapter 226, Acts, Regular Session, 2023)	366	487	564	598	535, 564, 660, 689, 832
*89 -	By Senators Woelfel, Grady, Woodrum, Hamilton, Rucker, and Plymale: Requiring hospitals to staff qualified personnel to perform sexual assault forensic exams (Chapter 275, Acts, Regular Session, 2023)	409	965	1034, 1059	1059	1022, 1032, 1034, 1096, 1202, 1593
*91 -	By Senators Phillips, Caputo, Woodrum, Hamilton, Oliverio, and Plymale: Relating to distribution of certain taxes and surcharges to benefit fire departments and emergency medical services providers	1622				
99 -	By Senators Nelson, Roberts, and Oliverio: Relating to meetings among county boards of education (Chapter 126, Acts, Regular Session, 2023)	980	1882		1996	1919, 1952, 3190, 3212
115 -	By Senators Karnes and Taylor: Providing procedure for WV to select delegates to Article V Convention	388				
*121 -	By Senators Azinger, Roberts, Tarr, and Maynard: Creating Student Journalist Press Freedom Protection Act (Chapter 175, Acts, Regular Session, 2023)	495	1141, 1674	2135	2556	1681, 1969, 2029, 3180, 3197, 3211
*123 -	By Senators Hamilton, Deeds, Stuart, Oliverio, and Hunt: Creating enhanced penalties for fleeing officer	1622				
*124 -	By Senators Woelfel and Plymale: Authorizing child sexual abuse and sexual violence prevention program and in-service training in child sexual abuse prevention	389				
126 -	By Senators Trump, Deeds, Oliverio, Azinger, Stuart, Clements, Barrett, Phillips, Roberts, Swope, Grady, Tarr, Boley, Smith, Maynard, Rucker, Taylor, Weld, Hamilton, Maroney, and Woodrum: Reorganizing DHHR	238				
127 -	By Senators Weld, Maroney, Nelson, Takubo, Oliverio, Azinger, Clements, Barrett, Roberts, Woodrum, Queen, Swope, Hamilton, Boley, Smith, Plymale, Woelfel, Caputo, and Chapman: Relating to reimbursement of hospital inpatient rates by PEIA	239				

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
128 -	By Senators Smith, Tarr, Azinger, Roberts, Deeds, Boley, Rucker, Taylor, Karnes, and Woodrum: Clarifying authority of Governor and Legislature to proclaim and declare state of emergency and preparedness (Chapter 276, Acts, Regular Session, 2023)	239	335	431, 440, 443, 1170, 1180	443, 1181	384, 400, 446, 1170, 1181, 1376, 1891, 3214
129 -	By Senators Tarr, Smith, Taylor, and Woodrum: Limiting gubernatorial authority to spend certain federal funds without appropriation of Legislature	240	1964			
130 -	By Senators Tarr, Rucker, Azinger, Karnes, Maynard, Deeds, Phillips, Roberts, Woodrum, Swope, Smith, Taylor, Grady, and Maroney: Anti-Racism Act of 2023	240	576			
131 -	By Senators Nelson, Woodrum, Jeffries, Phillips, Trump, Deeds, Stuart, Queen, Smith, Rucker, Hamilton, and Maroney: Allowing municipal fire marshals to receive service weapon upon retirement (Chapter 80, Acts, Regular Session, 2023)	241	1107		1872	1107, 1138, 1591, 1667, 1714, 1976, 3212
132 -	By Senators Boley, Hamilton, Clements, Grady, Jeffries, Karnes, Nelson, Roberts, Stover, Trump, Weld, Woelfel, Phillips, Plymale, Martin, Rucker, Takubo, Smith, Woodrum, Deeds, Oliverio, Azinger, Stuart, Barrett, Queen, and Maroney: Clarifying criminal offense of harassment (Chapter 99, Acts, Regular Session, 2023)	241	487	598	598	535, 569, 632, 689, 716
133 -	By Senators Rucker, Woodrum, Clements, Smith, Maroney, Trump, Azinger, Stuart, Barrett, Phillips, Roberts, Maynard, Martin, Karnes, and Hamilton: Adding definition of "ammunition" for purposes of obtaining state license to carry concealed deadly weapon	242				
134 -	By Senators Jeffries, Caputo, Woelfel, Hamilton, Rucker, Trump, Oliverio, Azinger, Stuart, Roberts, Woodrum, Queen, Smith, and Maroney: Protecting consumers against businesses using automatic renewals without consent	242				
135 -	By Senators Weld, Trump, Deeds, Jeffries, Stuart, Hamilton, and Maroney: Relating to Uniform Controlled Substances Act	243				
136 -	By Senators Trump, Deeds, Oliverio, Stuart, Phillips, Woodrum, and Grady: Requiring persons convicted of certain offenses to undergo psychological or psychiatric testing and have treatment plan to be eligible for probation (Chapter 106, Acts, Regular Session, 2023)	244	1346		1628	1467, 1583, 1934, 3211

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
137 -	By Senators Trump, Woelfel, Phillips, Deeds, Oliverio, Stuart, Clements, Queen, Grady, Hamilton, and Woodrum: Clarifying offenses of kidnapping and unlawful restraint	244				
138 -	By Senators Azinger, Trump, and Clements: Clarifying secondary sources are not law and public policy of WV in certain instances	244				
139 -	By Senators Roberts, Azinger, Boley, Grady, Karnes, Maynard, Phillips, Smith, Tarr, Trump, Woodrum, Takubo, Martin, Deeds, Jeffries, Stuart, Clements, Barrett, Rucker, Taylor, Nelson, Hamilton, and Maroney: Requiring each county BOE to ensure all its meetings are open to public through in-person attendance and broadcast live on its website	245				
140 -	By Senators Woelfel, Grady, Caputo, Woodrum, Hamilton, Trump, Deeds, Jeffries, Azinger, Stuart, Barrett, Phillips, and Roberts: Updating offenses of extortion and attempted extortion	245				
141 -	By Senators Trump, Hamilton, Oliverio, Jeffries, Stuart, Clements, Barrett, Phillips, Queen, and Maroney: Adding Division of Corrections and Rehabilitation employees working at certain institutions to WV Emergency Responders Survivor Benefits Act	246	540			
142 -	By Senators Trump, Oliverio, Stuart, Clements, Barrett, Phillips, Woodrum, Nelson, and Maroney: Modifying procedures to settle estates of decedents (Chapter 152, Acts, Regular Session, 2023)	247	1676	1877, 1906	1906	1767, 1877, 1993, 2259, 3211
143 -	By Senators Smith, Phillips, Caputo, Woodrum, Jeffries, Hamilton, Trump, Maynard, Rucker, Taylor, and Maroney: Relating to Adopt-A-Stream Program (Chapter 147, Acts, Regular Session, 2023)	247	408	511	532	480, 511, 581, 631, 716
145 -	By Senators Grady, Azinger, Karnes, Rucker, Trump, Oliverio, Stuart, Clements, Phillips, Roberts, and Smith: Allowing county BOE participating in operation of multicounty vocational center to withdraw	247				
146 -	By Senators Trump, Woelfel, Oliverio, Jeffries, Azinger, Stuart, Phillips, and Maynard: Modifying regulations of peer-to-peer car sharing program (Chapter 208, Acts, Regular Session, 2023)	248	732, 1890	2010	2116	1963, 2010, 3197, 3212
147 -	By Senators Woelfel, Trump, Plymale, Azinger, Stuart, Barrett, Phillips, Nelson, Grady, and Maroney: Creating pilot program for recovery residences in Cabell County	248	822, 2039	2135, 2141		431, 2040, 2135

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
148 -	By Senators Swope, Martin, Hamilton, Jeffries, Roberts, Tarr, Woelfel, Woodrum, Trump, Oliverio, Stuart, Clements, Phillips, and Queen: Relating to municipalities required to be represented on county authority boards	249				
149 -	By Senators Roberts, Trump, Phillips, Deeds, Azinger, Stuart, Clements, Maynard, Maroney, and Karnes: Exempting certain organizations from property taxation (Chapter 304, Acts, Regular Session, 2023)	249	1926		2116	1963, 2018, 3197, 3212
*150 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Budget Bill	1319				
*151 -	By Senators Oliverio, Nelson, Martin, Trump, and Maroney: Levying tax on pass-through entity's income (Chapter 305, Acts, Regular Session, 2023)	1056	1926	2018, 2117	2117	1963, 2018, 3197, 3212
*160 -	By Senators Trump, Barrett, Plymale, Maroney, Woodrum, Woelfel, Deeds, and Taylor: WV Rail Trails Program	615	1088			1132, 1591, 1667, 1681
161 -	By Senators Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, and Woodrum: Authorizing DNR to manage and dispose of property (Chapter 217, Acts, Regular Session, 2023)	205	263	349, 351	351	263, 332, 351, 389, 408, 458
162 -	By Senators Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, and Woodrum: Authorizing director of DNR to lease state-owned pore spaces in certain areas for carbon sequestration (Chapter 218, Acts, Regular Session, 2023)	206	263	352	353	263, 332, 353, 389, 408, 458
*166 -	By Senators Caputo, Nelson, and Barrett: WV Public Employees Retirement Act	615				

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
*187 -	By Senators Clements, Woelfel, Roberts, Stuart, Plymale, Hunt, Rucker, Deeds, and Grady: Making it felony offense for school employee or volunteer to engage in sexual contact with students (Chapter 100, Acts, Regular Session, 2023)	912	2041	2557, 2558	2558, 3080	2042, 2142, 3079, 3197, 3212
*188 -	By Senators Trump, Woelfel, Queen, Plymale, Hamilton, and Nelson: Grid Stabilization and Security Act of 2023 (Chapter 115, Acts, Regular Session, 2023)	717	832	1639	1702	899, 955, 961, 1591, 1638, 1923, 1976, 3212
*191 -	By Senators Trump and Hunt: Relating to liability for payment of court costs as condition of pretrial diversion agreement (Chapter 107, Acts, Regular Session, 2023)	1077	1885	1952, 1997, 2810	1997, 2810	1920, 1952, 2809, 3197, 3212
192 -	By Senators Trump and Oliverio: Relating to Uniform Real Property Transfer on Death Act	496				
*195 -	By Senator Rucker: Glucagon for Schools Act	1182				
*199 -	By Senators Hamilton, Karnes, Phillips, Barrett, Martin, Queen, Maroney, and Oliverio: Requiring purchases of certain commodities and services from state use program partners	1670				
*200 -	By Senators Hamilton, Roberts, and Jeffries: Allowing leashed dogs to track wounded elk, turkey, and wild boar when hunting (Chapter 219, Acts, Regular Session, 2023)	409	1089, 2040	2143, 2559	2559	2040, 2142, 3180, 3197, 3212
*202 -	By Senators Hamilton and Woelfel: Increasing terms of Natural Resources Commission members from four to seven years	551				
*205 -	By Senator Clements: Relating to registration plates (Chapter 209, Acts, Regular Session, 2023)	699	1201	1714, 1946	1873	1254, 1591, 1667, 1714, 2036, 3211
207 -	By Senators Jeffries and Plymale: Relating to state allocation of funding to regional councils (Chapter 116, Acts, Regular Session, 2023)	459	523		620	832 571, 605, 689,
*208 -	By Senators Caputo, Woelfel, Oliverio, Rucker, Hamilton, Hunt, Chapman, Stuart, and Deeds: Relating to criminal justice training for all law-enforcement and correction officers regarding individuals with autism spectrum disorders (Chapter 227, Acts, Regular Session, 2023)	496	1346		1628	1467, 1584, 1934, 3211
*216 -	By Senators Woodrum and Rucker: Requiring all schools to instruct students on Holocaust, other genocides and financial literacy	833	1882			

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
*220 -	By Senators Woodrum, Deeds, Rucker, Stuart, Hamilton, and Trump: Industrial Hemp Development Act (Chapter 173, Acts, Regular Session, 2023)	1670	2041	2559, 2577	2577	2042, 2144, 3180, 3197, 3211
*222 -	By Senators Rucker and Hunt: Creating adult education taskforce	616				
231 -	By Senators Swope, Hamilton, Jeffries, Martin, Nelson, Roberts, Rucker, Tarr, Trump, Woelfel, Phillips, Clements, Plymale, and Hunt: Transferring administration of WV Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program to Department of Economic Development (Chapter 117, Acts, Regular Session, 2023)	459			533	459, 513, 533, 581, 631, 716
*232 -	By Senators Trump and Rucker: Creating study group to make recommendations regarding diversion of persons with disabilities from criminal justice system (Chapter 77, Acts, Regular Session, 2023)	717	2039	2144, 2579	2579	2040, 2579, 3188, 3201, 3212
234 -	By Senators Jeffries and Woelfel: Clarifying uniform statewide deadline for electronically submitted voter registration applications	864				
237 -	By Senators Nelson, Queen, Swope, Grady, Boley, Azinger, Hamilton, Plymale, Roberts, Deeds, Barrett, Hunt, Trump, and Jeffries: Relating to Public Employees Retirement System and State Teachers Retirement System (Chapter 240, Acts, Regular Session, 2023)	912	1089, 1677		1907	1767, 1878, 1907, 2259, 3211
*239 -	By Senators Azinger, Takubo, and Deeds: Requiring Commissioner of Bureau for Behavioral Health to engage certain providers and leaders to study homeless demographic (Chapter 186, Acts, Regular Session, 2023)	582	824		985	824, 899, 956, 1076, 1256
240 -	By Senator Woodrum: Requiring state board of examination or registration proceedings to be open to public inspection (Chapter 228, Acts, Regular Session, 2023)	632	1929	2148, 2580		2030, 2148, 2580, 3188, 3200, 3212
241 -	By Senators Azinger, Woelfel, and Plymale: Patient Brokering Act (Chapter 251, Acts, Regular Session, 2023)	582	658	727, 750	750	707, 727, 750, 833, 910, 1056
*243 -	By Senators Azinger and Deeds: Requiring substance use disorder inpatient providers to provide transportation to patients	582	823	956	985	823, 899, 956, 1905

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
244 -	By Senators Woodrum and Trump: Making rosters of individuals who obtain professional, occupational, and trade licenses, registrations, and certificates available to public (Chapter 229, Acts, Regular Session, 2023)	497	1924		2118	1963, 2019, 3197, 3211
245 -	By Senators Woodrum and Deeds: Making rules and regulations promulgated by PSC subject to legislative rule-making review procedures	497				
246 -	By Senator Woodrum: Revising membership of Broadband Enhancement Council (Chapter 57, Acts, Regular Session, 2023)	497	1091		1873	1132, 1591, 1667, 1765, 1976, 3212
*247 -	By Senator Woodrum: Making administrative appeals and judicial review of board action subject to provisions of Administrative Procedures Act (Chapter 230, Acts, Regular Session, 2023)	738	1971		2581	1972, 2153, 3197, 3211
*248 -	By Senator Woodrum: Clarifying when excess funds accumulated by boards are to be transferred to General Revenue Fund	583				
*249 -	By Senator Woodrum: WV Real Estate License Act	616				
*250 -	By Senators Clements and Woelfel: Requiring certain drivers display student driver sign on rear of vehicle	864				
251 -	By Senators Azinger, Roberts, Deeds, Maynard, Trump, Grady, and Stover: Displaying official motto of United States in public schools and institutions of higher education	583	1924			
*254 -	By Senator Stuart: Relating generally to mandatory state inspection of certain motor vehicles	552	612			
*258 -	By Senators Trump and Deeds: Eliminating ceiling on fair market value of consumer goods and permitting dealer to require security deposit (Chapter 296, Acts, Regular Session, 2023)	583	1971	1836	2581	2153, 3197, 3211
262 -	By Senators Weld, Rucker, Oliverio, Phillips, and Deeds: Allowing students to transfer schools and retain athletic eligibility	498	1925			1928
*264 -	By Senators Weld, Hamilton, Woelfel, Jeffries, Deeds, Karnes, Chapman, Hunt, Oliverio, and Plymale: Prohibiting persons who have been convicted of certain crimes against minors from holding positions on boards of education	498				
*267 -	By Senators Takubo, Grady, and Plymale: Updating law regarding prior authorizations (Chapter 192, Acts, Regular Session, 2023)	1377	1681		1948	1881, 1919, 2036, 3211

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
*268 -	By Senators Takubo, Hamilton, Queen, Plymale, Deeds, and Nelson: Relating to PEIA (Chapter 241, Acts, Regular Session, 2023)	1319	1678		1835 1837	1765, 1771, 1923, 3200, 3211
*270 -	By Senator Takubo: Adding exemption to permit requirement for cremation (Chapter 101, Acts, Regular Session, 2023)	584	1344		1628	1467, 1584, 1934, 3211
*271 -	By Senator Trump: Modifying approval process requirements for First Responders Honor Board (Chapter 277, Acts, Regular Session, 2023)	584	1107 1930		2582	2029, 2153, 3198, 3211
*273 -	By Senators Trump, Woelfel, Plymale, Rucker, Barrett, and Deeds: Relating to allocation of child protective workers in counties based upon population of county (Chapter 59, Acts, Regular Session, 2023)	1215, 2983	1682	2019	2118	1881, 1919, 1956, 2991, 3200, 3212
*274 -	By Senators Grady, Woelfel, Queen, Roberts, Plymale, Nelson, Taylor, Deeds, Oliverio, and Barrett: Third Grade Success Act	980	1931			
275 -	By Senators Trump, Deeds, and Phillips: Adding State Fire Marshals to statute included with law enforcement and first responders that receive information on school safety requirements (Chapter 127, Acts, Regular Session, 2023)	699, 1056	800, 862		1011	958, 992, 1076, 1256
276 -	By Senators Trump, Deeds, and Phillips: Awarding service weapon of retiring State Fire Marshal (Chapter 278, Acts, Regular Session, 2023)	552	1346		1629	1467, 1584, 1934, 3211
*282 -	By Senators Tarr, Chapman, Grady, Deeds, and Phillips: Creating WV Guardian Program	584	1882			
283 -	By Senators Weld and Deeds: Relating to Military Incentive Program	585				
*290 -	By Senators Takubo, Roberts, Clements, Barrett, and Plymale: Relating to dental health care service plans	913				
*292 -	By Senators Azinger, Deeds, and Karnes: Health Care Sharing Ministries Freedom to Share Act	553	1193			
*293 -	By Senators Woodrum, Deeds, and Hamilton: Increasing fees charged by sheriff	1077	1973			2045
*294 -	By Senators Woodrum and Deeds: Clarifying amount of deputy sheriff annual salary increase (Chapter 81, Acts, Regular Session, 2023)	700	1926		2120	1963, 2025, 3195, 3211

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
*295 -	By Senator Woodrum: Extending time that prescription for spectacles remains valid	801				
296 -	By Senators Woodrum, Trump, Karnes, and Maynard: Uniform Public Meetings During Emergencies Act	739				
*297 -	By Senators Tarr, Woodrum, Phillips, Plymale, and Queen: Mountain Homes Act	1149				
*298 -	By Senators Trump, Woodrum, Plymale, and Deeds: Relating to non-federally declared emergencies and non-states of emergency (Chapter 279, Acts, Regular Session, 2023)	553	799, 1928	2583	2582	2030, 2153, 3198, 3211
*299 -	By Senators Hunt, Azinger, Barrett, Chapman, Deeds, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Queen, Roberts, Rucker, Smith, Stover, Stuart, Takubo, Weld, Woelfel, Woodrum, Swope, Clements, and Plymale: Relating to crime of trespass generally	801				
*300 -	By Senators Trump, Caputo, Plymale, and Hamilton: Relating to law-enforcement training and certification (Chapter 231, Acts, Regular Session, 2023)	802	1344		1630	1468, 1584, 1934, 3211
*302 -	By Senators Stuart and Hamilton: Relating to Law Enforcement Safety Act (Chapter 280, Acts, Regular Session, 2023)	865	1972		2583	2153, 3198, 3211
*303 -	By Senators Stuart and Hamilton: Relating to Violent Crime Prevention Act	1077				
306 -	By Senators Woelfel, Plymale, Grady, and Deeds: Establishing Summer Feeding for All Program	617				
*335 -	By Senator Woodrum: Authorizing Department of Homeland Security to promulgate legislative rules (Chapter 198, Acts, Regular Session, 2023)	617	1675		1907	1767, 1878, 1927, 2259, 3211
*345 -	By Senator Woodrum: Authorizing Department of Revenue to promulgate legislative rules (Chapter 199, Acts, Regular Session, 2023)	700	1890		2120	1963, 2025, 3198, 3211
*356 -	By Senator Woodrum: Authorizing DOT to promulgate legislative rules (Chapter 200, Acts, Regular Session, 2023)	660	1885		1998	1920, 1956, 3191, 3211
*361 -	By Senator Woodrum: Authorizing miscellaneous boards and agencies to promulgate legislative rules (Chapter 201, Acts, Regular Session, 2023)	739, 2956	2041	2153	2596, 2956	3200, 3212

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
*409 -	By Senator Woodrum: Authorizing Department of Commerce to promulgate legislative rules (Chapter 202, Acts, Regular Session, 2023)	981	2041		2601	3198, 3211
*419 -	By Senators Weld and Deeds: Establishing standards for licensure of military trained applicants	802	1139			
*422 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Requiring public schools to publish curriculum online at beginning of each new school year (Chapter 128, Acts, Regular Session, 2023)	1471, 3188	1964	2166	2602	2030, 3200, 3211
*423 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Increasing salary for certain state employees (Chapter 242, Acts, Regular Session, 2023)	1319, 1923	1678	1845	1851	1765, 1771, 1934
*424 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Authorizing refundable tax credit applied against personal income tax or corporation net income tax	833				
*426 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Banning use of certain products and platforms deemed unsafe or high risk on government systems	632, 3077	1929	2169	2603	2030,
428 -	By Senators Grady, Roberts, and Plymale: Revising requirements of local school improvement councils	618				
*429 -	By Senators Smith and Taylor: Establishing statewide health and safety fee for tourism and recreational activities by county commissions	1150				
*430 -	By Senator Tarr: Relating to State Treasurer's authority to contract with financial institutions for banking goods and services (Chapter 272, Acts, Regular Session, 2023)	1216	1376		1702	1586, 1651, 1976, 3212
*436 -	By Senators Tarr, Swope, Jeffries, and Barrett: Prompt Payment Act of 2023	1151	1924			
438 -	By Senators Clements, Swope, Chapman, and Nelson: Return to WV Tax Credit Act	1378				
*439 -	By Senators Smith, Caputo, Hamilton, Phillips, Taylor, Swope, and Nelson: Establishing design-build program for DEP (Chapter 162, Acts, Regular Session, 2023)	585, 1993	963, 1201	1766	1874	1591, 1667, 2259, 3211
*440 -	By Senators Clements, Swope, and Jeffries: Authorizing DOH pay current obligations from State Road Fund	1471				

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
443 -	By Senator Tarr: Directing payment of estate administration fee to State Auditor (Chapter 153, Acts, Regular Session, 2023)	619	1970		2604	2171, 3198, 3211
444 -	By Senator Tarr: Transferring moneys in WV Future Fund to General Revenue Fund (Chapter 273, Acts, Regular Session, 2023)	619	1970		2605	2171, 3198, 3211
446 -	By Senator Tarr: Removing methanol and methanol fuel from definition of special fuel (Chapter 306, Acts, Regular Session, 2023)	619, 3189	1971	2606	2606	2171, 3200, 3212
449 -	By Senators Nelson, Deeds, Oliverio, and Hunt: Updating terms for Natural Resources Police Officers Retirement System and retirement systems for charter schools (Chapter 243, Acts, Regular Session, 2023)	803	1089, 1678	1878	1908	1767, 1927, 2036, 2259, 3211
*450 -	By Senators Nelson and Hunt: Defining medical examination for disability purposes in retirement plans administered by Consolidated Public Retirement Board (Chapter 244, Acts, Regular Session, 2023)	803, 2036	1089, 1678		1908	1767, 1878, 1927, 2259, 3211
*451 -	By Senators Nelson and Hunt: Relating to Teachers Retirement System and Teachers' Defined Contribution Retirement System (Chapter 245, Acts, Regular Session, 2023)	803	1089, 1885	1999	1998	1920, 1956, 3173, 3191, 3211
452 -	By Senators Nelson and Hunt: Relating to Emergency Medical Services Retirement System (Chapter 246, Acts, Regular Session, 2023)	1057	1089, 1883		1999	1920, 1956, 3190, 3211
*453 -	By Senators Nelson and Hunt: Ensuring retirement contributions and delinquency charges of charter school employees be paid upon school closure or by successor (Chapter 129, Acts, Regular Session, 2023)	1057	1090, 1677		1909	1768, 1878, 1927, 2259, 3211
*455 -	By Senator Phillips: Modifying certain used car restrictions (Chapter 210, Acts, Regular Session, 2023)	1078	1674		1909	1768, 1879, 1927, 2259, 3211
457 -	By Senator Barrett: Removing certain activities Alcohol Beverage Control Commission licensee is prohibited to permit on private club premises (Chapter 159, Acts, Regular Session, 2023)	701	1885		2000	1920, 1956, 3188, 3191, 3211
458 -	By Senator Nelson: Setting rate of interest on delinquent retirement contribution submissions (Chapter 163, Acts, Regular Session, 2023)	1057	1090, 1677		1910	1768, 1879, 1927, 2259, 3211

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
*461 -	By Senators Clements and Rucker: Relating to WV public employees grievance procedure (Chapter 247, Acts, Regular Session, 2023)	701	1967	2610	2607	2030, 2171, 3188, 3200, 3212
*462 -	By Senators Phillips, Woelfel, Woodrum, and Barrett: Modifying certain guidelines for motor vehicle dealers, distributors, wholesalers, and manufacturers	1320	1885			1920, 1928
*463 -	By Senators Clements and Plymale: Increasing validity of CDL instruction permit (Chapter 211, Acts, Regular Session, 2023)	718, 2036	1092	1766, 1947	1874	1132, 1591, 1667, 1947, 3190
465 -	By Senators Clements, Azinger, Caputo, Chapman, Maroney, Oliverio, Weld, Woodrum, Deeds, Plymale, and Jeffries: Increasing limit on moneys placed in county's rainy day fund (Chapter 82, Acts, Regular Session, 2023)	804	1927		2122	1963, 2026, 3198, 3211
*467 -	By Senators Woodrum and Deeds: Providing county commissioners ongoing mechanism to consider compensation increases for elected officials every two years	1010	1929			1969
*468 -	By Senators Hamilton, Maynard, Plymale, Taylor, Stuart, and Karnes: Continuing Cabwaylingo State Forest Trail System (Chapter 220, Acts, Regular Session, 2023)	1623, 3188	1674	1879	1910	1768, 1927, 3200, 3212
*469 -	By Senators Grady, Jeffries, Deeds, Queen, Caputo, Takubo, Tarr, Woelfel, Nelson, Woodrum, Oliverio, Taylor, and Phillips: Providing funding for CPR instruction to high school students (Chapter 130, Acts, Regular Session, 2023)	1320	1972		2607	1973, 2172, 3198, 3211
*470 -	By Senators Azinger, Maynard, and Karnes: Making adoption records accessible for medical purposes	1623				
474 -	By Senators Nelson, Plymale, and Oliverio: Requiring municipal pensions oversight board to propose legislative rules	1058				
*475 -	By Senators Nelson and Plymale: Modifying examinations for disability pensions (Chapter 83, Acts, Regular Session, 2023)	742, 2037	1090, 1676		1911	1768, 1879, 1927, 2259, 3212
*476 -	By Senator Tarr: Exempting managed care contracts from purchasing requirements (Chapter 187, Acts, Regular Session, 2023)	1471, 2037	1682	1949, 1950		1881, 1919, 3190, 3212
*478 -	By Senators Grady and Plymale: Relating to Jumpstart Savings Program (Chapter 307, Acts, Regular Session, 2023)	982, 3179	1926	2026	2122	1963, 3198, 3212

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
*480 -	By Senators Oliverio, Azinger, Barrett, and Queen: Modifying group accident and sickness insurance requirements	1183				
481 -	By Senators Roberts, Caputo, Jeffries, Nelson, Smith, Stover, Woodrum, Phillips, and Deeds: Extending sunset provision of Upper Kanawha Valley Resiliency and Revitalization Program (Chapter 118, Acts, Regular Session, 2023)	983	1344		1630	1468, 1584, 1934, 3211
*484 -	By Senators Rucker, Deeds, Barrett, Woodrum, Martin, and Hamilton: Clarifying terms and offense of human smuggling	865				
487 -	By Senators Weld and Chapman: Extending additional modification reducing federal adjusted gross income (Chapter 308, Acts, Regular Session, 2023)	913	1883		2000	1920, 1959, 3191, 3212
488 -	By Senator Rucker: Aligning state and federal accreditation rules (Chapter 176, Acts, Regular Session, 2023)	1097, 3189	1925		2123	1963, 2026, 3200, 3212
489 -	By Senators Grady, Woelfel, and Plymale: Requiring BOE provide free feminine hygiene products in certain grades	804	1976			
*490 -	By Senators Deeds, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Phillips, Stuart, Trump, Weld, Woodrum, Plymale, Swope, Roberts, Grady, Nelson, and Taylor: Patrol Officer Cassie Marie Johnson Memorial Act (Chapter 102, Acts, Regular Session, 2023)	865	1375	1702, 1704	1703	1586, 1651, 1976, 1993, 3211
493 -	By Senators Weld, Deeds, Phillips, Chapman, and Caputo: Exempting WV veterans from certain fees and charges at state parks	866				
*495 -	By Senators Trump, Takubo, Clements, Woelfel, Deeds, and Rucker: Providing correctional institutions and juvenile facilities video and audio records be confidential (Chapter 78, Acts, Regular Session, 2023)	834	1929	2172, 2608	2608	2030, 3188, 3201, 3212
*505 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to Department of Administration, Office of Secretary	913				
508 -	By Senators Azinger, Trump, and Weld: Clarifying reporting and disclosure requirements for grassroots lobbying expenditures (Chapter 207, Acts, Regular Session, 2023)	914	1972		2609	2176, 2614, 3198, 3212

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
510 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations to BOE, Department of Education (Chapter 6, Acts, Regular Session, 2023)	553	1416		1704	1586, 1651, 1976, 3211
*514 -	By Senator Woodrum: Clarifying procedure for administrative dissolution of corporations by Secretary of State	805				
*515 -	By Senators Woodrum, Trump, and Hamilton: Clarifying deadline to file annual report for companies authorized to do business in WV	866				
*516 -	By Senators Azinger, Trump, and Weld: Relating to requirements for disclosure of donor contributions (Chapter 144, Acts, Regular Session, 2023)	914	1972		2611	2176, 3198, 3212
*522 -	By Senators Tarr and Woodrum: Allocating percentage of county excise taxes for funding improvements to election administration (Chapter 309, Acts, Regular Session, 2023)	1378	1970	2177, 2612	2611	3188, 3201, 3212
*523 -	By Senators Tarr, Caputo, and Maroney: Clarifying purpose and use of Economic Development Project Fund (Chapter 119, Acts, Regular Session, 2023)	1151	1972			2182, 2612, 3198, 3212
*526 -	By Senators Takubo, Tarr, Woelfel, Deeds, Rucker, Grady, and Nelson: Including Alzheimer's disease in existing public health programs (Chapter 252, Acts, Regular Session, 2023)	1030, 1993	1416	1651, 1706	1705	1586, 1976, 3211
*527 -	By Senators Trump, Azinger, Grady, Rucker, Stover, Stuart, Takubo, Tarr, Taylor, Weld, Woodrum, Caputo, Deeds, Smith, Clements, Hamilton, and Maynard: Allowing family members of military personnel access to discharge records (Chapter 326, Acts, Regular Session, 2023)	983	1139, 1929		2615	2030, 2182, 3198, 3212
529 -	By Senators Woodrum, Barrett, Trump, and Hamilton: Allowing businesses to register as limited liability limited partnerships (Chapter 58, Acts, Regular Session, 2023)	867	1593		1911	1768, 1879, 1927, 2259, 3212
*532 -	By Senators Hunt, Azinger, Chapman, Deeds, Hamilton, Maynard, Plymale, Roberts, Rucker, Stover, Stuart, Taylor, Smith, Karnes, Grady, Trump, Martin, and Barrett: Sex Offender Registration Act	867				

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
533 -	By Senator Nelson: Relating to limitations on motor vehicle used by nonprofit cooperative recycling associations (Chapter 2, Acts, Regular Session, 2023)	867, 3180	1592	2182	2616	1681, 1969, 2030, 3199, 3212
*534 -	By Senators Trump, Takubo, and Maroney: Relating to nonintoxicating beer, nonintoxicating craft beer, cider, wine, and liquor license requirements (Chapter 4, Acts, Regular Session, 2023)	1379	2039	2617, 2711	2710	1469, 2183, 3188, 3201, 3212
*539 -	By Senator Woodrum: Authorizing state and subdivisions to negotiate price for construction when all bids received exceed maximum budget	1152	1592			1681
*540 -	By Senators Trump, Stover, Deeds, Rucker, Hamilton, and Smith: Creating misdemeanor offense of willfully urinating or defecating in public	1624				
*541 -	By Senators Stuart, Azinger, Smith, Taylor, and Oliverio: Providing for election reforms	1472				
*543 -	By Senators Grady and Plymale: Authorizing rule-making changes to terms, procedures and reporting duties in higher education (Chapter 177, Acts, Regular Session, 2023)	1097	1926	2124	2124	1963, 2026, 3189, 3201, 3212
544 -	By Senator Queen: Increasing power purchase agreement cap (Chapter 289, Acts, Regular Session, 2023)	1320	1929	2183, 2714	2713	2030, 3180, 3199, 3212
*546 -	By Senators Stuart, Woodrum, Deeds, Taylor, Maynard, and Hamilton: Adding and removing certain compounds from controlled substance list (Chapter 76, Acts, Regular Session, 2023)	1671	2040		2714	2192, 3199, 3212
*547 -	By Senators Deeds, Azinger, Hunt, Karnes, Oliverio, Queen, Roberts, Stuart, Taylor, Woodrum, Smith, Maynard, Hamilton, Weld, and Trump: Increasing penalties for drug possession and updating list of offenses	1472				
*548 -	By Senator Weld: Clarifying what parties can redeem delinquent property and limiting those entitled to bid (Chapter 310, Acts, Regular Session, 2023)	1099, 3181	2041	2715	2717	2193, 3199, 3212
*552 -	By Senators Rucker, Taylor, Karnes, Phillips, Grady, Smith, Maynard, Martin, Azinger, Woodrum, Roberts, Deeds, Oliverio, Swope, Stuart, Tarr, Barrett, Hunt, Chapman, Queen, and Stover: Relating to abortion (Chapter 253, Acts, Regular Session, 2023)	1625	2258	2741	2743	3189, 3201, 3212

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
553 -	By Senator Swope: Allowing for evaluation of prequalified bidders to be based on best value (Chapter 164, Acts, Regular Session, 2023)	1152, 1889	1344	1584	1630	1468, 1934, 3211
*554 -	By Senator Weld: Exempting purchases made by Auditor and WV Enterprise Resource Planning Board from certain provisions of WV code	1216				
*558 -	By Senators Weld, Woelfel, and Woodrum: Prohibiting law-enforcement agencies from posting booking photographs of certain criminal defendants on social media (Chapter 108, Acts, Regular Session, 2023)	1321, 3174	1885	1959, 2001	2001	1920, 3191, 3212
559 -	By Senators Trump, Deeds, Maynard, and Woodrum: Relating to spousal privilege	1078, 3067	1885	2027, 2127	2126	1920, 1961
*561 -	By Senators Jeffries and Woelfel: Relating to administration of WV Drinking Water Treatment Revolving Fund Act (Chapter 148, Acts, Regular Session, 2023)	1381, 3181	1971	2717	2717	2193, 3199, 3211
*568 -	By Senators Trump, Deeds, Hunt, Rucker, Stover, Stuart, Taylor, and Woelfel: Relating to Dangerousness Assessment Advisory Board (Chapter 165, Acts, Regular Session, 2023)	1070	1972		2718	2793, 3199, 3212
*572 -	By Senators Maynard, Deeds, Stover, Trump, Maroney, and Stuart: Reforming cause of action for public nuisance	1473				
*573 -	By Senator Maroney: Relating to child support guidelines and Support Enforcement Commission (Chapter 112, Acts, Regular Session, 2023)	1473, 3189	1967	2719	2721	2030, 2193, 3201, 3212
*576 -	By Senators Weld, Oliverio, Stuart, Taylor, Plymale, Smith, Jeffries, and Queen: Creating Securities Restitution Assistance Fund for victims of securities violations	1381				
*577 -	By Senators Maroney, Woelfel, Rucker, Deeds, Grady, Hamilton, Queen, Clements, Oliverio, Woodrum, Jeffries, Chapman, Barrett, Roberts, Hunt, and Taylor: Reducing copay cap on insulin and devices and permitting purchase of testing equipment without prescription (Chapter 193, Acts, Regular Session, 2023)	1183, 3064	1417	1652, 1707	1706, 3074	1583, 3199, 3211
*579 -	By Senators Tarr and Swope: Providing payment to vendors who provided services to state (Chapter 67, Acts, Regular Session, 2023)	1058	1970		2722	2194, 3199, 3212

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
580 -	By Senator Weld: Authorizing election for special levy renewal	1153				
*581 -	By Senators Hamilton, Plymale, and Deeds: Amending provisions of 2023 Farm Bill	1672				
*585 -	By Senators Hamilton and Jeffries: Prohibiting county commissions from adopting any authorization that exceeds state law regarding agricultural operations	1321				
*590 -	By Senators Nelson, Plymale, Barrett, Roberts, Deeds, Woelfel, and Queen: Emergency Medical Services Retirement System Act	1382				
591 -	By Senators Swope, Rucker, Trump, and Roberts: Allowing counties and municipalities to jointly undertake development projects (Chapter 84, Acts, Regular Session, 2023)	1100	1195		1875	1254, 1591, 1667, 1766, 1976, 2057
*593 -	By Senators Barrett, Rucker, and Maroney: Mandating cost of living salary adjustment policy for state employees	1625	1973			2045
*594 -	By Senators Takubo, Maroney, and Nelson: Specifying fairness in cost sharing calculations for certain high deductible health plans (Chapter 194, Acts, Regular Session, 2023)	1184			1707	1193, 1591, 1659, 1976, 3212
*596 -	By Senators Barrett, Tarr, and Plymale: Modifying payment for housing and maintenance of inmates	1153				
597 -	By Senators Woodrum and Roberts: Allowing Workforce WV to hire classified service exempt employees (Chapter 166, Acts, Regular Session, 2023)	1184	1592		2002	1768, 1771, 1928, 1961, 3191, 3212
*602 -	By Senators Grady, Tarr, Trump, Swope, and Nelson: Enabling WVSU and Bluefield State University to offer associate degrees	1100	1226			1249
605 -	By Senators Maroney and Takubo: Requiring state medical examiner to enter into contracts with procurement organization (Chapter 254, Acts, Regular Session, 2023)	1079, 2037	1417		1708	1586, 1659, 2259, 3212
608 -	By Senators Trump and Deeds: Correcting list of items which are considered deadly weapons (Chapter 329, Acts, Regular Session, 2023)	1184, 3189	2039	2194	2722	3201, 3212
609 -	By Senators Smith, Azinger, Boley, Phillips, Swope, and Taylor: Obtaining approval for decommissioning or deconstructing of existing power plant (Chapter 146, Acts, Regular Session, 2023)	1058, 1923	1676	1875	1876	1766, 1934, 1976

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
*613 -	By Senator Maroney: Relating generally to certificates of need (Chapter 255, Acts, Regular Session, 2023)	1383, 3179	1417	2128	2127	1586, 1661, 1767, 1877, 1912, 1951, 2002, 3199, 3212
*616 -	By Senators Weld and Deeds: WV Veterans' Home Loan Mortgage Program of 2023	1217				
*617 -	By Senator Barrett: Relating to Intellectual and Development Disabilities Waiver Program Workforce Study (Chapter 256, Acts, Regular Session, 2023)	1217, 2955, 3164	2040	2197, 2724	2724, 3170	2989, 3054, 3189, 3199, 3211
619 -	By Senators Grady and Taylor: Allowing teachers in public schools to teach intelligent design	1321				
620 -	By Senators Trump and Taylor: Increasing maximum number of registered voters per precinct and distance between polling places	1185				
*621 -	By Senators Takubo and Deeds: Requiring sheriff to serve child abuse and neglect petitions	1153				
625 -	By Senator Rucker: Requiring certain transcripts to be accepted as record of student's performance for placement in micro school programs (Chapter 131, Acts, Regular Session, 2023)	1322, 3075	1925	2129	2129	1963, 2028, 3076, 3199, 3211
*628 -	By Senators Rucker and Oliverio: Revising provisions related to public charter schools	1383				
629 -	By Senators Hamilton, Clements, Deeds, Hunt, Karnes, Martin, Stover, and Phillips: Establishing auto-renewal program for wildlife licenses	1100				
*630 -	By Senators Rucker, Trump, Woelfel, Deeds, Grady, Barrett, and Hamilton: Creating offense of knowingly and willfully obstructing social service worker	1154				
*631 -	By Senator Queen: Updating administration, funding, and requirements for federal elections held in WV (Chapter 145, Acts, Regular Session, 2023)	1185	1972		2724	2209, 3199, 3212
*633 -	By Senators Woodrum, Trump, Deeds, Caputo, Woelfel, and Rucker: Requiring prompt appearances for persons detained on capiases (Chapter 109, Acts, Regular Session, 2023)	1626, 3182	2039	2725	2725	2209, 3201, 3212
*634 -	By Senators Woodrum, Trump, Clements, and Jeffries: Increasing value at which municipal property must be sold through public auction	1626				
*635 -	By Senators Weld, Deeds, Plymale, and Phillips: Updating language and increasing penalties for indecent exposure	1154				

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
641 -	By Senators Chapman and Trump: Clarifying when magistrate vacancies shall be filled	1185				
*644 -	By Senator Chapman: Updating contested elections procedures	1186				
*646 -	By Senator Nelson: Creating emeritus physician license	1218				
*647 -	By Senator Trump: Relating to substantiation of abuse and neglect allegations (Chapter 60, Acts, Regular Session, 2023)	1626, 3182	2039	2213, 2727	2726	3201, 3212
*649 -	By Senators Blair (Mr. President), Trump, Rucker, and Barrett: Authorizing Berkeley County Council to change its name to Berkeley County Commission (Chapter 332, Acts, Regular Session, 2023)	1218	1924		2130	1964, 2029, 3199, 3212
*650 -	By Senators Takubo, Tarr, Weld, and Deeds: Allowing physician assistants to own practice	1474				
*656 -	By Senators Woodrum, Stuart, and Jeffries: Verifying legal employment status of workers to governmental agencies	1218	1593			1681
*657 -	By Senators Maroney and Nelson: WV Long-Term Care Insurance Act	1219				
*660 -	By Senators Weld, Woelfel, Deeds, Hamilton, Rucker, and Trump: Establishing aggravated felony offense of reckless driving resulting in death	1474				
*661 -	By Senators Roberts and Tarr: Clarifying preferential recall rights for employees sustaining compensable injury (Chapter 330, Acts, Regular Session, 2023)	1219, 3182	1929	2216	2727	2030, 3201, 3212
*665 -	By Senator Rucker: Amending licensure requirements for massage therapist (Chapter 232, Acts, Regular Session, 2023)	1322	1931		2728	2030, 2218, 3199, 3212
*666 -	By Senators Woelfel and Caputo: Placing cap on maximum penalty that may be imposed for first-degree robbery	1474				
*667 -	By Senators Grady, Weld, Smith, and Taylor: Requiring periodic performance audits of WV Secondary School Activities Commission	1384	1925	2130, 2132	2131	1964, 2029, 3201
674 -	By Senators Trump, Tarr, and Weld: Providing statutory recognition and appointment of board members for WV First Foundation (Chapter 257, Acts, Regular Session, 2023)	1155	2039		2729	2218, 3200, 3211
*676 -	By Senators Maroney and Takubo: Requiring report on Medicaid fees and managed care provider reimbursements compared to PEIA, Medicare, and surrounding states	1322				

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
*677 -	By Senators Swope and Rucker: Clarifying role and responsibilities of State Resiliency Officer (Chapter 281, Acts, Regular Session, 2023)	1384, 3182	1973	2218, 2734	2730	3201, 3212
678 -	By Senators Trump and Barrett: Adding appropriations to DHHR, Division of Human Services (Chapter 7, Acts, Regular Session, 2023)	1219	1970		2730	2244, 3195, 3211
679 -	By Senators Tarr, Woelfel, Plymale, and Roberts: Requiring Office of Inspector General to promulgate rules concerning location of forensic group homes (Chapter 258, Acts, Regular Session, 2023)	1385, 1993	1417	1661	1709	1586, 1976,
*681 -	By Senators Deeds and Woelfel: Clarifying that juvenile competency determination process extends to status offenders	1475				
*688 -	By Senators Chapman, Hunt, and Oliverio: Allowing BOE to hire retired teachers to assist with tutoring (Chapter 132, Acts, Regular Session, 2023)	1386	1882		2002	1920, 1961, 3191, 3212
*730 -	By Senator Maroney: Expanding authority of Legislative Oversight Commission on Health and Human Resources Accountability (Chapter 259, Acts, Regular Session, 2023)	1220,1994	1417	1662	1710, 1994	1586, 3191, 3212
732 -	By Senators Maroney, Takubo, Azinger, Chapman, Deeds, Grady, Hamilton, Hunt, Plymale, Roberts, Tarr, and Weld: Prohibiting insurer from imposing copayment for certain services	1474				
733 -	By Senators Woodrum, Barrett, Hamilton, Hunt, Jeffries, Phillips, Queen, Smith, Stuart, Swope, and Weld: Relating to wildlife licenses and stamps (Chapter 221, Acts, Regular Session, 2023)	1386, 3181	1931	2245	2731	2030, 3200, 3211
734 -	By Senators Woodrum, Barrett, Hamilton, Hunt, Jeffries, Phillips, Queen, Smith, Stuart, Swope, and Weld: Requiring adoption of cloud computing services by state agencies (Chapter 167, Acts, Regular Session, 2023)	1476	1930		2732	2030, 2250, 3200, 3212
735 -	By Senators Woodrum, Barrett, Hamilton, Hunt, Jeffries, Phillips, Queen, Smith, Stuart, Swope, and Weld: Clarifying department responsible for administration of certain programs (Chapter 120, Acts, Regular Session, 2023)	1386, 3183	1930	2732	2733	2030, 2250, 3202, 3212

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	Other Proceedings
737 -	By Senators Tarr, Phillips, Barrett, Boley, Clements, Jeffries, Maroney, Nelson, Oliverio, Plymale, Queen, Roberts, Smith, and Woodrum: Emergency Medical Services Act (Chapter 260, Acts, Regular Session, 2023)	1387, 3181	1973	2250	2735	3200, 3211
738 -	By Senators Hamilton, Stover, Deeds, Phillips, Smith, Stuart, Swope, Taylor, and Woodrum: Equipment Right to Repair Act	1946				
739 -	: Relating to moratorium on carbon capture agreements	1672	1967	2252	2736	2031,
740 -	: Relating to compensation and expense reimbursement for members of Legislature (Chapter 206, Acts, Regular Session, 2023)	1673, 3182	1973	2737, 2739	2739	2255, 3200, 3211

REGULAR SESSION, 2023

*Denotes Committee Substitute

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Adopted by House	OTHER PROCEEDINGS
1 -	By Senator Takubo: Adopting Joint Rules of Senate and House of Delegates	158			158	
2 -	By Senators Blair (Mr. President), Tarr, and Woelfel: Authorizing payment of expenses for 86th Legislature	159			159	
*3 -	By Senators Karnes and Hamilton: Dr. Roland P Sharp Memorial Road	1030	1415, 1675		1700	
*4 -	By Senators Maynard and Phillips: US Navy S1 Ira "Noon" Copley and Marie Copley Memorial Bridge	1031	1965, 2038		2114	
*6 -	By Senators Smith, Taylor, Weld, and Woelfel: US Army SGT Vincent DiBacco Memorial Bridge	1031	1415, 1675		1700	
7 -	By Senators Clements and Plymale: Amending Joint Rules of Senate and House of Delegates	868		868	868	
8 -	By Senators Woodrum and Deeds: US Army PV 2 Harold Richard Plumley Memorial Bridge	1031	1965, 2038		2114	
*10 -	By Senators Hunt and Jeffries: US Army Air Corps PVT Albert J Sutphin Memorial Highway	1476	2038		2114	
*11 -	By Senator Woodrum: US Army SGT Brian Christopher Karim Memorial Road	1995	2746		2747	
*13 -	By Senators Martin and Queen: Wyant Brothers WWII Veterans Memorial Road	1476	2038		2114	
14 -	By Senators Deeds and Plymale: Supporting Medal of Valor nominees recommended by First Responders Honor Board	1058	2746		2747	
*16 -	By Senators Phillips, Rucker, Stuart, Taylor, and Smith: US Army 1SG James Arnold Browning Memorial Bridge	1477	2038		2114	
*17 -	By Senators Phillips and Smith: US Navy PO2 Phillip Joseph "PJ" Hainer Memorial Bridge	1477	1769		1871	
24 -	By Senators Clements, (Mr. Blai, Azinger, Barrett, Boley, Caputo, Chapman, Deeds, Grady, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, and Woodrum: Renaming Mount Olive Correctional Complex and Jail as Mike V. Coleman Maximum Security Complex	2553	2746	2811	2812	2747, 2811

FIRST EXTRAORDINARY SESSION, 2023

*Denotes Committee Substitute

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
101 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Relating to combining the totals of the Revenue Shortfall Reserve Fund and Revenue Shortfall Reserve Fund – Part B when determining surplus deposit eligibility	3240					
102 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the Department of Revenue, Office of the Secretary	3240					
103 -	By Delegate Kelly and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the Department of Homeland Security, Division of Corrections and Rehabilitation	3240	3275				
104 -	By Delegate Kelly and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Homeland Security, Division of Corrections and Rehabilitation – Parolee Supervision Fees	3241	3275				
105 -	By Delegate Kelly and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to Division of Corrections	3242	3276				
106 -	By Delegate Kelly and Delegate Skaff [By Request of the Executive]: Relating to temporary identification cards for released inmates	3242	3271				
107 -	By Delegate Kelly and Delegate Skaff [By Request of the Executive]: Requiring certain municipalities to reimburse responsible county for up to five days of regional jail per diem fees	3242	3272				
108 -	By Delegate Kelly and Delegate Skaff [By Request of the Executive]: Relating to pretrial release	3243					
109 -	By Delegate Kelly and Delegate Skaff [By Request of the Executive]: Prohibiting the use of state funds for certain procedures or benefits that are not medically necessary for persons in the custody of the commissioner	3243	3272				

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110 -	By Delegate Kelly and Delegate Skaff [By Request of the Executive]: Authorizing the Supreme Court of Appeals to develop pretrial release programs in all circuits of the state and to develop an electronic court date reminder system as part of any such programs	3244	3272				
111 -	By Delegate Kelly and Delegate Skaff [By Request of the Executive]: Authorizing agreements for reimbursement for certain training costs and to authorize the division to cooperate with the Supreme Court of Appeals on developing a comprehensive transportation plan	3244	3272				
112 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Relating to child support guidelines (Chapter 31, Acts, 1st Extraordinary Session, 2023)	3244		3246	3366	3245 3246	3370, 3372
113 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Relating to making West Virginia an agreement state with the United States Nuclear Regulatory Commission	3246				3249	
114 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the PEIA (Chapter 1, Acts, 1st Extraordinary Session, 2023)	3249			3366	3249 3251	3370, 3372
115 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the Department of Education, State Board of Education – State Aid to Schools (Chapter 2, Acts, 1st Extraordinary Session, 2023)	3251			3366	3252 3253	3370, 3372
116 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to state aid to schools (Chapter 3, Acts, 1st Extraordinary Session, 2023)	3253			3367	3254	3370, 3372
117 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to Higher Education Policy Marshall University (Chapter 4, Acts, 1st Extraordinary Session, 2023)	3255	3273		3367	3357	3351, 3371, 3372

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118 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to state board of education	3255					
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120 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Authorizing the Mercer County Commission to levy a special district excise tax for the benefit of The Ridges Economic Opportunity Development District	3256	3273				
121 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Funding certain first responders	3257	3276				
122 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the Department of Homeland Security, Division of Emergency Management	3257	3276				
123 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Homeland Security, Division of Emergency Management, Growth County Fire Protection Fund, and to the Department of Homeland Security, Division of Emergency Management, County Fire Protection Fund	3258	3275				
124 -	By Delegate Hanshaw (Mr. Speaker), Delegate Skaff, Delegate Hanna, and Delegate Tully [By Request of the Executive]: Establishing Summersville Lake State Park (Chapter 34, Acts, 1st Extraordinary Session, 2023)	3258			3367	3259	3371, 3372
125 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Clarifying that certain payments paid prior to the effective date of the tax credits for property taxes paid on certain species of property are eligible for the tax credits (Chapter 125, Acts, 1st Extraordinary Session, 2023)	3260			3367	3261	3371, 3372

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
126 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the Department of Transportation – Division of Highways	3261	3273				
127 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing, amending and increasing existing items of appropriation from the State Road Fund to the Department of Transportation, Division of Highways	3262	3273				
128 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the Governor's Office – Civil Contingent Fund (Chapter 5, Acts, 1st Extraordinary Session, 2023)	3262	3276		3367	3357 3358	3371, 3372
129 -	By Delegate Kelly and Delegate Skaff [By Request of the Executive]: Supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2023, known as the budget bill, to the Department of Economic Development – Office of the Secretary	3262	3273				
130 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the Department of Administration, Office of Technology	3263	3273				
131 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the Department of Administration – Division of General Services	3263	3276				
132 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the Department of Commerce – Division of Forestry	3264	3273				
133 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplemental appropriation of federal funds to the Department of Commerce, Geological and Economic Survey	3264	3273				

Number	SPONSOR(S) AND SYNOPSIS	Introduced	Reported from Committee	Amended	Passed Senate	Passed House	OTHER PROCEEDINGS
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135 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the Department of Environmental Protection, Division of Environmental Protection	3265					
136 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the Department of Commerce, Division of Natural Resources	3265					
137 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the Department of Veterans' Assistance	3265	3273				
138 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to Miscellaneous Boards and Commissions, Adjutant General – State Militia	3266	3274				
139 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Making a supplementary appropriation to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority	3266	3274				
140 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Attorney General	3267					
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142 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Expiring funds to the balance of the Department of Education, Vocational Consolidated Accounts Fund, fund 3945, fiscal year 2024, organization 0402, in the amount of $12,000,000, from the State Department of Education	3267	3274				
143 -	By Delegate Hanshaw (Mr. Speaker) and Delegate Skaff [By Request of the Executive]: Supplementing and amending the appropriations to the Department of Health and Human Resources	3268					
144 -	By Delegate Hanshaw (Mr. Speaker), Delegate Skaff, and Delegate Howell [By Request of the Executive]: Including Potomac State College of West Virginia in the definition of community and technical college education program for participation in the "Learn and Earn Program" (Chapter 33, Acts, 1st Extraordinary Session, 2023)	3268			3368	3269	3371, 3372

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*Denotes Committee Substitute

Number	SPONSOR(S) AND SYNOPSIS	Communicated to House	Reported from Committee	Amended	Passed House	OTHER PROCEEDINGS
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1002 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Department of Revenue, Office of Secretary	3329				
1003 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to multiple funds for Division of Corrections and Rehabilitation (Chapter 6, Acts, 1st Extraordinary Session, 2023)	3330				
1004 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Division of Corrections and Rehabilitation, Parolee Supervision Fees and Regional Jail and Correctional Facility Authority (Chapter 7, Acts, 1st Extraordinary Session, 2023)	3331			3332	3368, 3371, 3372
1005 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Division of Corrections and Rehabilitation, Correctional Units and Bureau of Juvenile Services (Chapter 8, Acts, 1st Extraordinary Session, 2023)	3333			3334	3368, 3371, 3372
1006 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Updating temporary identification cards for released inmates (Chapter 26, Acts, 1st Extraordinary Session, 2023)	3335			3336	3369, 3372
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1008 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Clarifying conditions for pretrial release	3339				

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1011 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Updating authority and duties of Commissioner of Corrections and Rehabilitation	3286				
1017 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Higher Education Policy Commission, Marshall University	3286				
1018 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to BOE, State Department of Education	3287				
1019 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to WV State Senate, WV House of Delegates, and to Joint Expenses (Chapter 9, Acts, 1st Extraordinary Session, 2023)	3289			3290	3369, 3372
1020 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Authorizing Mercer County Commission to levy special district excise tax for Ridges Economic Opportunity Development District (Chapter 29, Acts, 1st Extraordinary Session, ,2023)	3290			3291	3369, 3372
1021 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Funding certain first responders (Chapter 32, Acts, 1st Extraordinary Session, 2023)	3292		3293	3302 3360	3371, 3372

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1023 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplementary appropriation to Department of Homeland Security, Division of Emergency Management, Growth County Fire Protection Fund and County Fire Protection Fund (Chapter 11, Acts, 1st Extraordinary Session, 2023)	3305			3307	3368, 3371, 3372
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1026 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to DOH (Chapter 12, Acts, 1st Extraordinary Session, 2023)	3339			3340	3369, 3372
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1028 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Governor's Office, Civil Contingent Fund	3308				
1029 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Department of Economic Development, Office of Secretary (Chapter 14, Acts, 1st Extraordinary Session, 2023)	3308			3309	3369, 3372
1030 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Department of Administration, Office of Technology (Chapter 15, Acts, 1st Extraordinary Session, 2023)	3310			3311	3369, 3372

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1033 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Making supplemental appropriation of federal funds to Department of Commerce, Geological and Economic Survey (Chapter 18, Acts, 1st Extraordinary Session, 2023)	3316			3317	3369, 3372
1034 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Department of Arts, Culture, and History, Division of Culture and History (Chapter 19, Acts, 1st Extraordinary Session, 2023)	3318			3319	3370, 3372
1035 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to DEP, Division of Environmental Protection	3320				
1036 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Department of Commerce, Division of Natural Resources	3320				
1037 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Department of Veterans' Assistance (Chapter 20, Acts, 1st Extraordinary Session, 2023)	3321			3321	3370, 3372
1038 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Adjutant General, State Militia (Chapter 21, Acts, 1st Extraordinary Session, 2023)	3322			3323	3370, 3372

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1040 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Attorney General	3326				
1041 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to Department of Homeland Security, West Virginia State Police (Chapter 23, Acts, 1st Extraordinary Session, 2023)	3326			3327	3370, 3372
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1043 -	By Senator Blair (Mr. President) and Senator Woelfel [By Request of the Executive]: Supplementing and amending appropriations from General Revenue to DHHR (Chapter 25, Acts, 1st Extraordinary Session, 2023)	3328			3328	3370, 3372

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2007. Prohibiting certain medical practices
2375. Relating to hiring new West Virginia State Police Officers
2411. To establish cultural competency training for teachers obtaining or renewing a teaching license in West Virginia
2413. Permitting pharmacists to dispense the drug ivermectin by means of a standing order
2443. Relating to service employees with National Association for Pupil Transportation Certifications
2451. To allow another round of "buy in" to the old public employees retirement plan for those that didn't last time.
2453. Allow anyone with a master's degree to sit for WV Bar exam and become licensed attorney
2523. Restricting the authority of the Board of Barbers and Cosmetologists to regulate the use of commonly available, retail beauty products
2621. Relating generally to bail bondsman
2628. Requiring certain boards that seek to increase a fee or seek to impose a new fee to also submit cost saving measures
2751. Create the Volunteer Immunity and Charitable Organization Liability Limit Act
2765. Authorizing certain ambulance crew members, firefighters, rescue squad members and emergency service personnel to carry firearms
2769. Remove licensure requirements for certain radon specialists
2770. Expanding the eligibility requirements for private investigator and security guard licensure

2804. Reinstate the Contractor Licensing Board under the Division of Labor in Chapter 21
2805. Amending requirements for licensure relating to elevator mechanics, crane operators, HVAC, electricians, and plumbers
2841. To create the Occupational Licensing Legal Fund in the State Treasury
2967. Expediting License Applications for active military members and veterans, and their spouses
2995. Relating to requirements for a registered veterinary nurse
3082. Reducing rates for legal advertisement
3090. Repeal the code provisions requiring auctioneers to be licensed and for auctions to be conducted by a licensed auctioneer
3171. Provide that continuing education credits shall not expire for 3 years
3203. Relating generally to West Virginia Real Estate License Act
3216. Funding EMS and School Resource Officers through marijuana tax
3278. Relating to the practice of optometry
3292. To expand the EMS retirement system

BOARDS AND COMMISSIONS:

2032. Relating to the Occupational Pneumoconiosis Board
2052. Prohibit businesses from having licenses revoked for not requiring masks
2179. To protect homeowners from unscrupulous contractors
2282. Relating generally to the distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments
2425. Require regulatory agency heads to have one year experience in the regulated industry
2472. To add additional members to the West Virginia Parole Board
2473. To permit the limited use of juvenile records in grievance proceedings regarding employees of the Division of Corrections and Rehabilitation when such records prove relevant.
2482. Relating to social determinants of health
2493. To modify deputy sheriff's retirement pay and the cost of receiving certain reports
2496. Requiring that any doctor performing an abortion must be board-certified in obstetrics and gynecology
2578. To create the Rural Area Department Volunteer Incentive Act of 2023
2595. To require that Public Service District Boards that represent more than one community to have at least one member from each community on the board.
2630. To allow county councils to change name to county commissions
2768. To require all state entities and Chapter 30 boards to use ".gov" domains and e-mail addresses

2848. Water and Sewer Operator licensing reciprocity
2871. Relating to awarding the service weapon of a retiring State Fire Marshal
2873. To modify the approval process requirements for the First Responders Honor Board
2874. Include State Fire Marshals in the code section with local law enforcement and first responders that receive information related to school safety requirements.
2901. State may not participate in or join the national school board association
2903. Library boards who make decisions on books must have ideological equality
2945. Relating to state boards of examination or registration
2953. Creating the Commission on Cost-of-Living Adjustments
2954. Eliminate need for Certificate of public convenience for water and sewer utilities
3013. Relating to authorizing the Jefferson County Commission to levy a special district excise tax
3029. Providing for the election of county school superintendents to four year terms.
3037. To create a partisan election for county board of education members.
3136. Relating to brewer and resident brewer licenses
3141. Relating to the practice of dentistry
3156. Raising the compensation rates of panel attorneys
3171. Provide that continuing education credits shall not expire for 3 years
3210. Relating to the performance of installation of propane gas systems
3261. Relating to Social Workers Qualifications
3307. Establishing the West Virginia-Ireland Trade Commission
3343. To require for the demolition of old schools in certain circumstances
3444. Relating to the creation of the West Virginia Semiquincentennial Commission and Fund
3446. Clarifying the powers and duties of Public Service Commission as to electric generating facilities
3450. Relating generally to racetrack video lottery and the Licensed Racetrack Modernization Fund
3489. To make the fire board or county commission responsible for the operations of every fire department within their county
3501. Creating the Cardiopulmonary Resuscitation Instruction Fund
3502. Bifurcating the ethics commission

BUDGET:

2370. Requiring 50 percent of all reappropriated revenue accounts to be surrendered to general revenue
2372. Relating to "unencumbered" special revenue accounts to be surrendered to general revenue under certain circumstances
2577. Revoke spending authority for money used by an agency in support of a challenge to WV law
2617. Expire and appropriate funds from the Coronavirus State Fiscal Recovery Fund to the Reclamation of Abandoned and Dilapidated Properties Program Fund during fiscal year 2023.
2618. Authorize the Reclamation of Abandoned and Dilapidated Properties Program Fund to be used to demolish certain flood-damaged structures
2838. Litterbug Act
3464. Relating to the transfer of certain revenues derived from lottery activities
3545. Expiring funds to the Treasurer's Office - American Rescue Plan Low-income Assistance Program

BUSINESS ENTITIES:

2194. Establishing that companies requiring vaccine mandates lose immunity protection
3272. Relating to the operation of private trust companies in West Virginia
3476. Establishing workers cooperative corporations

CHILD WELFARE:

2016. Relating to confidential childcare records
2017. Relating to service of process in child abuse cases
2018. Permitting the managed care case coordinator to attend the multidisciplinary team meeting
2058. Relating to requiring a court to verify certain conditions are met before a child who has been removed from a home may be returned to that home.
2106. Relating to family courts and juvenile petitions
2122. Relating to custodial interrogation of a child
2235. Relating to the juvenile justice reform oversight committee
2428. Relating to foster care
2460. Providing online privacy protection laws for children under 18 years of age
2470. Creating a youth advisory council for civic engagement
2503. Requiring the Department of Health and Human resources to pay the attorney fees of an adoptive parent in a subsidized adoption
2538. Requiring usage of child welfare information technology systems

2854. Relating to priorities for the use of funds for child-care and performance-based contracting
2921. Establish a memorial at the Capitol for the unborn whose lives were lost.
2986. Creating a statutory right to petition circuit and family courts for sibling visitation
3021. Expanding early childhood education programs to three-year-old children
3287. Providing that records of Department of Health and Human Services of sustained and non-sustained allegations of child abuse or neglect are preserved

CIVIL ACTIONS:
2066. Repealing antiquated provisions relating to gaming activities
2153. State Settlement and Recovered Funds Accountability Act
2154. Relating to admissibility of certain evidence in a civil action for damages
2164. Stop Social Media Censorship Act
2243. Creating a process by which voters may recall a county ordinance in a special election
2284. Revise existing standards and establish the burden of proof imposed on civil litigants seeking to circumvent corporate structure in civil litigation
2289. Authorizing civil damages for any person who was subject to an intentionally false report made to law enforcement
2307. To ensure false claims on property titles are not fault of landowner
2329. Ban civil asset forfeiture unless person convicted
2404. Relating to repayment of legal services when payment is made by the state for public defender services
2420. Establishing of the West Virginia Public Participation Act
2490. Establishing a procedure to name a kinship legal guardian
2492. Relating to forbidding excessive government limitations on exercise on religion
2610. Relating to choice of law provisions in franchise agreements
2627. Relating to preventing compensatory damage awards for medical expenses from including certain sums
2755. Create the Multi-Door Courthouse Act
2841. To create the Occupational Licensing Legal Fund in the State Treasury
2930. To prohibit state jurisdiction over out of state divorces
2973. No guardian ad litem is needed on adoptions if both parents sign a relinquishment
2999. To choose to not vaccinate children does not amount to abuse and neglect

3001. To prohibit punishment for teachers who refuse to use pronouns inconsistent with a child's sex
3139. To allow for modification of a family court order involving drugs in certain circumstances
3175. A court has venue for adoption if it had jurisdiction over guardianships
3193. Relating to damages for medical monitoring; establishing requirements for an order for payment of medical monitoring expenses
3358. Exemption from marriage and license participation

CLAIMS:
3344. To pay certain moral obligations of the state

CONSTITUTIONAL OFFICERS:
2374. Make appointment process for Congressional seats the same as that for the US Senate
2557. Make appointment process for Congressional seats the same as that for the US Senate
2764. Increase salary of constitutional officers
2767. Constitutional Officer Housing allowance
2816. Any judgment by a mayor, any individual exercising the mayor's functions, the police court judge, or municipal judge of city be obligated to the Model Rules of Judicial Conduct.
3140. Allowing treasurer to invest in gold and silver
3219. To permit retired magistrates to have the ability to carry concealed weapons without paying fee

CONSUMER PROTECTION:
2004. Prevent the use of payment card processing systems for surveillance of Second Amendment activity and discriminatory conduct
2081. Renter's bill of rights
2085. Affordable broadband access for seniors, low income, and disabled persons due to fixed, minimum, or moderate incomes
2099. Allowing a tenant to recover deposits in full if a landlord has failed any Dwelling Unit Inspections
2118. Repealing the article on unfair trade practices
2237. Relating to consumer protection of new manufactured home warranties
2306. Provide certain classes of property protections from creditor collections
2339. Requiring a telemarketer's location must be indicated on customer's caller ID

2395. Make the Consumer Advocate division separate and independent from the PSC
2396. Relating to pyramid promotional schemes
2400. Allowing a home improvement transaction to be performed under an oral contract
2537. Prohibiting covenant not to compete
2637. Creating a State Central Legal Advertising Website
2810. Relating to data disposal protection
2813. Provide for disclosure of potentially harmful ingredients in menstrual products
2869. Relating to law enforcement warrant for third party information
2949. Relating to disclosure of information by online marketplaces to inform consumers
3131. Clarify pricing for gasoline to consumers
3385. Adjusting the value cap for rent-to-own agreements
3453. Consumer Data Protection Act
3480. Enact the West Virginia Consumer Financial Privacy Act of 2023
3498. Relating to the Consumer Data Protection Act and establishing a framework for controlling and processing personal data in the State

CONTRACTORS:
2007. Prohibiting certain medical practices
2375. Relating to hiring new West Virginia State Police Officers
2411. To establish cultural competency training for teachers obtaining or renewing a teaching license in West Virginia
2413. Permitting pharmacists to dispense the drug ivermectin by means of a standing order
2443. Relating to service employees with National Association for Pupil Transportation Certifications
2451. To allow another round of “buy in” to the old public employees retirement plan for those that didn’t last time.
2453. Allow anyone with a master’s degree to sit for WV Bar exam and become licensed attorney
2523. Restricting the authority of the Board of Barbers and Cosmetologists to regulate the use of commonly available, retail beauty products
2621. Relating generally to bail bondsman
2628. Requiring certain boards that seek to increase a fee or seek to impose a new fee to also submit cost saving measures
2751. Create the Volunteer Immunity and Charitable Organization Liability Limit Act
2765. Authorizing certain ambulance crew members, firefighters, rescue squad members and emergency service personnel to carry firearms
2769. Remove licensure requirements for certain radon specialists

2770. Expanding the eligibility requirements for private investigator and security guard licensure
2804. Reinstate the Contractor Licensing Board under the Division of Labor in Chapter 21
2805. Amending requirements for licensure relating to elevator mechanics, crane operators, HVAC, electricians, and plumbers
2841. To create the Occupational Licensing Legal Fund in the State Treasury
2967. Expediting License Applications for active military members and veterans, and their spouses
2995. Relating to requirements for a registered veterinary nurse
3082. Reducing rates for legal advertisement
3090. Repeal the code provisions requiring auctioneers to be licensed and for auctions to be conducted by a licensed auctioneer
3171. Provide that continuing education credits shall not expire for 3 years
3203. Relating generally to West Virginia Real Estate License Act
3216. Funding EMS and School Resource Officers through marijuana tax
3278. Relating to the practice of optometry
3292. To expand the EMS retirement system

CORPORATIONS:
2194. Establishing that companies requiring vaccine mandates lose immunity protection
3272. Relating to the operation of private trust companies in West Virginia
3476. Establishing workers cooperative corporations

CORRECTIONS:
2028. Establish quick response teams to work with drug users who are arrested
2037. Create a prison work pilot program
2045. Dividing pretrial detention jail costs between arresting authorities
2056. Relating to requiring a parolee or probationer found to have suffered with addiction to participate in a support service.
2126. Relating to increasing the amount of money for which a purchase may be made without obtaining three bids to ten thousand dollars
2233. Make all state inmates regardless of sex members of the state convict road force
2241. Relating to education to children and adults housed in correctional facilities and regional jails
2250. Adding Division of Corrections and Rehabilitation employees who work at institutions managed by the Commissioner to the Survivor Benefits Act
2379. Allow women to work on inmate road crews

2441. Reentry Task Force
2444. Provide wardens with ability to use inmates to perform work in the upkeep local cemeteries
2464. Limitations to solitary confinement to 3 days per every 2 weeks
2477. Relating to the financial responsibility of inmates in relation to civil awards
2793. Relating to mental health treatment for inmates
2837. Relating to intentionally fleeing or attempting to flee in a vehicle from a law-enforcement officer, probation officer, or parole officer
2879. To provide a pay increase to state correctional workers in West Virginia
2963. Prohibit Department of Corrections and Rehabilitation from making inmates pay co-payment for medical or dental service by a doctor or nurse
2971. Access to Rehabilitation Act
3014. Require Correctional Facilities to provide free feminine hygiene products
3034. To create a Parolee Drivers Permit
3120. Split the jail bills among the cities, counties, and the state
3253. To provide sufficient funding to the Jail Operations Partial Reimbursement Fund if a general revenue surplus exists in a given fiscal year
3275. Relating to private prisons
3320. Requiring the West Virginia Department of Corrections and Rehabilitation to provide an inmate with one physical copy of their birth certificate and social security card upon release
3367. To provide for a pay raise for staff at correctional institutions
3445. Relating generally to probation and parole
3535. Prohibiting the transportation and incarceration of political prisoners in West Virginia

COUNTIES:
2008. Requiring local entities to enforce immigration laws
2027. Require and make mandatory the full involvement of local law enforcement in the person-to-person presentation of an eviction notice
2045. Dividing pretrial detention jail costs between arresting authorities
2172. Allow local governments to hold property owners more accountable for upkeep of buildings
2173. Limit amount a county tax assessor can increase assessed value of antique or classic cars
2213. Limit number of visitor bureaus that can exist in a county
2243. Creating a process by which voters may recall a county ordinance in a special election

2285. Requiring that open hunting season for big game begin on a Saturday
2299. To require that any municipality or county commission who intends to approve a location for a limited video lottery retailer must first announce their intention to do so and hold a public hearing before approval.
2308. Prohibit a county from charging for a building permit if the value of the improvement is less than that required for a contractor's license
2336. Requiring local entities to enforce immigration laws
2357. Granting jurisdiction to supervise youth sport league events to county boards of education and the Secondary School Activities Commission
2398. Requiring the Human Rights Commission, when investigating a complaint of discrimination, to specifically include an examination of the intent of the person
2433. Creating three separate job titles for school bus operators
2493. To modify deputy sheriff's retirement pay and the cost of receiving certain reports
2784. Relating to duty to prosecute
2838. Litterbug Act
2922. To limit the number of vape stores and head shops to one for every 15,000 residents per county
2937. To reduce the business license fee for WV Volunteer Fire Departments to $250
2981. Prohibit the sheriff's department from posting mug shot photos for an arrest
3005. Relating to accelerating the conversion of the state excise tax on the privilege of transferring real property into a county excise tax
3083. Prohibiting political subdivisions from enacting certain ordinances, regulations, local policies, local resolutions, or other legal requirements
3091. Requiring counties provide fiscal information for State Auditor's WV Checkbook website
3120. Split the jail bills among the cities, counties, and the state
3126. Allotting counties $5,000 per deputy position to only be used for deputy pay raises
3127. Requiring state entities, local entities and law enforcement agencies to cooperate with the enforcement of immigration laws
3185. Transparency in Government Act
3201. To include electric-powered school busses in the county foundation allowance
3220. Increasing amount of excess funds to be held over to following year

3265. Remove statutory mandates that the sheriff of a county shall serve process or is responsible for cost of service or arrest by another law enforcement agency
3280. Authorizing adjustment from federal adjusted gross income for certain law enforcement pension benefit payments
3313. Restraining county commissions from imposing rules and regulations on farmers beyond what is already prescribed through state statute
3314. Increasing the special district excise tax to a rate or rates on sales within the boundaries of an economic opportunity development district
3342. Relating to cooperation between municipal and county economic development authorities
3345. Providing increased protections for the welfare of domestic animals
3361. Relating to the allocation of federal funds to county commissions and certain municipalities
3404. Relating to the valuation of farm property
3435. To revise the process for political subdivision to combine
3489. To make the fire board or county commission responsible for the operations of every fire department within their county
3533. Granting jurisdiction to supervise youth sport league events to county boards of education and the West Virginia Athletic Trainers Association

COUNTY OFFICIALS:

2227. Limiting the maximum number of appointees to certain county and municipal bodies
2299. To require that any municipality or county commission who intends to approve a location for a limited video lottery retailer must first announce their intention to do so and hold a public hearing before approval.
2307. To ensure false claims on property titles are not fault of landowner
2332. Prohibit county clerk from charging or prohibiting person from taking pictures of public documents
2630. To allow county councils to change name to county commissions
2768. To require all state entities and Chapter 30 boards to use ".gov" domains and e-mail addresses
2784. Relating to duty to prosecute
2838. Litterbug Act
3125. Allowing for a paid commission for sheriffs
3185. Transparency in Government Act
3402. Requiring annual report to the Joint Standing Committee on the Judiciary regarding statements of charges brought against a judge of this state

COURT OF CLAIMS:
3344. To pay certain moral obligations of the state

COURTS — MAGISTRATE:
2938. To modify the number of magistrates per county
3138. Allow magistrate assistants to assess fines on basic charges
3219. To permit retired magistrates to have the ability to carry concealed weapons without paying fee
3402. Requiring annual report to the Joint Standing Committee on the Judiciary regarding statements of charges brought against a judge of this state

COURTS:
2197. To increase the amount of money given to jurors per day
2248. Relating to magistrate employee appointments
2331. Repeal section relating to circuit courts having limited jurisdiction to hear divorce cases
2417. Directing the Supreme Court of Appeals to create a pilot domestic violence court in Kanawha County
2471. Relating to the suspension of driver's license for unpaid tickets
2475. Provide for a raise for private investigators hired by public defender offices or court appointed panel attorneys
2490. Establishing a procedure to name a kinship legal guardian
2784. Relating to duty to prosecute
2948. To ensure that the WV Judiciary remains neutral and detached in matters related to allocation of custodial responsibility and decision-making responsibility of children
2960. To prohibit insurance policy limits from being accessed prior to a lawsuit
2962. Second Look Sentencing Act
3138. Allow magistrate assistants to assess fines on basic charges
3142. Provide that family court can order certain services
3150. Allow business owners to make undue burden claim to get excused from jury service
3172. Change filing fees that circuit courts may charge
3174. Relating generally to magistrate courts
3175. A court has venue for adoption if it had jurisdiction over guardianships
3208. Automatic CPS expungement if an individual is not found to have committed abuse and neglect by court order
3329. Creating judicial circuits and assigning the number of circuit judges in each circuit to be elected in the 2024 election
3330. Creating family court circuits and assigning the number of family court judges in each family court circuit to be elected in the 2024 election

3331. Relating generally to support staff in the family courts and magistrate courts of this state
3332. Creating judicial circuits and assigning the number of circuit judges in each circuit to be elected in the 2024 election
3402. Requiring annual report to the Joint Standing Committee on the Judiciary regarding statements of charges brought against a judge of this state
3405. Change the maximum time period of a protective order to one year
3448. Relating generally to probation officer field training
3456. Prohibiting an inheritance if found to have engaged in elder abuse against decedent
3471. Relating to the appellate court for appeals of level 3 decisions issued by the Public Employees Grievance Board
3537. Relating to granting the Intermediate Court of Appeals jurisdiction to hear certified questions

CRIME:
2019. Making Delta-8 and Delta-7 controlled substances
2080. To amend the laws relating to overtaking and passing school buses in West Virginia
2107. Relating to access of records in controlled substance monitoring
2110. Creating a domestic violence registry
2113. Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse
2114. Allowing the concealed carry of firearms on and in Capitol grounds
2129. Relating to extended supervision for certain drug offenders
2131. Prohibiting payroll deductions to electioneering organizations
2141. Creating the Police Partnering with Communities Act
2142. Providing for the reintegration of inmates in correctional facilities
2151. Relating to accessories to a crime
2155. Defend the Guard Act
2181. To establish a state animal abuse register
2187. Updating the definition of ammunition relating to carry concealed weapons
2188. To allow those who are 18-20 years old to carry a deadly weapon concealed without a permit, as is allowed for those who are 21 or older
2189. To create the "Protection of Property from Warrantless Searches Act."
2199. Safe Play Act
2200. Creating the Fair Chance Act
2204. Increasing criminal penalties for certain crimes against houses of worship
2226. Make criminal invasion of privacy a felony

2236. Removing the one-time limit on the expungement of certain criminal convictions
2238. Relating to the cultivation of medical cannabis
2251. Increasing penalties sexual offenses
2252. Relating to establishing criminal penalties for human trafficking
2280. Relating to the criminal offense of desecration of graves and vandalizing cemeteries
2286. Making expungement of records for certain defendants found not guilty or have had charges dismissed to occur without petitioning the court
2301. Expanding felony hate crime protections to individuals on the basis of perceived or actual sexual orientation
2322. Provide for crime of impersonating non-public persons on social media
2335. Establish the WV Constitution and the WV Code as the primary law in WV
2338. Relating generally to unlawful restraint of dogs
2343. Grant automatic expungement of criminal records in certain instances
2358. Making it a misdemeanor for a person to knowingly allow a felony drug offense to be committed on his or her property
2362. To allow circuit court judges with at least six years of service to conceal carry if they so desire
2386. Ban sanctuary cities in West Virginia
2392. Relating to assault with bodily fluids
2397. Modifying the definition of child abuse or neglect to exclude accidental injury
2403. Relating to penalties for conspiracy to commit murder
2432. Increasing the penalties for exposure of governmental representatives to fentanyl or any other harmful drug
2437. Relating to fetal body parts
2462. Relating to reasonable force in defense of self, real and personal property
2471. Relating to the suspension of driver's license for unpaid tickets
2499. Relating to dangerous crimes against children
2527. Relating to revising the criminal code generally
2547. Relating to the criminal forfeiture process act
2549. Permit teachers in K-12 schools be authorized to carry concealed firearms as a designated school protection officer
2550. Relating to Off Duty LEO and LEOSA Exemptions
2555. Relating to death penalty for first degree murder
2563. Provide that someone guilty of a crime where victim was a police officer in performance of duties is ineligible for parole
2567. Relating to felony trespassing

2572. To create the Protection of Shared Physical and Digital Property from Warrantless Searches Act
2573. To create the Criminal Forfeiture Act
2594. Relating to the death penalty for first degree murder
2629. Relating to criminal trespass
2763. To provide for an updated definition of first degree murder on a law enforcement officer
2766. To clarify when inmates may receive "good time" or time served
2784. Relating to duty to prosecute
2795. To update the definition of libel in West Virginia
2799. Impose criminal liability and penalties upon purchasers of goods for delivery who refuse to return rejected goods to the vendor after the purchaser has had their purchase money reimbursed
2837. Relating to intentionally fleeing or attempting to flee in a vehicle from a law-enforcement officer, probation officer, or parole officer
2838. Litterbug Act
2847. To impose a life sentence on fentanyl dealers
2853. To increase the penalty for passing a school bus and causing injury
2884. Requiring a minimum of 7 year term in state prison for conviction of distributing controlled substances
2918. Relating to the removal of animals left unattended in motor vehicles
2919. To ban adult-oriented stores from operating physical locations in West Virginia
2923. To modify exemptions from criminal liability to include a distinction for biological lessons regarding reproduction.
2944. Relating to DNA collection requirements in abortion cases relating to rape or incest
2951. Removing certain drugs from schedule one
2962. Second Look Sentencing Act
2964. Relating to online privacy protection for minors
2970. Creating the equitable right to expungement
2980. Removing bona fide schools, public libraries, and museums from the list of exemptions from criminal liability relating to distribution and display to minor of obscene matter
2991. Establishing the crime of torture
2999. To choose to not vaccinate children does not amount to abuse and neglect
3002. To create a crime to send someone abortion pills through the U.S. mail
3004. Relating to transferred right of self-defense to a person who engages an active shooter on school grounds
3006. West Virginia Critical Infrastructure Protection Act
3009. Relating to voting rights of formerly incarcerated individuals

3031. Eliminating West Virginia Greyhound Breeding Development Fund
3038. Add unborn persons to the definition of driving under the influence and causing injury or death to an unborn person.
3041. Permitting civil remedies for the unauthorized disclosure of intimate images
3081. To abolish felony murder charge in West Virginia
3103. To eliminate the restriction to carry a firearm on the state capitol complex grounds
3106. Add Kratom to list of schedule I controlled substances
3112. To create the Emergency Supplemental Victims Service Fund
3121. Creating the Stop Our Scourge Act of 2023
3132. Increasing penalties for Corruption
3137. Prohibiting Illegal Alien Human Smuggling
3152. Relating to driving under the influence
3158. To make certain acts of panhandling and solicitation unlawful
3162. Relating generally to solid waste facilities
3176. Prohibit drag shows from being performed in front of minors and to prohibit people from dressing in drag when reading aloud during story time in schools.
3181. Relating to when a warrant, capias for arrest is dismissed when charges are dismissed
3190. Amending the definition of "minor"
3194. Free range parenting is not classified as abuse and neglect
3207. To prohibiting the use of electronic tracking devices
3267. To allow elected officials to carry a concealed weapon if they have a valid concealed carry permit in government buildings
3284. Relating to the use of unmanned aircraft systems by law enforcement
3289. Prohibiting any next of kin who is criminally responsible for the death of a relative from being involved in the decedent's burial arrangements
3298. Prohibiting civil rights violations based on disability, gender identity or sexual orientation
3302. To recognize unborn child as distinct victim in a DUI causing death
3316. To create a domestic violence registry
3325. Requiring a pharmacist to fill a prescription for individuals who have a valid prescription unless belief that prescription is fraudulent
3338. Relating to sentencing for prohibited acts with a firearm
3345. Providing increased protections for the welfare of domestic animals
3355. To criminalize joyriding of a bulldozer or heavy equipment
3362. To make an attack on a K-9 officer a felony
3366. Creating the State Property Protection Act
3381. Make it a felony to kill a canine officer

3401. Relating to negligent homicide
3405. Change the maximum time period of a protective order to one year
3454. Modifying the criminal penalties for overtaking or passing a stopped school bus
3475. Relating to the offense of adulteration or alteration of medical cannabis testing results
3479. Creating requirements for use of unmanned aerial vehicles
3491. To increase criminal penalty for shooting at or killing a uniformed police officer
3551. Provide for criminal history record restrictions for certain persons

DIVORCE:
2058. Relating to requiring a court to verify certain conditions are met before a child who has been removed from a home may be returned to that home.
2103. An affirmative defense to violation of a parenting plan is a de facto parenting plan
2123. Expanding definition of who may apply for grandparent visitation
2127. Relating to abolishing spousal support
2130. Allowing deductions to determine adjusted gross income for student loan payments or mortgage payments in determining child support
2166. Relating to grandparents' rights to visit grandchildren
2230. Ensuring that legal or biological parents have equal access to any and all copies of birth registry forms
2259. Relating to modifications of child support or alimony
2269. Recognize convictions of domestic battery in the fair and equitable distribution of marital property
2324. Allowing for child support arrears agreements that the Family Court must accept
2325. Relating to adoption attorneys
2509. Creating the Uniform Premarital Agreement Act
2926. To modify parenting if father encouraged an abortion
2930. To prohibit state jurisdiction over out of state divorces
2948. To ensure that the WV Judiciary remains neutral and detached in matters related to allocation of custodial responsibility and decision-making responsibility of children
2973. No guardian ad litem is needed on adoptions if both parents sign a relinquishment
2986. Creating a statutory right to petition circuit and family courts for sibling visitation
2990. Ensure that persons appointed as guardian’s ad litem in divorce and child custody and parenting cases are properly trained in certified courses of instruction with curricula grounded in the social science bases for determining the best interests of the child

2999. To choose to not vaccinate children does not amount to abuse and neglect
3018. Establishing that 18 is the age of consent and removing the ability of an underage person to obtaining a consent to marry through their parents, legal guardians, or by petition to the circuit court
3139. To allow for modification of a family court order involving drugs in certain circumstances
3142. Provide that family court can order certain services
3194. Free range parenting is not classified as abuse and neglect
3208. Automatic CPS expungement if an individual is not found to have committed abuse and neglect by court order
3309. Establishing the Child Support from Conception Act
3316. To create a domestic violence registry
3358. Exemption from marriage and license participation
3405. Change the maximum time period of a protective order to one year
3418. Providing clarity for expungement of domestic violence pretrial diversions
3456. Prohibiting an inheritance if found to have engaged in elder abuse against decedent
3496. To create the Responsible Fatherhood Act

DOMESTIC RELATIONS:

2058. Relating to requiring a court to verify certain conditions are met before a child who has been removed from a home may be returned to that home.
2103. An affirmative defense to violation of a parenting plan is a de facto parenting plan
2123. Expanding definition of who may apply for grandparent visitation
2127. Relating to abolishing spousal support
2130. Allowing deductions to determine adjusted gross income for student loan payments or mortgage payments in determining child support
2166. Relating to grandparents' rights to visit grandchildren
2230. Ensuring that legal or biological parents have equal access to any and all copies of birth registry forms
2259. Relating to modifications of child support or alimony
2269. Recognize convictions of domestic battery in the fair and equitable distribution of marital property
2324. Allowing for child support arrears agreements that the Family Court must accept
2325. Relating to adoption attorneys
2509. Creating the Uniform Premarital Agreement Act
2926. To modify parenting if father encouraged an abortion
2930. To prohibit state jurisdiction over out of state divorces

2948. To ensure that the WV Judiciary remains neutral and detached in matters related to allocation of custodial responsibility and decision-making responsibility of children
2973. No guardian ad litem is needed on adoptions if both parents sign a relinquishment
2986. Creating a statutory right to petition circuit and family courts for sibling visitation
2990. Ensure that persons appointed as guardian's ad litem in divorce and child custody and parenting cases are properly trained in certified courses of instruction with curricula grounded in the social science bases for determining the best interests of the child
2999. To choose to not vaccinate children does not amount to abuse and neglect
3018. Establishing that 18 is the age of consent and removing the ability of an underage person to obtaining a consent to marry through their parents, legal guardians, or by petition to the circuit court
3139. To allow for modification of a family court order involving drugs in certain circumstances
3142. Provide that family court can order certain services
3194. Free range parenting is not classified as abuse and neglect
3208. Automatic CPS expungement if an individual is not found to have committed abuse and neglect by court order
3309. Establishing the Child Support from Conception Act
3316. To create a domestic violence registry
3358. Exemption from marriage and license participation
3405. Change the maximum time period of a protective order to one year
3418. Providing clarity for expungement of domestic violence pretrial diversions
3456. Prohibiting an inheritance if found to have engaged in elder abuse against decedent
3496. To create the Responsible Fatherhood Act

DRIVING UNDER THE INFLUENCE:

2072. Relating generally to forfeiture of contraband
2263. Allowing a bar to purchase liquor from a distillery or a mini-distillery
2349. Authorizing a temporary foreign brewers import license
2554. Allowing a person to manufacture a stated amount of alcoholic liquor for personal consumption
2985. Relating to authorizing municipalities to establish outdoor refreshment areas for consumption of alcoholic beverages and non-intoxicating beer
3173. To permit home distilling of bourbon
3177. Relating to charitable bingo and alcohol sales and consumption while such bingo is taking places

3311. Relating to wine alcohol by volume as compared to beer
3467. To allow for designated Outdoor Refreshment Areas

ECONOMIC DEVELOPMENT:
2030. WV Small Business COVID Relief Act
2059. Amend the Rural Industrial Site Development Act
2061. Provide targeted business personal property tax relief in certain communities
2062. Establish rules and regulations for e-bikes in West Virginia that more closely comport to federal law
2063. Provide a tax credit to distribution centers who build away from interstates and in more rural areas of West Virginia.
2064. To create commercial opportunity zones to attract new businesses to West Virginia
2141. Creating the Police Partnering with Communities Act
2145. Be Exceptional Starting Today Act
2202. Creating the WV Community Development Equity Fund
2240. Requiring urban renewal authorities to submit proposed urban renewal projects to the affected local county boards of health
2256. To provide for the full restoration of the Holly Grove Mansion
2268. Providing a tax credit for obtaining certain certifications by the United States Green Building Council Leadership in Energy and Environmental Design green building rating system
2279. Relating to granting in-state resident status to economic development participants
2486. Economic and Community Development Task Force
2510. To establish the Rare Earth Element and Critical Mineral Investment Tax Credit Act
2512. Transferring the administration of the West Virginia Small Business Innovation Research (SBIR) and Small Business Technology Transfer (SBTT) Matching Funds Program from the Department of Commerce to the Department of Economic Development
2575. To expand recreational benefits to West Virginia Landowners to promote land ownership within the State, increase property value, bolster the State economy, and to provide additional benefits to West Virginia taxpayers
2599. Creating the utility pole rights of way and easement mapping initiative
2750. Relating to the state allocation of funding to regional councils
2753. To modify e-bike laws in West Virginia
2935. Create the Tourism Event Emergency Medical Services Fund
2958. To create the Business Tax Rebate Incentive Program
2965. To create a pilot project of tiny homes

3007. To create the West Virginia Small Business Payroll Tax Credit Pilot Program
3012. To encourage economic development regarding rare earth elements and critical minerals, as defined, by providing temporary severance tax relief
3052. Creating small business and minority populations economic and workforce development taskforce
3094. To create the Remote Worker Home Development Act
3095. Creating special revenue account known as School Building Authority Agricultural, Vocational and Technical Training Facilities Grant Fund
3102. Creating Adopt-A-Trail volunteer programs for public land under DNR jurisdiction
3111. Creating Infrastructure Ready Jurisdictions
3140. Allowing treasurer to invest in gold and silver
3147. To create the Upper Ohio Valley Trail Network
3161. Relating to state recognition of Native American tribes
3168. Ensuring investment in WV Tourism is competitive with other states and accessible long term
3173. To permit home distilling of bourbon
3318. Relating to location of services provided by the Workforce Development Board as related to the one-stop delivery system
3328. Authorizing the Hatfield-McCoy Regional Recreation Authority to contract to build and maintain trails on privately owned property
3336. Relating to the Certified Industrial Business Expansion Development Program
3347. Relating to the Upper Kanawha Valley Resiliency and Revitalization Program
3365. Relating to the Certified Industrial Business Expansion Development Program
3370. Creating loan program for certain properties and developments on U. S. Army Corps of Engineers land, state parks and resorts
3387. Extending the moratorium on the authorization of new convention and visitors bureaus for an additional two years
3392. Relating to dedication of $30 million dollars of any budget surplus at the end of the fiscal year to the Development Office Promotion and Closing Fund
3397. Relating to broadband and political subdivisions
3404. Relating to the valuation of farm property
3412. Relating generally to broadband

EDUCATION (HIGHER):
2005. Establishing the dual enrollment pilot program to be administered by the Higher Education Policy Commission and the Council for Community and Technical College Education in conjunction with the State Board of Education.

2048. Establishing the Katherine Johnson Academy
2077. Gun carry allowed on college campuses
2097. Creation of a Higher Education Prison Task Force
2149. Establishing the Katherine Johnson Academy
2180. Relating to the creation and administration of a scholarship program for college students who remain in-state after graduation
2182. To acknowledge that the mental health of higher education students is of paramount importance, and due to a variety of issues
2273. Expanding the amount of promise scholarship funds awarded to persons majoring in science, technology, engineering and mathematics
2302. Relating to rulemaking for healthcare plans
2381. Establishing the behavioral health workforce education initiative at the Higher Education Policy Commission
2390. The Forming Open and Robust University Minds (FORUM) Act
2401. Relating to relocation or closure of state higher education institutions
2408. Mountaineer Games Sports League
2421. The Campus Self Defense Act
2457. Amend section providing for waiver of tuition and fees for older persons auditing certain college classes
2465. Increase access to and amount covered of the promise scholarship to ensure full ride regardless of tuition costs, double majors, or courses of interest
2467. Legal apprenticeships as alternatives to Law School to help those who cannot afford law school or have a disability
2497. Prohibit requiring Covid-19 vaccine or booster shot to attend in person classes at colleges and universities
2504. Relating to PROMISE Scholarship Program requirements
2633. Relating to the Campus Self Defense Act
2800. All relating to authorizing legislative rules regarding higher education
2801. Relating to Social Media privacy and educational institutions
2802. Creating the Economic Development Tuition Waiver
2824. Relating to campus carry
2833. Establishing the behavioral health workforce education initiative at the Higher Education Policy Commission
2835. Repeal outdated provisions of code relating to the West Virginia graduate college and Marshall University
2941. To extend the end date of the State Advisory Council on Postsecondary Attainment Goals
2961. Relating to abolishing the center for nursing and moving the functions to the Higher Education Policy Commission
2968. Tuition and fee exemptions for service-connected Disabled Veterans and their dependents.

2972. To prohibit public university names for gender affirming care
2989. Relating to increasing the number of out-of-state medical students receiving in-state tuition rates who agree to practice for a specific time within West Virginia.
3000. Universities must accept religious, medical, or right of conscience exemptions to taking vaccinations
3024. Hunger-Free Campus Act
3046. Fast Track for Agriculture Education Endorsement
3050. Repeal Teacher Required CE
3085. Relating to hiring a "therapist" in WVDE
3099. To establish a grant program for colleges that take steps to establish themselves as Student Basic Needs campuses
3124. To allow non-resident students enrolled at West Virginia colleges and universities to purchase their hunting and fishing licenses at the resident rate.
3155. Providing educational benefits to veterans who commit to WV residency
3192. Abolishing the Center for Nursing and transferring its duties and authorities to the Higher Education Policy Commission
3218. Relating to requiring suicide prevention resources be printed on student identification cards
3224. Adding West Virginia Junior College to the list of eligible institutions that accept PROMISE scholarship recipients
3273. Create State Tech Transfer Commission
3317. Relating to removing specific continuing education requirements
3371. Relating to federal funds for land-grant institutions
3374. Relating generally to waivers from tuition and other costs and fees for certain resident veterans and their resident dependents
3386. To provide all National Merit Scholars free tuition to any West Virginia higher education institution in order to keep these scholars in state
3390. Relating to the Antihazing Law
3408. To clean up statutory provisions regarding the Hope Scholarship program to better reflect the intent and operation of the program
3417. Including Potomac State College in the definition of community and technical college education program for participation in the "Learn and Earn Program"
3441. Revising the training requirements for members of the Higher Education Policy Commission, Council for Community and Technical College Education and the institutional governing boards
3503. Relating to nondiscrimination at institutions of higher education

EDUCATION (K12):

2003. Providing early childhood assistant teachers and systems of support to help students achieve grade level literacy and numeracy by end of third grade.

2005. Establishing the dual enrollment pilot program to be administered by the Higher Education Policy Commission and the Council for Community and Technical College Education in conjunction with the State Board of Education.
2023. To expand funding for school safety use CARES and infrastructure funds
2031. Modifying the school calendar
2034. Relating to vocational and technical education programs
2070. Relating to vocational and technical education programs
2079. Policy offering a housing credit for educators who live in West Virginia 5 or more years after becoming an educator in the state
2080. To amend the laws relating to overtaking and passing school buses in West Virginia
2108. Prohibit parents from being restricted from monitoring virtual public education classrooms
2133. Granting tax credits for parents and legal guardians whose children are in a home schooling program or private school
2134. To modify the teacher retirement system so that Tier 2 teachers may use annual/sick leave towards retirement
2135. Relating to pay for Board of Education members
2137. To allow money paid to state employees to go to their estate if they pass away before their retirement date
2148. To dissolve the West Virginia School Building Authority
2167. Relating to calculating max number of students at alternative and year-round schools
2185. Providing a tax credit to encourage new teachers to remain in the state
2195. To provide that third grade students be competent in reading and math before moving on to fourth grade
2203. Requiring State Board of Education to establish a Personal Finance Literacy pilot program to be implemented in at least five public high schools
2216. Remove standardized testing in public and private schools
2225. Requiring each county school board to employ at least one full time school nurse
2231. Relating to teacher salary enhancement
2241. Relating to education to children and adults housed in correctional facilities and regional jails
2242. Requiring each high school student to complete a full credit course of study in personal finance
2261. Relating to the special community development school pilot program
2276. Issuing identification documents to homeless individuals residing at homeless shelters
2315. Prohibiting the home schooling of children in certain circumstances

2320. Changing the recommended guidelines for full-day and half-day cooks to the minimum ratio of one cook for every 110 meals
2327. Requiring party affiliation on school board elections
2334. Remove homeschool testing and portfolio requirements
2340. To remove limit of 140 days for retired substitute teachers
2346. Declaring a shortage of qualified bus operators and allowing retired bus operators to accept employment
2347. Establishing the Anti-Stereotyping Act
2350. Granting full time employees of county boards of education three months of paid leave following the birth of a child
2354. Student Rescue Act
2355. Establishing a pilot program to develop school-based mental and behavioral health services
2357. Granting jurisdiction to supervise youth sport league events to county boards of education and the Secondary School Activities Commission
2363. To require a moment of silence at the beginning of school each day in the state
2364. To exempt school buses from toll fees in West Virginia
2366. Require cameras in all classrooms
2380. Relating to School Building Authority
2382. Relating to repealing school innovation zones provisions superseded by Innovation in Education Act
2383. Relating generally to school nurses
2385. Creating the Prevention Through K-12 Education Act
2410. Establish the Commission on American History Enrichment
2411. To establish cultural competency training for teachers obtaining or renewing a teaching license in West Virginia
2433. Creating three separate job titles for school bus operators
2434. Modifying the definitions and pay grades of certain school cafeteria personnel
2435. To strengthen anti-hazing laws and policies for Pre-K to Grade 12
2443. Relating to service employees with National Association for Pupil Transportation Certifications
2452. To allow parents to retain their child for an extra year of school without losing a year of sports eligibility
2455. Defining a work day for school service personnel and removing a provision relating to employment of licensed practical nurses
2458. Relating to public school personnel
2461. Video and audio recordings in self-contained classrooms
2463. Allowing substitute teachers to work and not receive any deduction on their retirement over the 140-day of work
2488. Providing school days to register and transport students to vote
2494. Requiring high school students to pass a test on the US Constitution to graduate from high school

2495. Allowing private school students to play public school sports in some instances
2516. Provide that coaching days do not count towards limit on days for retired employees
2549. Permit teachers in K-12 schools be authorized to carry concealed firearms as a designated school protection officer
2551. Creating the Homeschool Credential Recognition Act
2560. To require cameras in every classroom and room where children are present
2571. Require county school boards to have members elected per district
2580. Requiring an annual test for students to advance to the next grade level
2596. To modify when a nonresident student's transfer may be denied
2597. Amending performance evaluations of professional personnel
2598. Raising salaries for school service personnel
2602. Reestablishing certain specialized school service personnel classifications
2607. Clarify that vehicles with a capacity larger than 10 passengers may be used to transport students provided that no more than 10 passengers may be transported at one time.
2619. Amending Hope Scholarship eligibility
2622. Relating to no child in the State of West Virginia should be admitted into the general classroom of a public school in WV unless they can speak basic English and meet the same expectations of non-special education students who are native English speakers
2636. To provide that out of school suspensions be considered "excused" absences.
2761. To allow classroom aides with 10 or more years of service and good evaluations to bid on teaching positions
2772. Create the Statewide Online Education Act
2797. Providing that microschool tuition and fees are qualifying expenses for Hope Scholarship accounts
2807. Creating the Virtual Public Schools Act
2819. To add State Fire Marshals to the statute to be included with law enforcement that receive information related to school safety requirements
2820. To provide HOPE Scholarship recipients with the ability to play sports
2823. Allowing for Religious Exemptions of Vaccine Requirements in Primary and Secondary Schools
2827. Make public charter schools eligible for Safe Schools Funds
2828. Relating to WV teaching salaries

2832. Clarifying appropriate and inappropriate duties for school counselors while also providing the definition of a school counselor.
2850. Relating to students with exceptional needs
2853. To increase the penalty for passing a school bus and causing injury
2863. Creating a homeless education coordinator for county schools
2890. Modifying student discipline
2901. State may not participate in or join the national school board association
2932. Bill to fund armed veterans at our schools.
2940. Establishing the Anti-Stereotyping Act
2942. Relating to revocation of school personnel certification
2947. Relating to mandatory drug testing of all classes of employees in K through 12 schools
2992. Clarifying and updating school bus rules and the types of vehicles covered
2997. To make the HOPE Scholarship applicable to all children
3001. To prohibit punishment for teachers who refuse to use pronouns inconsistent with a child's sex
3019. Relating to student suicide prevention
3021. Expanding early childhood education programs to three-year-old children
3028. To allow teachers can bank sick leave for years of service and/or insurance payments.
3029. Providing for the election of county school superintendents to four year terms.
3037. To create a partisan election for county board of education members.
3046. Fast Track for Agriculture Education Endorsement
3047. Clarifying Classroom Overloads for Special Education
3048. Removal of Mandatory Homeschool Reporting
3049. To create the American Campuses Act
3054. Student Suicide Prevention - ID Cards
3055. To create a vocational math class for students interested in careers in the trades.
3068. To provide debt incentives for STEM teachers
3076. Relating to hiring of therapists in schools
3084. Relating to revising provisions related to public charter schools
3095. Creating special revenue account known as School Building Authority Agricultural, Vocational and Technical Training Facilities Grant Fund
3098. Relating to the West Virginia Summative Assessment and formative assessment
3105. Requiring Director of transportation have 2 years experience for bus operator

3113. Requiring high school students to complete course of study in personal finance
3117. Remove assessments for homeschoolers
3118. Creating the Parents' Bill of Rights
3144. No vaccine mandate for schools
3183. Child Protection Act
3201. To include electric-powered school busses in the county foundation allowance
3213. Providing that Homeschooled Students be eligible to participate in public school extracurricular activities
3216. Funding EMS and School Resource Officers through marijuana tax
3218. Relating to requiring suicide prevention resources be printed on student identification cards
3221. To extend the Hope Scholarship to Preschool
3222. Direct Foundation Funding Act
3223. To create a Special Education Instructor Entitlement
3228. Heart Health Equity Inclusion
3263. Provide for statewide participation in the federal Community Eligibility Provision for its duration
3269. To require a semester of personal finance to be taught in high school as a prerequisite for graduation
3271. Relating to increasing monitoring of special education classrooms
3276. Relating to requiring video cameras in certain special education classrooms
3285. Relating to standardized test reporting exemptions for contingencies
3293. Relating generally to identifying and educating exceptional children exhibiting indicators or diagnosed with dyslexia or dyscalculia
3296. Provide for statewide participation in the federal Community Eligibility Provision for its duration
3343. To require for the demolition of old schools in certain circumstances
3348. To allow for the construction of safe entry ways to all public schools in West Virginia.
3368. Troop- to-Teachers
3369. Creating a School Safety Unit within the Division of Protective Services
3373. To recognize school social workers as having the same status and funding as school counselors
3375. Relating to addressing School Discipline in Public Schools
3376. Relating to changing the term teacher in residence to clinical teacher of record
3410. To allow public high schools to have full time athletic trainers

3411. To create an initiative to provide minorities and males with an incentive to join the public education field
3413. To increase the 35 year limit on interval pay raises to 40 years
3414. Limiting recovery on claims for abuse in the State's school system
3416. To increase the minimum starting salary for a teacher to $50,000
3424. Relating generally to the West Virginia State Athletic Commission
3429. Relating to eligibility requirements for student transfers to a public school for WVSSAC sanctioned sports
3447. Relating to weighting final semester examinations
3462. Relating generally to identifying and educating exceptional children exhibiting indicators or diagnosed with dyslexia or dyscalculia
3468. To set the school calendar to 175 days of instruction to provide for 5 days of professional development
3501. Creating the Cardiopulmonary Resuscitation Instruction Fund
3532. Creating a Meat Cutting and Processing Program
3533. Granting jurisdiction to supervise youth sport league events to county boards of education and the West Virginia Athletic Trainers Association
3536. Relating to annual suicide prevention training and dissemination of resources for school staff
3543. Relating to WV Secondary School Activities
3546. Providing for contracted employment of substitute teachers for 180 instructional days
3547. Increasing the number of personal leave days that county board of education employees may use
3548. Relating to teacher duty-free lunch and daily planning periods

EDUCATION:
2157. Discontinuing the use of common core standards and assessments in the state
2488. Providing school days to register and transport students to vote
2635. Exempting personal income earned by individuals working as teachers at primary and secondary schools from personal income tax

ELECTED OFFICIALS:
2205. Prohibiting chairmen of state political parties during or up to one year after the termination of their employment as chairmen of those political parties from registering as lobbyists

ELECTIONS:
2038. Refer instances of election fraud to the attorney general for prosecution
2131. Prohibiting payroll deductions to electioneering organizations

2184. Permitting election day registration of voters
2210. Require all registered voters to produce a photo ID to vote in all public office elections
2214. Require special elections to be held same day as primary or general election
2327. Requiring party affiliation on school board elections
2328. Faithless Elector law
2330. Prohibit electronic ballots
2345. Relating to automatic voter registration
2488. Providing school days to register and transport students to vote
2513. Relating to the deadline by which county clerks must report voter participation history after an election into the statewide voter registration system
2529. Relating to when vacancies in the office of magistrate shall be filled by election or appointment
2561. Clarifying the announcement form and eligibility requirements for becoming a candidate for election to a public office
2579. Relating to the nonpartisan election of county superintendents of schools
2585. Authorizing a special election for presenting the question of a special levy renewal for levies expiring prior to the primary election scheduled for May 14, 2024
2591. To ensure party affiliation is consistent with candidate's voter registration
2625. Emergency Absentee Ballot Preparedness Act
2782. Require all municipal elections be held on the same election day in November that other state elections are on
2792. Relating to Election Runoff
2803. Remove felonies from reason to disqualify from voting
2811. Permitting anyone over 65 to vote absentee
2836. Relating to contested elections procedure update
2840. Relating to expenditures of federal appropriations from Congress to the Secretary of State for purposes that further the administration of federal elections held in the state
2846. To limit the amount of ballot propositions.
2849. Changing the local school board election from the Primary to the General
2855. Relating to election reform
2856. Relating to appointment of candidates after filing period
2857. The purpose of this bill is to give a 10-day right to appeal to the Supreme Court of Appeals a Secretary of State decision to not certify a candidacy.
2858. To clarify the postmark date for election announcements
2859. Relating to changing the process of election litigation

2866. Provisions for election observers during any election and at any voting or ballot-reviewing and ballot-counting location within West Virginia
2876. Allowing the Secretary of State's office to transmit electronically the total ballots cast, counted, and rejected
2897. Permit registered voters to vote an absentee ballot by mail in all circumstances
2931. Convention of states delegates have penalties for deviating from what they were sent to convention for
2952. Creating online voters' guide
2974. Creating the West Virginia Native American Tribes Unique Recognition, Authentication, and Listing Act
3008. Relating to clarifying the uniform statewide deadline for electronically submitted voter registration
3020. To mandate that the Secretary of State to utilize the Electronic Registration Information Center
3029. Providing for the election of county school superintendents to four year terms.
3037. To create a partisan election for county board of education members.
3187. Relating to requirements imposed on social media companies to prevent corruption and provide transparency of election-related content made available on social media websites
3393. Prohibiting the delivery of unsolicited absentee ballot applications to any person who has not specifically requested one from the county clerk
3394. To require all electronic voting systems to be manufactured in the United States
3406. Establishing presidential primary election in presidential election years
3407. Relating to contribution limits in an election cycle
3457. Provide voters with the ability to identify and verify their ballot cast in a statewide election
3469. Prohibiting persons convicted of a felony related to interfering with an election related proceeding of the United States Congress from running for or election to a public office
3488. Moving the state primaries to August
3495. To modify certain election laws, early voting laws, and absentee voting laws
3497. To prohibit rank choice voting in West Virginia
3504. Requiring sign up to run as an independent in January of election year
3550. Relating to state political party committees

EMPLOYERS AND EMPLOYEES:

2060. Create special revenue fund for Infrastructure and Jobs Development Council
2087. Authorizing children age 12 or older to referee youth sporting events
2096. Repeal right to work
2228. Removing the requirement for contractors to file payroll information on public improvement construction projects
2378. Relating to the minimum wage
2399. Repealing provision prohibiting employers from discriminating for use of tobacco products.
2406. Relating to licensure for polygraph examiners
2415. Ban the Box Act
2449. Relating to general provisions of labor and industrial relation
2468. Re-establish prevailing wage
2481. Increasing the state minimum wage
2522. Repealing the West Virginia Jobs Act
2606. Removing and modifying certain requirements for employers relating to wages for construction of public improvements
2626. Creating the Katherine Johnson and Dorothy Vaughan Fair Pay Act
2771. Removing marijuana as a tested substance from the screening requirements
2804. Reinstate the Contractor Licensing Board under the Division of Labor in Chapter 21
2805. Amending requirements for licensure relating to elevator mechanics, crane operators, HVAC, electricians, and plumbers
2844. Relating to anti-discrimination protections for independent contractors
2933. Increase in fines and criminal penalties when an employer fails to maintain employment records of an unauthorized employee
3030. Creating the Paid Parental Leave Pilot Program
3107. Removing certain requirements from WV Jobs Act

ENERGY:

2120. Relating to the financing of environmental pollution control equipment for coal-fired power plants
2175. Relating generally to coal fired energy plants and wind power
2258. Relating to power generating plant sites
2814. To create a Hydrogen power task force
2830. Providing for solar energy production on formerly mined land
2852. Create the Orphan Well Prevention Act of 2023
3088. Relating to the Energy Storage Procurement Act
3130. Creating the Coalfields Energy Research and Economic Development Authority
3434. Establishing a nuclear reactor pilot program

3482. To create the Coal Fired Grid Stabilization and Security Act of 2023
3525. Relating generally to taxation of solar panels used as energy wholesale generator or small scale utility

ENVIRONMENT:
2021. Relating to funding for the DEP Office of Oil and Gas
2022. Relating to Well Location Restrictions
2039. DEP required to reimburse fines paid by towns, villages and communities in certain instances
2121. Relating to the Adopt-A-Stream Program
2257. Allowing increased civil administrative penalties to be promulgated by legislative rules of by the Department of Environmental Protection
2268. Providing a tax credit for obtaining certain certifications by the United States Green Building Council Leadership in Energy and Environmental Design green building rating system
2275. Creating the Intrastate Coal and Use Act
2304. Prohibiting the use of polystyrene containers
2356. Prohibiting certain devices which enhance a diesel-powered vehicle's capacity to emit soot
2365. Creating a hunter access program for private landowners to enter an agreement with the state to allow hunters to use their property
2409. Provide a safe process for organic waste composting
2552. Relating to requiring disclosure of the lawful activity that is the basis of a permit application with the Department of Environmental Protection
2609. To require the Department of Environmental Protection to assume responsibility of cost and permitting of dams that are deemed to be under state control
2852. Create the Orphan Well Prevention Act of 2023
2860. To dispose of old AFFF foam accumulated by fire departments
2867. Relating to microreactor development
3057. Amending surface mining reclamation requirements
3110. Relating to funding the Office of Oil and Gas in the Department of Environmental Protection
3129. Relating generally to establishing a design build program for the Department of Environmental Protection
3189. The PFAS Protection Act
3478. Relating to automotive tire disposal

ESTATES AND TRUSTS:
2480. Relating to the intestate share of a decedent's surviving spouse
3239. Directing payment of the estate administration fee to the State Auditor

3499. To permit joint tenancy with rights of survivorship when transfer on death deeds specify a joint tenancy with right of survivorship

ETHICS:
2205. Prohibiting chairmen of state political parties during or up to one year after the termination of their employment as chairmen of those political parties from registering as lobbyists
2752. Non-Profit Transparency and Accountability Act
3062. Relating to grass roots lobbying campaigns
3063. Relating to requirements for disclosure of donor contributions
3185. Transparency in Government Act

FINANCE AND ADMINISTRATION:
2083. Providing small grants to encourage the creation of large pollinator friendly gardening habitats
2205. Prohibiting chairmen of state political parties during or up to one year after the termination of their employment as chairmen of those political parties from registering as lobbyists
2215. Require all public contracts be publicly advertised
2256. To provide for the full restoration of the Holly Grove Mansion
2297. Requiring all higher education institutions to use statewide contracts issued by the Purchasing Division
2333. Make gold and silver legal tender in WV
2412. Declaring November 14 every year, a special Memorial Day in remembrance of the Marshall University airplane crash
2786. Objective Reality in Government Act
2790. WV Historical Monument Preservation and Restoration Act
2862. Relating generally to requirements for shareholder voting by the West Virginia Investment Management Board and the Board of Treasury Investments
2997. To make the HOPE Scholarship applicable to all children
3011. Relating to the General Revenue Fund
3112. To create the Emergency Supplemental Victims Service Fund
3153. Relating to distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers.
3154. Increasing minimum wage to $10
3250. To authorize restitution to victims of securities fraud and to create a fund for that purpose
3251. Relating to prompt payment of legitimate, uncontested invoices by State agencies
3253. To provide sufficient funding to the Jail Operations Partial Reimbursement Fund if a general revenue surplus exists in a given fiscal year

3262. To allow the exemption of the Auditor's Office and the West Virginia Enterprise Resource Planning Board from the provisions of article three, chapter five-a of West Virginia Code at the Auditor's and Enterprise Resource Planning Board's discretion.
3264. Allowing one free day for WV resident's to obtain new for-profit business license
3266. To amend and reenact codes concerning the distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers as well as certain funds from the Fire Protection Fund.
3295. Relating to terminating the authority of the Director of the Purchasing Division to impose a certain annual fee upon vendors
3305. Creating the Small Business and Entrepreneurship Act
3335. Providing for enhanced damages for non-payment of royalties due from oil, natural gas, or natural gas liquids production
3353. Relating to the limitations on the financial relationships with foreign entities that have values antithetical to those of the State of West Virginia
3371. Relating to federal funds for land-grant institutions
3400. Firearm Industry Nondiscrimination Act
3425. Small Business Investment Grant Fund
3443. Relating to a development or improvement on land subject to review by the State Historic Preservation Office
3449. Allowing recordings of closed meetings, and release in certain circumstances
3459. To allow for a best value procurement evaluation for prequalified bidders
3483. Approve the creation of the West Virginia First Foundation
3492. Relating to the distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments
3500. Allowing consumer lenders to permit employees to conduct certain business at locations other than the licensee's designated office

FISHING:
2055. Exempt unmined rare earth metals and elements from taxation
2062. Establish rules and regulations for e-bikes in West Virginia that more closely comport to federal law
2095. Relating to wild and wonderful restoration Task Force
2169. Provide valuation limitations to the Tax Commissioner for coal properties and to clarify the penalty for non-filers
2170. Providing valuation limitations for coal property taxation and clarifying the penalties for non-filers
2174. Standardize gas and oil contracts
2198. To modify the E-bike legislation in West Virginia Code
2254. Natural Gas Electric Generation Development Act

2275. Creating the Intrastate Coal and Use Act
2288. Allowing disabled persons to operate small electric vehicles on the Greenbrier Trail
2296. Relating to the beginning and expiration of hunting and fishing licenses
2309. To require the Division of Forestry to create an online renewal process no later than July 1, 2023
2314. Providing property tax relief to rare earth industries
2365. Creating a hunter access program for private landowners to enter an agreement with the state to allow hunters to use their property
2369. To allow landowners to pay hunters to hunt their property
2450. Relating to tax credit for disabled veterans for lifetime hunting, trapping and fishing license
2479. Relating to rules for hunting antlered deer
2553. Expand the scope of hunting, fishing, and trapping benefits provided to former members of the United States Armed forces
2556. Eliminating fees for hunting and fishing licenses for military retirees.
2569. Establishing the Motorsport Responsibility Act
2574. Relating to warrantless entry of private lands
2575. To expand recreational benefits to West Virginia Landowners to promote land ownership within the State, increase property value, bolster the State economy, and to provide additional benefits to West Virginia taxpayers
2614. Relating generally to hunting and fishing
2620. To create a new hunting license stamp for upland game bird
2783. To remove primates as a dangerous wild animal
2796. To exempt daylight fluorescent outer garments from sales
2818. Make first day of gun season for deer to Saturday before Thanksgiving holiday
2839. Making a technical correction regarding an incorrect fund name and clarifying applicability to mine lands governed by SMCRA and the Abandoned Mine Lands Act
2975. Electric charging stations at state parks must charge market rates
3102. Creating Adopt-A-Trail volunteer programs for public land under DNR jurisdiction
3122. Permitting certain types of rifles using an encapsulated propellant charge that loads from the breech
3124. To allow non-resident students enrolled at West Virginia colleges and universities to purchase their hunting and fishing licenses at the resident rate.
3147. To create the Upper Ohio Valley Trail Network
3280. Authorizing adjustment from federal adjusted gross income for certain law enforcement pension benefit payments

3290. To clarify privileges for senior license holders for hunting and fishing
3294. Ensuring future economic development with limitations, excise tax, and registration requirements of carbon offset agreements
3303. Clarifying and expanding the powers and duties of the director of the Coalfield Community Development Office
3312. Provide that all coal severance tax go to the county that produced the coal
3438. To establish an auto-renewal licensing program that is eligible for discounts on licensing fees
3442. Creating of the Mountain Bike Responsibility Act
3544. Offering a tax credit to property owners who provide lease land to the state for access for bike trails and rafting/kayaking

GOVERNMENTAL AGENCIES:
2083. Providing small grants to encourage the creation of large pollinator friendly gardening habitats
2205. Prohibiting chairmen of state political parties during or up to one year after the termination of their employment as chairmen of those political parties from registering as lobbyists
2215. Require all public contracts be publicly advertised
2256. To provide for the full restoration of the Holly Grove Mansion
2297. Requiring all higher education institutions to use statewide contracts issued by the Purchasing Division
2333. Make gold and silver legal tender in WV
2412. Declaring November 14 every year, a special Memorial Day in remembrance of the Marshall University airplane crash
2786. Objective Reality in Government Act
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2862. Relating generally to requirements for shareholder voting by the West Virginia Investment Management Board and the Board of Treasury Investments
2997. To make the HOPE Scholarship applicable to all children
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GOVERNOR — BILLS REQUESTED BY:

2024. Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution
2774. Welcome Home Grant Program
2775. Raise pay for certain state employees
2776. Updating meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act

2777. Updating federal taxable income and other terms in the West Virginia Corporation Net Income Tax Act
2778. To create curriculum transparency in public schools
2882. Making a supplemental appropriation to the Department of Economic Development
2883. Making a supplemental appropriation from the Coronavirus State Fiscal Recovery Fund
2893. Establishing a one-time bonus payment for certain retirants
2894. Authorizing a refundable tax credit, applied against personal income tax or corporation net income tax, as applicable, in the amount of property tax timely paid on certain vehicles
2895. Granting a cost of living stipend to correctional officers employed by the Division of Corrections and Rehabilitation
2898. Banning high-risk technologies on government systems
2902. Making supplementary appropriation to Department of Veterans' Assistance
2904. Supplementing and amending appropriations to the Department of Commerce, Office of the Secretary
2905. Supplementing and amending appropriations to State Board of Education - State Department of Education - Classroom Aide Program
2906. Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, from the balance of moneys remaining as an unappropriated balance in Lottery Net Profits
2907. Supplementing and amending appropriations to the Department of Administration, Division of General Services
2908. Supplementing and amending appropriations to the Department of Commerce, Division of Forestry
2909. Making a supplemental appropriation to the Department of Revenue, State Budget Office
2910. Making a supplementary appropriation to the Department of Administration, Public Defender Services
2911. Supplementing and amending appropriations to the Department of Homeland Security, Division of Administrative Services
2912. Supplementing and amending appropriations to State Board of Education, State Department of Education - Hope Scholarship
2913. Supplementing and amending appropriations to the DHHR, Consolidated Medical Services Fund
2914. Supplementing and amending appropriations to the Governor’s Office - Civil Contingent Fund
2915. Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, from the balance of moneys remaining as an unappropriated balance in the State Excess Lottery Revenue Fund

2927. Supplementing and amending appropriation to the Department of Homeland Security, Division of Corrections and Rehabilitation - Correctional Units
2928. Supplementing and amending appropriations to DHHR, Division of Health
3035. Relating generally to high-quality education programs and school operations
3036. Increasing the number of districts and the limit on approved costs under the BUILD WV Act
3039. Making a supplementary appropriation to Adjutant General - State Militia
3040. Supplementing and amending appropriations to the Department of Administration, Office of the Secretary
3064. Supplementing and amending appropriations to Department of Homeland Security, West Virginia State Police
3065. Supplementing appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities - Aeronautics Commission
3066. Supplementing and amending appropriations to the Department of Education, State Board of Education - State Aid to Schools
3067. Supplementing and amending appropriations to Department of Transportation, Division of Multimodal Transportation Facilities - Public Transit
3072. Supplementing and amending appropriations to Department of Homeland Security, Division of Administrative Services
3073. Supplementing and amending appropriations to Adjutant General - State Militia
3074. Supplementing appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities
3108. Supplementing and amending appropriations to the Department of Transportation, Division of Multimodal Transportation Facilities - State Rail Authority
3109. Supplementing and amending appropriations to the State Board of Education - State Department of Education
3167. Supplementing and amending appropriations to State Board of Education - State Department of Education
3396. Supplementing, amending, and increasing existing items of appropriation from the State Road Fund to the Department of Transportation, Division of Highways
3509. Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission – Consumer Advocate Fund
3510. Making a supplementary appropriation to the Department of Administration, Office of Technology – Chief Technology Officer Administration Fund

3511. Making a supplementary appropriation to the Department of Education, State Board of Education – School Lunch Program
3512. Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services
3513. Making a supplementary appropriation to the Department of Homeland Security, Division of Corrections and Rehabilitation – Regional Jail and Correctional Facility Authority
3514. Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Birth-to-Three Fund
3515. Making a supplementary appropriation to the Department of Veterans' Assistance, Veterans' Facilities Support Fund
3516. Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – West Virginia Safe Drinking Water Treatment
3517. Making a supplementary appropriation to the Division of Human Services – Child Care and Development
3518. Making a supplementary appropriation to the Department of Agriculture
3519. Making a supplementary appropriation to the Department of Transportation, Division of Motor Vehicles
3520. Making a supplementary appropriation to the Department of Education, State Board of Education – Vocational Division
3521. Making a supplementary appropriation to the Division of Health – Maternal and Child Health
3522. Making a supplementary appropriation to the Department of Commerce, Division of Natural Resources – License Fund – Wildlife Resources
3523. Making a supplementary appropriation to Miscellaneous Boards and Commissions, Economic Development Authority
3524. Making a supplementary appropriation to the Department of Agriculture – West Virginia Spay Neuter Assistance Fund
3526. Making a supplementary appropriation to Miscellaneous Boards and Commissions, Public Service Commission
3527. Supplementing and amending appropriations to Department of Education, School Building Authority
3528. Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – Hospital Services Revenue Account Special Fund Capital Improvement, Renovation and Operations
3529. Making a supplementary appropriation to the Department of Commerce, State Board of Rehabilitation – Division of Rehabilitation Services
3542. Expiring funds to the Department of Administration, Board of Risk and Insurance Management, Public Entity Insurance Trust Fund

3557. Making a supplementary appropriation to the Department of Veterans' Assistance
3563. Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services
3564. Making a supplementary appropriation to the Division of Human Services - Energy Assistance

HEALTH:
2046. Permitting a licensed physician to grant a medical exemption from the required immunizations for a child to enter a school or a state-regulated childcare center
2051. Relating to tobacco usage restrictions
2057. Relating to requiring the Office of Health Facility Licensure and Certification to inspect office-based medication-assisted treatment programs at least every 24 months.
2075. To provide a means to classify when medications should be continued or stopped for patients
2076. To require a new written, phoned, or e-mail prescription order within 72 hours of a prescription change
2090. All state buildings and rest areas within WV have sharp containers
2100. Medical Facility Protection Act
2101. Relating to obtaining an appropriate gender marker for state documents
2124. Removing Hepatitis B from the list of required vaccinations
2143. Screening for adverse childhood experiences
2146. Workplace Violence Prevention for Health Care and Social Service Workers Act
2150. Requiring parents or guardians to participate in programs for juveniles in an out-of-home placement
2186. Relating to surgical smoke evacuation
2194. Establishing that companies requiring vaccine mandates lose immunity protection
2196. To remove opioid treatment programs from requiring a certificate of need
2201. State Living Donor Protection Act
2217. Relating to natural immunity or antibodies to any illness to be treated as equal or better to vaccine induced immunity
2219. Relating to permitting medical cannabis to be dispensed in edible form
2238. Relating to the cultivation of medical cannabis
2247. Relating to reorganizing the Department of Health and Human Resources
2253. Relating to controlled substance monitoring; and removing a dispensing prohibition

2255. To provide for no more than two licensed laboratories for medical cannabis testing in this state
2262. Permitting certain felons to work in licensed behavioral health facilities
2264. Establishing the Minority Health Advisory Team
2267. Authorizing possession and smoking of medical cannabis by approved persons
2293. Life at Conception Act of 2023
2312. Relating to abortions after detection of an unborn child's heartbeat
2318. Relating to certification of a patient's eligibility for medical cannabis
2321. Require an ultrasound prior to abortion
2326. Prohibit state funding for any organization that performs abortions
2342. To require all prescribers of medication to include their purpose for prescribing the medication to the patient
2348. Requiring West Virginia Medicaid managed care organizations to contract with any otherwise qualified provider
2352. Relating to living anatomical gift
2357. Granting jurisdiction to supervise youth sport league events to county boards of education and the Secondary School Activities Commission
2367. Providing options to vaccinations and mask requirements as a condition to entry of schools
2368. Provide for fines for hospitals that do not allow at least one visitor
2376. To ensure that hospitals do not provide lesser treatment to unvaccinated individuals as opposed to vaccinated individuals
2408. Mountaineer Games Sports League
2413. Permitting pharmacists to dispense the drug ivermectin by means of a standing order
2416. Prevent healthcare facilities from limiting the number of parents that are able to attend appointments for their children
2419. Relating to removing the Certificate of Need moratorium on opioid treatment facilities
2426. Authorizing the Secretary of the Department of Health and Human Resources to develop a submission procedures manual and adopt the same as a procedural rule.
2427. Establishing the status of beds when an intermediate care facility for individuals with intellectual disabilities closes
2431. Relating to the Ryan Brown Fund
2436. Relating to the implementation of an acuity-based patient classification system
2438. Authorizing long term care facilities to increase their number of beds on certificate of need by 5% so long as those beds are filled by veterans
2447. Create a CARE FOR ALL line

2448. Primary care physicians must inform patients about Triple Negative Breast Cancer
2454. Creating WV Black Lung Program
2496. Requiring that any doctor performing an abortion must be board-certified in obstetrics and gynecology
2498. To require medication-assisted treatment programs to have written policies concerning community relations
2501. Require hospitals with no ASL interpreter on staff provide technology for hearing or speech impaired patients to communicate
2505. Creating the Supported Decision-Making Act
2536. Permitting physicians to provide exemption certificates relating to required immunizations
2541. Add licensure requirement on substance use disorder inpatient provider facilities
2543. Develop a licensure process for recovery residences or other residential settings that present as a location where substance use disorder recovery can be facilitated
2544. Make investigation and enforcement of the Patient Brokering Act the responsibility of OHFLAC
2546. Require Substance Use Disorder inpatient providers to offer patients transportation to certain places upon discharge
2558. Permitting religious exemptions for compulsory immunizations
2559. Prohibiting mask mandates by the State of West Virginia
2592. To provide safe harbor peer review for nurses
2603. Relating to vaccination and mask requirements
2604. All relating to dental health care service plans
2612. Authorizing a medical power of attorney representative to sign a binding arbitration agreement
2615. The Genealogical Record Integrity Act of 2023
2631. Authorizing dogs to be in certain licensed establishments
2754. Relating to immunizations performed in a pharmacy
2756. Relating to the controlled substance monitoring database; and adding the reporting of medical marijuana to the database
2757. Relating to expanding institutional eligibility for the WV Invests Grant Program
2758. Relating to updating the minimum standards for nursing homes
2759. Relating to updating the health care provider tax
2760. To allow CPR fire fighters to drive ambulances when both attendants are needed to administer patient care
2769. Remove licensure requirements for certain radon specialists
2771. Removing marijuana as a tested substance from the screening requirements
2783. To remove primates as a dangerous wild animal
2789. Removing birthing centers from certificate of need

2798. Clarifying that the time limitations provided for filing occupational pneumoconiosis claims do not apply or otherwise limit the ability of a claimant to obtain an evaluation from the Occupational Pneumoconiosis Board.
2809. Relating to protections for workers at state health care facilities who report unsafe patient care or unsafe patient conditions
2813. Provide for disclosure of potentially harmful ingredients in menstrual products
2823. Allowing for Religious Exemptions of Vaccine Requirements in Primary and Secondary Schools
2825. Relating to prohibiting mask mandates
2829. To increase pay for EMT drivers
2845. Relating to removing expired provisions from the code
2851. Relating to legalizing cannabis production, sales and adult consumption
2875. Clarifying that Circuit Court Judges have the ability/authority to waive the requirement that a party pass a home study performed by the DHHR
2885. Relating to life at conception
2896. Relating to making West Virginia an Agreement State with the U. S. Nuclear Regulatory Commission
2917. Relating to allowing retired state employees who meet the minimum qualifications necessary, to render post-retirement employment with the Department of Health and Human Resources
2920. To prohibit the distribution of smoking devices as part of a harm reduction program
2921. Establish a memorial at the Capitol for the unborn whose lives were lost.
2922. To limit the number of vape stores and head shops to one for every 15,000 residents per county
2923. To modify exemptions from criminal liability to include a distinction for biological lessons regarding reproduction.
2924. Cap the number of MAT facilities to 20 overall, with a limit of one per county
2925. Get rid of vaccine requirement for families who want to provide respite care
2926. To modify parenting if father encouraged an abortion
2936. Establishing privacy regarding medical treatments
2956. Relating to access for minor children's medical records
2972. To prohibit public university names for gender affirming care
2978. Eliminating the food handler examination and card
2987. To update the requirements of the state director of health to quarantine and enforce regulations in a specific place
2988. Relating to wholesale importation of prescription drugs
2993. Relating to rural emergency hospital licensure

2994. Relating to expired date of an optometrist's prescription
2998. Non-binary not permitted on birth certificates
3000. Universities must accept religious, medical, or right of conscience exemptions to taking vaccinations
3002. To create a crime to send someone abortion pills through the U.S. mail
3003. Stop practice of medicine by telehealth for abortion prescriptions
3010. Relating to medical marijuana
3017. Establish Food Waste Task Force
3022. Relating to childcare subsidies within DHHR, paid based on monthly enrollment
3027. To remove the state requirement for EMT'S to be nationally certified.
3061. Relating to updating the authority of the Foster Care Ombudsman
3069. Require that all injuries and side effects from vaccines be reported by medical professional to the Bureau for Public Health
3077. Relating to making the use of the multi-state real time tracking system permanent
3086. Men's Equality Act
3092. Relating to in-state food service permit reciprocity
3097. Banning Medicaid and CHIP from paying for child and adult transgender surgeries
3101. Relating to notification of breast density
3115. To allow the development of a specialized intermediate care facility for individuals with intellectual and developmental disabilities
3116. Creating the No Patient Left Alone Act
3118. Creating the Parents' Bill of Rights
3139. To allow for modification of a family court order involving drugs in certain circumstances
3143. Allow for religious exemptions for getting vaccinations
3159. COVID-19 Supplemental paid sick leave
3163. Revising the definition of attributed support, update the basic child support guidelines, and the calculation of ability to pay
3164. To extend the termination date of the West Virginia Advisory Council on Rare Diseases due to a delay in beginning its duties
3166. To permit a hospital to hold a patient experiencing a psychiatric emergency for up to 72 hours
3182. Relating generally to mental health treatment
3183. Child Protection Act
3184. WV Medical Information Confidentiality and Anti-Discrimination Act
3189. The PFAS Protection Act
3191. Relating to certain facilities operated by the state government to obtain a license

3199. Relating to removing the requirement that an ectopic pregnancy be reported
3200. Authorize DHHR to transfer state facilities to regional mental health centers or intellectual disability facilities
3204. Mobile Food-Vendor Freedom Act
3216. Funding EMS and School Resource Officers through marijuana tax
3229. Increase age to 21 for tobacco and vape sales to align with federal law
3247. Relating to abuse and or neglect of individuals with an intellectual and or developmental disability
3257. Relating to infant and maternity mortality
3260. Genetic Information Privacy Act
3277. Establishing the Family and Medical Leave Insurance Benefits Act
3288. Adding medical doctors and doctors of osteopathy to the category of medical professionals who are subject to the prohibition against therapeutic deception.
3297. To allow patients to refuse residents and medical students from observing or performing medical care on patients
3306. Relating to the organizational structure of the Office of Drug Control Policy
3325. Requiring a pharmacist to fill a prescription for individuals who have a valid prescription unless belief that prescription is fraudulent
3337. Prohibiting additional drug and alcohol treatment facilities and services in a certain county
3341. To allow cigar bars
3346. Mental Hygiene Reform Act
3383. Youth Mental Health Protection Act
3388. Creating the health care professionals preceptor tax credit
3415. Maternal Health and Family Support Act
3420. Relating to the reimbursement of sexual assault forensic medical examinations
3422. To add nurses working in a nursing home to the overtime limitation
3430. To prohibit the bureau from assessing a fee upon local health departments
3433. Create a division of forensic social work services in DHHR
3455. Relating to a patient's right to choose physician
3458. To create the Behavioral Health Reform and Innovation Council
3461. Relating to funding programs that supply feminine products and programs in the state
3465. Relating to an involuntary commitment pilot program
3484. Relating to SNAP benefits
3485. Relating to Medicaid Waiver Package
3487. Relating to cost-sharing calculations for certain Health Savings Account-qualified High Deductible Health Plans

3506. Relating to infant and maternity mortality
3507. Mental Health and Substance Use Disorders Insurance Coverage Protection Act
3508. To create the Core State Behavioral Health Crisis Services System
3533. Granting jurisdiction to supervise youth sport league events to county boards of education and the West Virginia Athletic Trainers Association
3540. Requiring regular reporting of recommended reimbursement rates for IDD providers

HUMAN RIGHTS COMMISSION:
2083. Providing small grants to encourage the creation of large pollinator friendly gardening habitats
2205. Prohibiting chairmen of state political parties during or up to one year after the termination of their employment as chairmen of those political parties from registering as lobbyists
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HUMAN RIGHTS:
2036. Allow Religious Exemptions for vaccines
2043. Creating a Small Business and Minority Populations Economic and Workforce Development Taskforce
2074. Places of worship may not be shut down by state of emergency
2092. To clarify that impermissible discrimination includes discrimination based on certain hair textures and styles
2105. Right to travel bill
2125. Eliminating the Human Rights Commission
2266. Adding "sexual orientation" and "gender identity" to the categories covered by the Human Rights Act and WV Fair Housing Act
2290. Relating to unlawful discriminatory practices in categories covered by the Human Rights Act and the Fair Housing Act
2293. Life at Conception Act of 2023

2312. Relating to abortions after detection of an unborn child's heartbeat
2368. Provide for fines for hospitals that do not allow at least one visitor
2391. To create a bill to designate February 3 as "Freedom Day," to memorialize the February 3, 1865 Act by the Legislature that abolished slavery in West Virginia.
2398. Requiring the Human Rights Commission, when investigating a complaint of discrimination, to specifically include an examination of the intent of the person
2423. Prohibit "divisive concepts" from schools, state agencies and any groups receiving state funding
2424. Creating the Unborn Infants Wrongful Death Act
2440. To Protect Newborn Genetic Privacy Rights
2474. Establishing the West Virginia Religious Freedom Restoration Act
2478. West Virginia Religious Freedom Restoration Act
2481. Increasing the state minimum wage
2492. Relating to forbidding excessive government limitations on exercise on religion
2843. Relating to statute of limitations for discrimination
2877. Relating to the definition of employer for sexual harassment purposes
2976. Creating the Keep Roe Reversed Forever Act
3042. Relating to forbidding excessive government limitations on exercise of religion
3118. Creating the Parents' Bill of Rights
3128. Requiring open captions in movie theaters within the State of West Virginia to accommodate the deaf and hard of hearing
3225. The Healthy and Safe Workplace Act
3326. Relating to Privacy of Social Care information
3455. Relating to a patient's right to choose physician

HUMAN SERVICES:

2006. Relating to reorganizing the Department of Health and Human Resources
2044. Creating a litigation practice license for social workers
2109. Requiring the Public Employees Agency and other health insurance providers to provide mental health parity
2142. Providing for the reintegration of inmates in correctional facilities
2143. Screening for adverse childhood experiences
2167. Relating to calculating max number of students at alternative and year-round schools
2200. Creating the Fair Chance Act
2206. Provide programs to educate senior citizens
2262. Permitting certain felons to work in licensed behavioral health facilities
2341. Incentivizing the Sale of Healthy, Local Produce.

2407. Require photo identification on all EBT cards
2446. Food insecurity state wide tip line
2487. Relating to designation of social workers in the Department of Health and Human Services
2515. Require agencies to develop and maintain an inventory of available services for single parents wanting to obtain degrees, secure training or reenter the workforce
2946. Relating to eligibility verification for applicants for public assistance
2988. Relating to wholesale importation of prescription drugs
3015. Creating the Food Infrastructure Grant
3033. Create Intergenerational Poverty Task Force
3160. Providing that records of Department of Health and Human Services of sustained and non-sustained allegations of child abuse or neglect are preserved
3200. Authorize DHHR to transfer state facilities to regional mental health centers or intellectual disability facilities
3205. Eliminating the certificate of need program
3263. Provide for statewide participation in the federal Community Eligibility Provision for its duration
3296. Provide for statewide participation in the federal Community Eligibility Provision for its duration
3337. Prohibiting additional drug and alcohol treatment facilities and services in a certain county
3419. Relating to wages of persons with disabilities
3472. Returning a woman's right to choose

HUNTING:

2055. Exempt unmined rare earth metals and elements from taxation
2062. Establish rules and regulations for e-bikes in West Virginia that more closely comport to federal law
2095. Relating to wild and wonderful restoration Task Force
2169. Provide valuation limitations to the Tax Commissioner for coal properties and to clarify the penalty for non-filers
2170. Providing valuation limitations for coal property taxation and clarifying the penalties for non-filers
2174. Standardize gas and oil contracts
2198. To modify the E-bike legislation in West Virginia Code
2254. Natural Gas Electric Generation Development Act
2275. Creating the Intrastate Coal and Use Act
2288. Allowing disabled persons to operate small electric vehicles on the Greenbrier Trail
2296. Relating to the beginning and expiration of hunting and fishing licenses

2309. To require the Division of Forestry to create an online renewal process no later than July 1, 2023
2314. Providing property tax relief to rare earth industries
2365. Creating a hunter access program for private landowners to enter an agreement with the state to allow hunters to use their property
2369. To allow landowners to pay hunters to hunt their property
2450. Relating to tax credit for disabled veterans for lifetime hunting, trapping and fishing license
2479. Relating to rules for hunting antlered deer
2553. Expand the scope of hunting, fishing, and trapping benefits provided to former members of the United States Armed forces
2556. Eliminating fees for hunting and fishing licenses for military retirees.
2569. Establishing the Motorsport Responsibility Act
2574. Relating to warrantless entry of private lands
2575. To expand recreational benefits to West Virginia Landowners to promote land ownership within the State, increase property value, bolster the State economy, and to provide additional benefits to West Virginia taxpayers
2614. Relating generally to hunting and fishing
2620. To create a new hunting license stamp for upland game bird
2783. To remove primates as a dangerous wild animal
2796. To exempt daylight fluorescent outer garments from sales
2818. Make first day of gun season for deer to Saturday before Thanksgiving holiday
2839. Making a technical correction regarding an incorrect fund name and clarifying applicability to mine lands governed by SMCRA and the Abandoned Mine Lands Act
2975. Electric charging stations at state parks must charge market rates
3102. Creating Adopt-A-Trail volunteer programs for public land under DNR jurisdiction
3122. Permitting certain types of rifles using an encapsulated propellant charge that loads from the breech
3124. To allow non-resident students enrolled at West Virginia colleges and universities to purchase their hunting and fishing licenses at the resident rate.
3147. To create the Upper Ohio Valley Trail Network
3280. Authorizing adjustment from federal adjusted gross income for certain law enforcement pension benefit payments
3290. To clarify privileges for senior license holders for hunting and fishing
3294. Ensuring future economic development with limitations, excise tax, and registration requirements of carbon offset agreements
3303. Clarifying and expanding the powers and duties of the director of the Coalfield Community Development Office

3312. Provide that all coal severance tax go to the county that produced the coal
3438. To establish an auto-renewal licensing program that is eligible for discounts on licensing fees
3442. Creating of the Mountain Bike Responsibility Act
3544. Offering a tax credit to property owners who provide lease land to the state for access for bike trails and rafting/kayaking

INFRASTRUCTURE:
2232. Relating to the transfer of certain revenues derived from lottery activities generally, restoring distribution to the West Virginia Infrastructure Fund to 2013 rates and decreasing the funds available for grants therefrom

INSURANCE:
2029. Repealing the creation of an all-payer claims database
2084. During a state of emergency lasting more than 6 months, the department of highways will reimburse any vehicle damages without including auto insurance deductibles
2086. Increase number of pain management visits the insurance companies must cover under the opioid reduction act
2109. Requiring the Public Employees Agency and other health insurance providers to provide mental health parity
2111. Increasing access to contraceptive drugs, devices, and procedures
2140. Relating to insurance coverage for breast cancer screening
2162. Require medical malpractice insurers to establish a separate insurance pool for doctors who conduct abortions
2165. A bill dedicating 25 percent of insurance tax revenue to the PEIA Rainy Day Fund.
2207. Better protect citizens in the event of a car accident with an uninsured motorist
2220. Create Fairness for Responsible Drivers
2221. Relating to bankruptcy
2249. Specifying when a public employee's spouse may be covered by PEIA
2277. Permitting former members of the Legislature to remain eligible for insurance plans at full cost to the member and at no cost to the state
2302. Relating to rulemaking for healthcare plans
2317. Prohibiting use of a person's credit history in certain insurance transactions
2429. Prohibit the practice of white bagging
2430. To reduce copay cap on insulin and devices
2517. Medical Insurance Policy Owner's Notification Act
2519. Repeal All Payer Claims Database
2534. Relating to public employees insurance

2535. Relating to prior authorizations
2539. Relating to Delivery Network Company
2540. Travel Insurance Model Act
2604. All relating to dental health care service plans
2785. Relating to PEIA reimbursement
2845. Relating to removing expired provisions from the code
2861. To raise the threshold for nominal referral fees from $25 to $100
2960. To prohibit insurance policy limits from being accessed prior to a lawsuit
3028. To allow teachers can bank sick leave for years of service and/or insurance payments.
3079. Relating to modify group accident and sickness insurance requirements
3097. Banning Medicaid and CHIP from paying for child and adult transgender surgeries
3100. Requiring medical insurance providers to include infertility services in their policies
3274. Creating the Affordable Medicaid Buy-in Program
3439. To limit the civil liability of child placing agencies that obtain an insurance policy in an amount not less than $1 million per incident
3474. Increasing mandatory insurance coverage limits for proof of financial responsibility

JAILS:
2028. Establish quick response teams to work with drug users who are arrested
2037. Create a prison work pilot program
2045. Dividing pretrial detention jail costs between arresting authorities
2056. Relating to requiring a parolee or probationer found to have suffered with addiction to participate in a support service.
2126. Relating to increasing the amount of money for which a purchase may be made without obtaining three bids to ten thousand dollars
2233. Make all state inmates regardless of sex members of the state convict road force
2241. Relating to education to children and adults housed in correctional facilities and regional jails
2250. Adding Division of Corrections and Rehabilitation employees who work at institutions managed by the Commissioner to the Survivor Benefits Act
2379. Allow women to work on inmate road crews
2441. Reentry Task Force
2444. Provide wardens with ability to use inmates to perform work in the upkeep local cemeteries
2464. Limitations to solitary confinement to 3 days per every 2 weeks

2477. Relating to the financial responsibility of inmates in relation to civil awards
2793. Relating to mental health treatment for inmates
2837. Relating to intentionally fleeing or attempting to flee in a vehicle from a law-enforcement officer, probation officer, or parole officer
2879. To provide a pay increase to state correctional workers in West Virginia
2963. Prohibit Department of Corrections and Rehabilitation from making inmates pay co-payment for medical or dental service by a doctor or nurse
2971. Access to Rehabilitation Act
3014. Require Correctional Facilities to provide free feminine hygiene products
3034. To create a Parolee Drivers Permit
3120. Split the jail bills among the cities, counties, and the state
3253. To provide sufficient funding to the Jail Operations Partial Reimbursement Fund if a general revenue surplus exists in a given fiscal year
3275. Relating to private prisons
3320. Requiring the West Virginia Department of Corrections and Rehabilitation to provide an inmate with one physical copy of their birth certificate and social security card upon release
3367. To provide for a pay raise for staff at correctional institutions
3445. Relating generally to probation and parole
3535. Prohibiting the transportation and incarceration of political prisoners in West Virginia

JUVENILES:
2016. Relating to confidential childcare records
2017. Relating to service of process in child abuse cases
2018. Permitting the managed care case coordinator to attend the multidisciplinary team meeting
2058. Relating to requiring a court to verify certain conditions are met before a child who has been removed from a home may be returned to that home.
2106. Relating to family courts and juvenile petitions
2122. Relating to custodial interrogation of a child
2235. Relating to the juvenile justice reform oversight committee
2428. Relating to foster care
2460. Providing online privacy protection laws for children under 18 years of age
2470. Creating a youth advisory council for civic engagement
2503. Requiring the Department of Health and Human resources to pay the attorney fees of an adoptive parent in a subsidized adoption
2538. Requiring usage of child welfare information technology systems

2854. Relating to priorities for the use of funds for child-care and performance-based contracting
2921. Establish a memorial at the Capitol for the unborn whose lives were lost.
2986. Creating a statutory right to petition circuit and family courts for sibling visitation
3021. Expanding early childhood education programs to three-year-old children
3287. Providing that records of Department of Health and Human Services of sustained and non-sustained allegations of child abuse or neglect are preserved

LABOR:
2060. Create special revenue fund for Infrastructure and Jobs Development Council
2087. Authorizing children age 12 or older to referee youth sporting events
2096. Repeal right to work
2228. Removing the requirement for contractors to file payroll information on public improvement construction projects
2378. Relating to the minimum wage
2399. Repealing provision prohibiting employers from discriminating for use of tobacco products.
2406. Relating to licensure for polygraph examiners
2415. Ban the Box Act
2449. Relating to general provisions of labor and industrial relation
2468. Re-establish prevailing wage
2481. Increasing the state minimum wage
2522. Repealing the West Virginia Jobs Act
2606. Removing and modifying certain requirements for employers relating to wages for construction of public improvements
2626. Creating the Katherine Johnson and Dorothy Vaughan Fair Pay Act
2771. Removing marijuana as a tested substance from the screening requirements
2804. Reinstate the Contractor Licensing Board under the Division of Labor in Chapter 21
2805. Amending requirements for licensure relating to elevator mechanics, crane operators, HVAC, electricians, and plumbers
2844. Relating to anti-discrimination protections for independent contractors
2933. Increase in fines and criminal penalties when an employer fails to maintain employment records of an unauthorized employee
3030. Creating the Paid Parental Leave Pilot Program
3107. Removing certain requirements from WV Jobs Act

LANDLORDS:

2033. Relating to unsafe real property
2047. Exempting motor vehicles from personal property tax
2237. Relating to consumer protection of new manufactured home warranties
2240. Requiring urban renewal authorities to submit proposed urban renewal projects to the affected local county boards of health
2269. Recognize convictions of domestic battery in the fair and equitable distribution of marital property
2476. Relating to property ownership by Farmland Protection Board
2575. To expand recreational benefits to West Virginia Landowners to promote land ownership within the State, increase property value, bolster the State economy, and to provide additional benefits to West Virginia taxpayers
2977. Reducing to one year the deadline for right to set aside deed
3006. West Virginia Critical Infrastructure Protection Act
3104. Require Surveyors to offer to record surveys of property
3202. Clarifying what parties are entitled to redeem delinquent property
3215. Relating to land use
3291. Relating generally to landlords and tenants
3426. Establishing certain tenant protections and landlord notice requirements at rental properties
3436. Restricting foreign ownership of land and other interests in the State of West Virginia
3493. Relating to prohibiting certain foreign ownership of agricultural land
3544. Offering a tax credit to property owners who provide lease land to the state for access for bike trails and rafting/kayaking

LAW ENFORCEMENT (AND RELATED SUBHEADINGS):

2009. Relating to the authority and obligations of the Governor and Legislature when in declared states of preparedness and emergency
2045. Dividing pretrial detention jail costs between arresting authorities
2067. Firearm Protection Act
2077. Gun carry allowed on college campuses
2104. Right to keep and bear arms
2117. Relating to the hunting of coyotes
2188. To allow those who are 18-20 years old to carry a deadly weapon concealed without a permit, as is allowed for those who are 21 or older
2189. To create the "Protection of Property from Warrantless Searches Act."
2201. State Living Donor Protection Act
2245. Eliminate double taxation on foreign income at the state level
2265. Prohibiting the private ownership or operation of a prison

2287. Requiring sharps containers in all state buildings and facilities where the public is allowed
2294. Allow guns to be carried on capitol grounds
2323. Relating to creating the refugee information act
2362. To allow circuit court judges with at least six years of service to conceal carry if they so desire
2388. Relating to the Save Our Volunteer Fire Departments Bill
2500. Establishing criteria for the government's adoption of new and emerging surveillance technologies while ensuring privacy protections for individuals
2560. To require cameras in every classroom and room where children are present
2578. To create the Rural Area Department Volunteer Incentive Act of 2023
2613. Relating to the administration of anesthetics
2634. Require compensation for state police officers when required to be on standby so they can be called back to work if necessary
2762. Allowing variance in state fire code for certain buildings used solely for emergency equipment storage
2765. Authorizing certain ambulance crew members, firefighters, rescue squad members and emergency service personnel to carry firearms
2819. To add State Fire Marshals to the statute to be included with law enforcement that receive information related to school safety requirements
2860. To dispose of old AFFF foam accumulated by fire departments
2916. Relating to terrorism
2932. Bill to fund armed veterans at our schools.
2937. To reduce the business license fee for WV Volunteer Fire Departments to $250
2979. Establishing an animal abuser registry
2981. Prohibit the sheriff's department from posting mug shot photos for an arrest
3025. Relating to DNA data maintained for law enforcement purposes
3026. To allow volunteer fire fighters to participate on fire scenes with department training captain approval prior to completing fireman 1 and 2
3027. To remove the state requirement for EMT'S to be nationally certified.
3121. Creating the Stop Our Scourge Act of 2023
3151. Relating to assisting law enforcement officer in an emergency at the request of a responding officer
3157. Relating to clarifying the duties, functions, prohibitions and restrictions applicable to the West Virginia Fusion Center
3188. Relating to the establishment of an alert system for missing cognitively impaired persons

3216. Funding EMS and School Resource Officers through marijuana tax
3233. Relating generally to uniform and equipment allowances for the National Guard
3254. Establishing the Hershel "Woody" Williams State Military Funeral Honor Guard
3280. Authorizing adjustment from federal adjusted gross income for certain law enforcement pension benefit payments
3284. Relating to the use of unmanned aircraft systems by law enforcement
3315. Relating generally to readiness enhancement and commission bonuses
3339. Protection of minors from harmful material on internet
3349. Assisting governmental units training costs for certification of law enforcement officers
3360. Creating an office of the Inspector General within the Department of Homeland Security
3369. Creating a School Safety Unit within the Division of Protective Services
3395. To require railroad companies to provide alternative entry and exit ways
3452. To authorize an increase to the officer uniform allowance and to create a maternity and specialty uniform allowance
3463. To study ADA accessibility of the State Capitol
3477. WV Emergency and Crisis Response Act
3505. Requiring response by fire departments be based upon distance/travel time from fire scene

LEGAL GAMING:
2298. Granting counties and municipalities a portion of the net terminal income from racetrack video lottery
2299. To require that any municipality or county commission who intends to approve a location for a limited video lottery retailer must first announce their intention to do so and hold a public hearing before approval.
3044. Relating to the annual fee for limited video lottery terminal permits
3232. Regulation of Sports Wagering

3310. Banning certain persons from sport wagering activities
3450. Relating generally to racetrack video lottery and the Licensed Racetrack Modernization Fund

LEGISLATURE:
2205. Prohibiting chairmen of state political parties during or up to one year after the termination of their employment as chairmen of those political parties from registering as lobbyists

2229. Increasing transparency in the apportionment process for congressional and legislative districts
2239. Creating the Independent Redistricting Commission of the Joint Committee on Government and Finance
2319. Relating to drug testing of legislators
2812. Modifying legislative spending in both chambers
3197. Creating the Legislative Infrastructure Commission
3356. Require Medicaid to submit all state plan amendments, waiver submissions and policy changes to the Legislature for rulemaking approval
3421. Recodifying the code to eliminate conflicts
3432. Relating to statutory construction
3470. Adding a category of additional compensation available to legislators for attending to constituent services

LEGISLATURE—RULE MAKING:
2638. Authorizing certain agencies of the Department of Administration to promulgate legislative rules
2640. Authorizing certain agencies of the Department of Environmental Protection to promulgate legislative rules
2641. Authorizing the Department of Environmental Protection to promulgate a legislative rule relating to requirements for operating permits
2642. Authorizing the Department of Environmental Protection to promulgate a legislative rule relating to emission standards for hazardous air pollutants
2643. Authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of ozone season nitrogen oxides emissions
2644. Authorizing the Department of Environmental Protection to promulgate a legislative rule relating to rules for quarrying and reclamation
2645. Authorizing the Department of Environmental Protection to promulgate a legislative rule relating to the recycling assistance grant program
2646. Authorizing the Department of Environmental Protection to promulgate a legislative rule relating to Reclamation of Abandoned and Dilapidated Properties Grant Program
2647. Authorizing the Department of Environmental Protection to promulgate a legislative rule relating to reclamation of solar and wind electricity generating facilities
2648. Authorizing certain agencies and boards of the DHHR to promulgate a legislative rule

2649. Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to standards for local boards of health
2650. Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to medical examiner requirements for postmortem inquiries
2651. Authorizing the Department of Health and Human Services to promulgate a legislative rule relating to Medical Cannabis Program - grower and processors
2652. Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Medical Cannabis Program - dispensaries
2653. Authorizing the Health Care Authority to promulgate a legislative rule relating to financial disclosure
2654. Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Uniform Bill Database
2655. Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to the development of methodologies to examine needs for substance use disorder treatment facilities within the state
2656. Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Core Behavioral Health Crisis Services System
2657. Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to child care centers licensing
2658. Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to minimum licensing requirements for residential childcare and treatment facilities for children and transitioning adults and vulnerable and transitioning youth group homes and programs in West Virginia
2659. Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to family child care facility licensing requirements
2660. Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to family child care home registration requirements
2661. Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to informal and relative family child care home registration requirements
2662. Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to out-of-school-time child care center licensing requirements
2663. Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to goals for foster children

2664. Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to deemed head start child care center licenses
2665. Authorizing the Department of Health and Human Resources and the Insurance Commissioner to promulgate a legislative rule relating to All-Payers Claims Database - Submission Manual
2666. Authorizing the Governor's Committee on Crime to promulgate a legislative rule relating to protocol for law enforcement response to domestic violence
2667. Authorizing the Division of Emergency Management to promulgate a legislative rule relating to National Flood Insurance Program
2668. Authorizing the Fire Commission to promulgate a legislative rule relating to hazardous substance emergency response training programs
2669. Authorizing the Fire Commission to promulgate a legislative rule relating to certification of home inspectors
2670. Authorizing the Fire Commission to promulgate a legislative rule relating to volunteer firefighters' training, equipment, and operating standards
2671. Authorizing the Fire Marshal to promulgate a legislative rule relating to certification of electrical inspectors
2672. Authorizing the Fire Marshal to promulgate a legislative rule relating to supervision of fire protection work
2673. Authorizing the Fire Marshal to promulgate a legislative rule relating to electrician licensing
2674. Authorizing the Fire Marshal to promulgate a legislative rule relating to certification of home inspectors
2675. Authorizing the State Police to promulgate a legislative rule relating to West Virginia State Police professional standards investigations, employee rights, early identification system, psychological assessment, and progressive discipline
2676. Authorizing the Division of Financial Institutions to promulgate a legislative rule relating to money transmission services
2677. Authorizing the Insurance Commission to promulgate a legislative rule relating to suitability in annuity transactions
2678. Authorizing the Insurance Commission to promulgate a legislative rule relating to pharmacy auditing entities and pharmacy benefit managers
2679. Authorizing the Insurance Commission to promulgate a legislative rule relating to bail bondsmen in criminal case
2680. Authorizing the Lottery Commission to promulgate a legislative rule relating to West Virginia lottery sports wagering

2681. Authorizing the Tax Department to promulgate a legislative rule relating to Valuation of producing and reserve oil, natural gas liquids, and natural gas for ad valorem property tax purposes
2682. Authorizing the Tax Department to promulgate a legislative rule relating to West Virginia Film Industry Investment Act
2683. Authorizing the Tax Department to promulgate a legislative rule relating to Farm-to-Food Bank tax credit
2684. Authorizing the Tax Department to promulgate a legislative rule relating to property transfer tax
2685. Authorizing the Tax Department to promulgate a legislative rule relating to municipal sales and use tax administration
2686. Authorizing the Tax Department to promulgate a legislative rule relating to personnel rule for the Tax Division
2687. Authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to administrative due process
2688. Authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to examination and issuance of driver's license
2689. Authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to denial, suspension, revocation, disqualification, restriction, non-renewal, cancellation, administrative appeals, and reinstatement of driving privileges
2690. Authorizing the Division of Highways to promulgate a legislative rule relating to disposal, lease and management of real property and appurtenant structures and relocation assistance
2691. Authorizing the Division of Highways to promulgate a legislative rule relating to construction and reconstruction of state roads
2692. Authorizing the Board of Accountancy to promulgate a legislative rule relating to board rules of professional conduct
2693. Authorizing the Board of Acupuncture to promulgate a legislative rule relating to advertising by licensed acupuncturists
2694. Authorizing the Board of Acupuncture to promulgate a legislative rule relating to standards of practice of acupuncture by licensed acupuncturists
2695. Authorizing the Board of Acupuncture to promulgate a legislative rule relating to continuing education requirements
2696. Authorizing the Department of Agriculture to promulgate a legislative rule relating to West Virginia apiary rule
2697. Authorizing the Department of Agriculture to promulgate a legislative rule relating to schedule of charges for inspection services: fruit
2698. Authorizing the Department of Agriculture to promulgate a legislative rule relating to noxious weeds rule
2699. Authorizing the Department of Agriculture to promulgate a legislative rule relating to Grade "A" pasteurized milk

2700. Authorizing the Agriculture Commissioner to promulgate a legislative rule relating to inspection of nontraditional, domesticated animals
2701. Authorizing the Department of Agriculture to promulgate a legislative rule relating to hemp products
2702. Authorizing the Department of Agriculture to promulgate a legislative rule relating to livestock care standards
2703. Authorizing the Department of Agriculture to promulgate a legislative rule relating to farm to food bank tax credit
2704. Authorizing the Department of Agriculture to promulgate a legislative rule relating to farmers markets
2705. Authorizing the Athletic Commission to promulgate a legislative rule relating to administrative rules of the West Virginia State Athletic Commission
2706. Authorizing the Athletic Commission to promulgate a legislative rule relating to regulation of mixed martial arts
2707. Authorizing the State Auditor to promulgate a legislative rule relating to standards for voluntary payroll deductions
2708. Authorizing the Conservation Agency to promulgate a legislative rule relating to operation of West Virginia State Conservation Committee and conservation districts
2709. Authorizing the Conservation Agency to promulgate a legislative rule relating to conservation district accounting and auditing standards
2710. Authorizing the Board of Dentistry to promulgate a legislative rule relating to dental recovery networks
2711. Authorizing the Board of Funeral Service Examiners to promulgate a legislative rule relating to funeral director, embalmer, apprentice, courtesy card holders and funeral establishment requirements
2712. Authorizing the Board of Funeral Service Examiners to promulgate a legislative rule relating to crematory requirements
2713. Authorizing the Board of Funeral Service Examiners to promulgate a legislative rule relating to fee schedule
2714. Authorizing the Board of Landscape Architects to promulgate a legislative rule relating to registration of landscape architects
2715. Authorizing the Board of Medicine to promulgate a legislative rule relating to licensing of physicians and podiatric physicians and disciplinary procedures for applicants, licensees, credential holders
2716. Authorizing the Board of Medicine to promulgate a legislative rule relating to licensure, practice requirements, disciplinary and complaint procedures, continuing education, physician assistants
2717. Authorizing the Board of Medicine to promulgate a legislative rule relating to collaborative pharmacy practice

2718. Authorizing the Board of Medicine to promulgate a legislative rule relating to prohibiting sexual misconduct by health care practitioners
2719. Authorizing the Board of Optometry to promulgate a legislative rule relating to optometric telehealth practice
2720. Authorizing the Board of Osteopathic Medicine to promulgate a legislative rule relating to osteopathic physician assistants
2721. Authorizing the Board of Pharmacy to promulgate a legislative rule relating to licensure and practice of pharmacy
2722. Authorizing the Board of Pharmacy to promulgate a legislative rule relating to Uniform Controlled Substance Act
2723. Authorizing the Board of Pharmacy to promulgate a legislative rule relating to Board of Pharmacy rules for registration of pharmacy technicians
2724. Authorizing the Board of Pharmacy to promulgate a legislative rule relating to regulations governing pharmacy permits
2725. Authorizing the Board of Pharmacy to promulgate a legislative rule relating to inspections
2726. Authorizing the Board of Pharmacy to promulgate a legislative rule relating to Donated Drug Repository Program
2727. Authorizing the Board of Examiners of Psychologists to promulgate a legislative rule relating to code of conduct
2728. Authorizing the Board of Registered Nurses to promulgate a legislative rule relating to telehealth practice
2729. Authorizing the Board of Registered Nurses to promulgate a legislative rule relating to practitioner requirements for accessing the West Virginia Controlled Substance Monitoring Program database
2730. Authorizing the Board of Registered Nurses to promulgate a legislative rule relating to fees for services rendered by the board
2731. Authorizing the Board of Registered Nurses to promulgate a legislative rule relating to continuing education and competence
2732. Authorizing the Board of Registered Nurses to promulgate a legislative rule relating to limited prescriptive authority for nurses in advanced practice
2733. Authorizing the Board of Registered Nurses to promulgate a legislative rule relating to advanced practice registered nurse licensure requirements
2734. Authorizing the Board of Registered Nurses to promulgate a legislative rule relating to requirements for registration and licensure and conduct constituting professional misconduct
2735. Authorizing the Secretary of State to promulgate a legislative rule relating to early voting in-person satellite precincts

2736. Authorizing the Secretary of State to promulgate a legislative rule relating to Combined Voter Registration and Driver Licensing Fund
2737. Authorizing the Secretary of State to promulgate a legislative rule relating to administrative procedures for the Nonpublic Funding for Election Administration Fund
2738. Authorizing the State Treasurer to promulgate a legislative rule relating to enforcement of the Uniform Unclaimed Property Act
2739. Authorizing the State Treasurer to promulgate a legislative rule relating to Jumpstart Savings Program
2740. Authorizing the West Virginia Department of Economic Development to promulgate a legislative rule relating to Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program
2741. Authorizing the Division of Labor to promulgate a legislative rule relating to the West Virginia Board of Manufactured Housing construction and safety
2742. Authorizing the Division of Labor to promulgate a legislative rule relating to supervision of plumbing work
2743. Authorizing the Division of Labor to promulgate a legislative rule relating to regulation of heating, ventilating, and cooling work
2744. Authorizing the Division of Labor to promulgate a legislative rule relating to registration of service persons and service agencies
2745. Authorizing the Division of Labor to promulgate a legislative rule relating to registration of weighing and measuring devices used by businesses in commercial transactions
2746. Authorizing the Division of Natural Resources to promulgate a legislative rule relating to hunting, fishing, and other outfitters and guides
2747. Authorizing the Division of Natural Resources to promulgate a legislative rule relating to commercial whitewater outfitters
2748. Authorizing the Division of Natural Resources to promulgate a legislative rule relating to special motorboating regulations
2749. Authorizing the Division of Natural Resources to promulgate a legislative rule relating to miscellaneous permits and licenses
3123. Authorizing the Treasurer's Office to promulgate a legislative rule relating to Hope Scholarship Program
3431. Eliminating the requirement that the apprenticeship training tax credit base be limited to wages paid to apprentices in the construction trades

LOBBYING:

2205. Prohibiting chairmen of state political parties during or up to one year after the termination of their employment as chairmen of those political parties from registering as lobbyists

2229. Increasing transparency in the apportionment process for congressional and legislative districts
2239. Creating the Independent Redistricting Commission of the Joint Committee on Government and Finance
2319. Relating to drug testing of legislators
2812. Modifying legislative spending in both chambers
3197. Creating the Legislative Infrastructure Commission
3356. Require Medicaid to submit all state plan amendments, waiver submissions and policy changes to the Legislature for rulemaking approval
3421. Recodifying the code to eliminate conflicts
3432. Relating to statutory construction
3470. Adding a category of additional compensation available to legislators for attending to constituent services

LOCAL AND SPECIAL LAWS:
2816. Any judgment by a mayor, any individual exercising the mayor's functions, the police court judge, or municipal judge of city be obligated to the Model Rules of Judicial Conduct.
3186. Relating to powers of the Greater Huntington Parks and Recreation District

MAGISTRATES:
2938. To modify the number of magistrates per county
3138. Allow magistrate assistants to assess fines on basic charges
3219. To permit retired magistrates to have the ability to carry concealed weapons without paying fee
3402. Requiring annual report to the Joint Standing Committee on the Judiciary regarding statements of charges brought against a judge of this state

MARRIAGE:
2058. Relating to requiring a court to verify certain conditions are met before a child who has been removed from a home may be returned to that home.
2103. An affirmative defense to violation of a parenting plan is a de facto parenting plan
2123. Expanding definition of who may apply for grandparent visitation
2127. Relating to abolishing spousal support
2130. Allowing deductions to determine adjusted gross income for student loan payments or mortgage payments in determining child support
2166. Relating to grandparents' rights to visit grandchildren
2230. Ensuring that legal or biological parents have equal access to any and all copies of birth registry forms

2259. Relating to modifications of child support or alimony
2269. Recognize convictions of domestic battery in the fair and equitable distribution of marital property
2324. Allowing for child support arrears agreements that the Family Court must accept
2325. Relating to adoption attorneys
2509. Creating the Uniform Premarital Agreement Act
2926. To modify parenting if father encouraged an abortion
2930. To prohibit state jurisdiction over out of state divorces
2948. To ensure that the WV Judiciary remains neutral and detached in matters related to allocation of custodial responsibility and decision-making responsibility of children
2973. No guardian ad litem is needed on adoptions if both parents sign a relinquishment
2986. Creating a statutory right to petition circuit and family courts for sibling visitation
2990. Ensure that persons appointed as guardian's ad litem in divorce and child custody and parenting cases are properly trained in certified courses of instruction with curricula grounded in the social science bases for determining the best interests of the child
2999. To choose to not vaccinate children does not amount to abuse and neglect
3018. Establishing that 18 is the age of consent and removing the ability of an underage person to obtaining a consent to marry through their parents, legal guardians, or by petition to the circuit court
3139. To allow for modification of a family court order involving drugs in certain circumstances
3142. Provide that family court can order certain services
3194. Free range parenting is not classified as abuse and neglect
3208. Automatic CPS expungement if an individual is not found to have committed abuse and neglect by court order
3309. Establishing the Child Support from Conception Act
3316. To create a domestic violence registry
3358. Exemption from marriage and license participation
3405. Change the maximum time period of a protective order to one year
3418. Providing clarity for expungement of domestic violence pretrial diversions
3456. Prohibiting an inheritance if found to have engaged in elder abuse against decedent
3496. To create the Responsible Fatherhood Act

MILITARY AND VETERANS:
2155. Defend the Guard Act
2211. Award military veterans with a "Veterans" license plate

2532. Creating a liaison program with the federal Department of Veterans Affairs Transition Assistance Program
2556. Eliminating fees for hunting and fishing licenses for military retirees.
2583. Veterans' Welcome Home Grant
2815. Provide that first $5000 per year earned on Military Duty, Active, National Guard, or Reserves be exempt from the WV State Income Tax.
2834. Amending the existing War Orphan program so children and spouses of deceased active-duty officers AND enlisted Service members would both be eligible for the War Orphan Education Program
2967. Expediting License Applications for active military members and veterans, and their spouses
2968. Tuition and fee exemptions for service-connected Disabled Veterans and their dependents.
2969. Establish a refundable tax credit for veterans with a 100% service-connected disability
3058. Increase budget of WVRNG West Virginian National Guard for military funerals in all branches of the military by VFW chapters
3165. Relating to vehicles exempt from payment of registration fees for certain veterans
3177. Relating to charitable bingo and alcohol sales and consumption while such bingo is taking places
3374. Relating generally to waivers from tuition and other costs and fees for certain resident veterans and their resident dependents
3398. Relating to the establishment of the West Virginia Memorial to Fallen Heroes of the Global War on Terrorism

MOTOR VEHICLES:

2047. Exempting motor vehicles from personal property tax
2049. Allowing antique car license plates for cars over 10,000lbs
2080. To amend the laws relating to overtaking and passing school buses in West Virginia
2101. Relating to obtaining an appropriate gender marker for state documents
2160. Create license plate for autism awareness
2191. Provide volunteer firemen free license plates and vehicle registration
2211. Award military veterans with a “Veterans” license plate
2218. Distracted Driving Act
2246. Relating to unlawfully using electronic communication devices while driving
2260. Repealing section of code authorizing additional registration fees for alternative fuel vehicles

2278. Authorizing the DMV to issue certain vital records in the custody of the state registrar
2305. Relating to titling and registration of foreign market vehicles
2310. Provide the Division of Motor Vehicles authority to develop an "Antique Fleet" program so that multiple antique motor vehicles may utilize a single registration plate.
2386. Ban sanctuary cities in West Virginia
2389. Provide for a special driver's license for those with physical disabilities
2414. Placing notation on driver's license or ID cards regarding certain cognitive disabilities
2442. Requiring that a state employee with a commercial driver's license have a current medical evaluation certification
2502. Repeal law requiring motorcycle riders to wear a helmet
2506. Creating a title clearinghouse for non-resident businesses
2520. Free Gold Star License Plates to parents
2530. Relating to the extension of the expiration of temporary registration plates from sixty days to ninety days
2533. Relating to a permanent windshield placard to be valid for the duration of the applicant's life
2548. Relating to temporary identification cards for released inmates
2562. Provide for a special drivers license for those with physical disabilities
2564. Repeal of administrative hearing procedures for DUI offenses
2565. Relating to registration plates
2569. Establishing the Motorsport Responsibility Act
2590. To remove the helmet law in West Virginia.
2632. Repeal code relating to inspection of vehicles
2788. Repealing vehicle inspection sticker requirements in WV
2794. To create a special license plate for 100% disabled veterans
2806. Relating to an occupational limited license
2878. To grant the Fleet Management Division oversight authority of the state vehicle fleet
2880. Relating to the Waiving of Certain DMV Fees for Volunteer Firefighters
2886. Elimination of the required annual vehicle inspection for vehicles not requiring a "Modified Inspection"
2887. Elimination of the helmet requirement for motorcycles
2943. Providing that West Virginia residents would not have to renew their driver's license until they reach 65 years of age
2975. Electric charging stations at state parks must charge market rates
3032. Relating to increasing the validity of a commercial instruction permit
3043. To require a blood draw/blood test after a motor vehicle accident to determine impairment of those involved.

3056. To change the requirement for an EMS Agency Vehicle Inspection from every year to every two years
3165. Relating to vehicles exempt from payment of registration fees for certain veterans
3180. Wildlife corridors to reduce animal-vehicle collision
3198. Relating to obtaining title to abandoned or junked motor vehicles abandoned on the property or place of business of an automobile dealer
3201. To include electric-powered school busses in the county foundation allowance
3214. To create the Road Optimization & Assessment Data (ROAD) Pilot Project
3217. To eliminate the process of vehicle inspection in West Virginia
3255. Relating to granting parolees driving permits
3268. Add protections for WV residents who reside out of state for certain time periods from non-renewal of licenses and registration
3300. To provide for the creation of an "EV Manufacturers Investment Credit."
3323. Relating to Drivers License Address Requirements
3372. Relating to limitations on motor vehicles used by nonprofit cooperative recycling associations
3377. Remove the Privilege Tax
3379. Providing DMV with certain medical information related to mental or physical disabilities as it relates to the ability of a person to drive safely
3466. Relating to increasing the services the sheriff may charge
3474. Increasing mandatory insurance coverage limits for proof of financial responsibility
3531. Relating to issuance of restricted license

MUNICIPALITIES:

2041. Authorize municipal courts to request the suspension of a driver's license of a person who does not pay outstanding fees and costs
2045. Dividing pretrial detention jail costs between arresting authorities
2119. Local Energy Efficiency Partnership Act
2132. Providing that a municipal services user fee may not be imposed on employees of the state
2172. Allow local governments to hold property owners more accountable for upkeep of buildings
2240. Requiring urban renewal authorities to submit proposed urban renewal projects to the affected local county boards of health
2243. Creating a process by which voters may recall a county ordinance in a special election
2244. Providing a process by which a city may hold an election to recall an ordinance

2283. Relating to authorized expenditures of revenues from certain state funds for fire departments
2299. To require that any municipality or county commission who intends to approve a location for a limited video lottery retailer must first announce their intention to do so and hold a public hearing before approval.
2336. Requiring local entities to enforce immigration laws
2353. To create a tax reduction savings fund for municipalities
2386. Ban sanctuary cities in West Virginia
2525. Relating to charging fees for municipal services
2576. Municipalities may not assess a user fee when employee was not present in the municipality in the performance of his or her job
2587. To reflect that County Sheriffs will be required to include a breakdown of the distribution of where a citizen's taxes will be paid
2842. Repeal municipal license and tax when state license required
2864. To require larger municipally owned public water and wastewater utilities to pass rates to meet the same standards as utilities regulated under Chapter 24 of the Code
2868. Establishing the Municipal Home Rule Program
2891. Repeal domestic animal tax
2939. Relating to filing of lien by municipalities for collection of refuse fees
3051. Repeal of authority granted to municipalities to levy business and occupation or privilege tax
3075. To clarify that municipal B and O taxes shall only apply to the owner of a contract, and not to subcontractors on a project
3083. Prohibiting political subdivisions from enacting certain ordinances, regulations, local policies, local resolutions, or other legal requirements
3120. Split the jail bills among the cities, counties, and the state
3127. Requiring state entities, local entities and law enforcement agencies to cooperate with the enforcement of immigration laws
3134. To raise the bid thresholds for municipal projects from $25,000 to $50,000
3170. Prohibiting municipalities in their permitting from charging other government entities for rights of way within municipal boundaries that are at least fifteen feet above ground level at their lowest point
3206. To establish a system to remediate fiscal emergencies of local governments, and to modernize the process for dissolution of municipal corporations in this State.
3230. Allow the mayors of class three and four towns to also serve as the chief of police
3243. Relating to examinations for disability pensions

3244. Relating to Municipal Pensions Oversight Board proposing legislative rules
3279. Relating to municipal home rule appeals
3321. Limiting the imposition of municipal business and occupation taxes
3327. Capping amount of moneys to third party vendors who collect business and occupation taxes on behalf of cities
3342. Relating to cooperation between municipal and county economic development authorities
3354. To authorize municipalities to combine operations with other municipalities and counties to provide governmental services
3361. Relating to the allocation of federal funds to county commissions and certain municipalities
3435. To revise the process for political subdivision to combine
3466. Relating to increasing the services the sheriff may charge
3490. Relating to consolidation of local governments
3538. Relating to limitations on the computation, imposition and collection of the business and occupation tax by municipalities

NATURAL RESOURCES:
2055. Exempt unmined rare earth metals and elements from taxation
2062. Establish rules and regulations for e-bikes in West Virginia that more closely comport to federal law
2095. Relating to wild and wonderful restoration Task Force
2169. Provide valuation limitations to the Tax Commissioner for coal properties and to clarify the penalty for non-filers
2170. Providing valuation limitations for coal property taxation and clarifying the penalties for non-filers
2174. Standardize gas and oil contracts
2198. To modify the E-bike legislation in West Virginia Code
2254. Natural Gas Electric Generation Development Act
2275. Creating the Intrastate Coal and Use Act
2288. Allowing disabled persons to operate small electric vehicles on the Greenbrier Trail
2296. Relating to the beginning and expiration of hunting and fishing licenses
2309. To require the Division of Forestry to create an online renewal process no later than July 1, 2023
2314. Providing property tax relief to rare earth industries
2365. Creating a hunter access program for private landowners to enter an agreement with the state to allow hunters to use their property
2369. To allow landowners to pay hunters to hunt their property
2450. Relating to tax credit for disabled veterans for lifetime hunting, trapping and fishing license
2479. Relating to rules for hunting antlered deer

2553. Expand the scope of hunting, fishing, and trapping benefits provided to former members of the United States Armed forces
2556. Eliminating fees for hunting and fishing licenses for military retirees.
2569. Establishing the Motorsport Responsibility Act
2574. Relating to warrantless entry of private lands
2575. To expand recreational benefits to West Virginia Landowners to promote land ownership within the State, increase property value, bolster the State economy, and to provide additional benefits to West Virginia taxpayers
2614. Relating generally to hunting and fishing
2620. To create a new hunting license stamp for upland game bird
2783. To remove primates as a dangerous wild animal
2796. To exempt daylight fluorescent outer garments from sales
2818. Make first day of gun season for deer to Saturday before Thanksgiving holiday
2839. Making a technical correction regarding an incorrect fund name and clarifying applicability to mine lands governed by SMCRA and the Abandoned Mine Lands Act
2975. Electric charging stations at state parks must charge market rates
3102. Creating Adopt-A-Trail volunteer programs for public land under DNR jurisdiction
3122. Permitting certain types of rifles using an encapsulated propellant charge that loads from the breech
3124. To allow non-resident students enrolled at West Virginia colleges and universities to purchase their hunting and fishing licenses at the resident rate.
3147. To create the Upper Ohio Valley Trail Network
3280. Authorizing adjustment from federal adjusted gross income for certain law enforcement pension benefit payments
3290. To clarify privileges for senior license holders for hunting and fishing
3294. Ensuring future economic development with limitations, excise tax, and registration requirements of carbon offset agreements
3303. Clarifying and expanding the powers and duties of the director of the Coalfield Community Development Office
3312. Provide that all coal severance tax go to the county that produced the coal
3438. To establish an auto-renewal licensing program that is eligible for discounts on licensing fees
3442. Creating of the Mountain Bike Responsibility Act
3544. Offering a tax credit to property owners who provide lease land to the state for access for bike trails and rafting/kayaking

PHYSICIANS:

2007. Prohibiting certain medical practices
2375. Relating to hiring new West Virginia State Police Officers
2411. To establish cultural competency training for teachers obtaining or renewing a teaching license in West Virginia
2413. Permitting pharmacists to dispense the drug ivermectin by means of a standing order
2443. Relating to service employees with National Association for Pupil Transportation Certifications
2451. To allow another round of "buy in" to the old public employees retirement plan for those that didn't last time.
2453. Allow anyone with a master's degree to sit for WV Bar exam and become licensed attorney
2523. Restricting the authority of the Board of Barbers and Cosmetologists to regulate the use of commonly available, retail beauty products
2621. Relating generally to bail bondsman
2628. Requiring certain boards that seek to increase a fee or seek to impose a new fee to also submit cost saving measures
2751. Create the Volunteer Immunity and Charitable Organization Liability Limit Act
2765. Authorizing certain ambulance crew members, firefighters, rescue squad members and emergency service personnel to carry firearms
2769. Remove licensure requirements for certain radon specialists
2770. Expanding the eligibility requirements for private investigator and security guard licensure
2804. Reinstate the Contractor Licensing Board under the Division of Labor in Chapter 21
2805. Amending requirements for licensure relating to elevator mechanics, crane operators, HVAC, electricians, and plumbers
2841. To create the Occupational Licensing Legal Fund in the State Treasury
2967. Expediting License Applications for active military members and veterans, and their spouses
2995. Relating to requirements for a registered veterinary nurse
3082. Reducing rates for legal advertisement
3090. Repeal the code provisions requiring auctioneers to be licensed and for auctions to be conducted by a licensed auctioneer
3171. Provide that continuing education credits shall not expire for 3 years
3203. Relating generally to West Virginia Real Estate License Act
3216. Funding EMS and School Resource Officers through marijuana tax
3278. Relating to the practice of optometry
3292. To expand the EMS retirement system

POLICE:

2009. Relating to the authority and obligations of the Governor and Legislature when in declared states of preparedness and emergency
2045. Dividing pretrial detention jail costs between arresting authorities
2067. Firearm Protection Act
2077. Gun carry allowed on college campuses
2104. Right to keep and bear arms
2117. Relating to the hunting of coyotes
2188. To allow those who are 18-20 years old to carry a deadly weapon concealed without a permit, as is allowed for those who are 21 or older
2189. To create the "Protection of Property from Warrantless Searches Act."
2201. State Living Donor Protection Act
2245. Eliminate double taxation on foreign income at the state level
2265. Prohibiting the private ownership or operation of a prison
2287. Requiring sharps containers in all state buildings and facilities where the public is allowed
2294. Allow guns to be carried on capitol grounds
2323. Relating to creating the refugee information act
2362. To allow circuit court judges with at least six years of service to conceal carry if they so desire
2388. Relating to the Save Our Volunteer Fire Departments Bill
2500. Establishing criteria for the government's adoption of new and emerging surveillance technologies while ensuring privacy protections for individuals
2560. To require cameras in every classroom and room where children are present
2578. To create the Rural Area Department Volunteer Incentive Act of 2023
2613. Relating to the administration of anesthetics
2634. Require compensation for state police officers when required to be on standby so they can be called back to work if necessary
2762. Allowing variance in state fire code for certain buildings used solely for emergency equipment storage
2765. Authorizing certain ambulance crew members, firefighters, rescue squad members and emergency service personnel to carry firearms
2819. To add State Fire Marshals to the statute to be included with law enforcement that receive information related to school safety requirements
2860. To dispose of old AFFF foam accumulated by fire departments
2916. Relating to terrorism
2932. Bill to fund armed veterans at our schools.
2937. To reduce the business license fee for WV Volunteer Fire Departments to $250

2979. Establishing an animal abuser registry
2981. Prohibit the sheriff's department from posting mug shot photos for an arrest
3025. Relating to DNA data maintained for law enforcement purposes
3026. To allow volunteer fire fighters to participate on fire scenes with department training captain approval prior to completing fireman 1 and 2
3027. To remove the state requirement for EMT'S to be nationally certified.
3121. Creating the Stop Our Scourge Act of 2023
3151. Relating to assisting law enforcement officer in an emergency at the request of a responding officer
3157. Relating to clarifying the duties, functions, prohibitions and restrictions applicable to the West Virginia Fusion Center
3188. Relating to the establishment of an alert system for missing cognitively impaired persons
3216. Funding EMS and School Resource Officers through marijuana tax
3233. Relating generally to uniform and equipment allowances for the National Guard
3254. Establishing the Hershel "Woody" Williams State Military Funeral Honor Guard
3280. Authorizing adjustment from federal adjusted gross income for certain law enforcement pension benefit payments
3284. Relating to the use of unmanned aircraft systems by law enforcement
3315. Relating generally to readiness enhancement and commission bonuses
3339. Protection of minors from harmful material on internet
3349. Assisting governmental units training costs for certification of law enforcement officers
3360. Creating an office of the Inspector General within the Department of Homeland Security
3369. Creating a School Safety Unit within the Division of Protective Services
3395. To require railroad companies to provide alternative entry and exit ways
3452. To authorize an increase to the officer uniform allowance and to create a maternity and specialty uniform allowance
3463. To study ADA accessibility of the State Capitol
3477. WV Emergency and Crisis Response Act
3505. Requiring response by fire departments be based upon distance/travel time from fire scene

PRISONS AND PRISONERS:
2028. Establish quick response teams to work with drug users who are arrested

2037. Create a prison work pilot program
2045. Dividing pretrial detention jail costs between arresting authorities
2056. Relating to requiring a parolee or probationer found to have suffered with addiction to participate in a support service.
2126. Relating to increasing the amount of money for which a purchase may be made without obtaining three bids to ten thousand dollars
2233. Make all state inmates regardless of sex members of the state convict road force
2241. Relating to education to children and adults housed in correctional facilities and regional jails
2250. Adding Division of Corrections and Rehabilitation employees who work at institutions managed by the Commissioner to the Survivor Benefits Act
2379. Allow women to work on inmate road crews
2441. Reentry Task Force
2444. Provide wardens with ability to use inmates to perform work in the upkeep local cemeteries
2464. Limitations to solitary confinement to 3 days per every 2 weeks
2477. Relating to the financial responsibility of inmates in relation to civil awards
2793. Relating to mental health treatment for inmates
2837. Relating to intentionally fleeing or attempting to flee in a vehicle from a law-enforcement officer, probation officer, or parole officer
2879. To provide a pay increase to state correctional workers in West Virginia
2963. Prohibit Department of Corrections and Rehabilitation from making inmates pay co-payment for medical or dental service by a doctor or nurse
2971. Access to Rehabilitation Act
3014. Require Correctional Facilities to provide free feminine hygiene products
3034. To create a Parolee Drivers Permit
3120. Split the jail bills among the cities, counties, and the state
3253. To provide sufficient funding to the Jail Operations Partial Reimbursement Fund if a general revenue surplus exists in a given fiscal year
3275. Relating to private prisons
3320. Requiring the West Virginia Department of Corrections and Rehabilitation to provide an inmate with one physical copy of their birth certificate and social security card upon release
3367. To provide for a pay raise for staff at correctional institutions
3445. Relating generally to probation and parole
3535. Prohibiting the transportation and incarceration of political prisoners in West Virginia

PROBATION AND PAROLE:

2028. Establish quick response teams to work with drug users who are arrested
2037. Create a prison work pilot program
2045. Dividing pretrial detention jail costs between arresting authorities
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3535. Prohibiting the transportation and incarceration of political prisoners in West Virginia

PROFESSIONS AND OCCUPATIONS:

2007. Prohibiting certain medical practices
2375. Relating to hiring new West Virginia State Police Officers
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2413. Permitting pharmacists to dispense the drug ivermectin by means of a standing order
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2628. Requiring certain boards that seek to increase a fee or seek to impose a new fee to also submit cost saving measures
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3203. Relating generally to West Virginia Real Estate License Act
3216. Funding EMS and School Resource Officers through marijuana tax

3278. Relating to the practice of optometry
3292. To expand the EMS retirement system

PUBLIC MONEYS AND SECURITIES:
2370. Requiring 50 percent of all reappropriated revenue accounts to be surrendered to general revenue
2372. Relating to “unencumbered” special revenue accounts to be surrendered to general revenue under certain circumstances
2577. Revoke spending authority for money used by an agency in support of a challenge to WV law
2617. Expire and appropriate funds from the Coronavirus State Fiscal Recovery Fund to the Reclamation of Abandoned and Dilapidated Properties Program Fund during fiscal year 2023.
2618. Authorize the Reclamation of Abandoned and Dilapidated Properties Program Fund to be used to demolish certain flood-damaged structures
2838. Litterbug Act
3464. Relating to the transfer of certain revenues derived from lottery activities
3545. Expiring funds to the Treasurer’s Office - American Rescue Plan Low-income Assistance Program

PUBLIC SAFETY:
2009. Relating to the authority and obligations of the Governor and Legislature when in declared states of preparedness and emergency
2045. Dividing pretrial detention jail costs between arresting authorities
2067. Firearm Protection Act
2077. Gun carry allowed on college campuses
2104. Right to keep and bear arms
2117. Relating to the hunting of coyotes
2188. To allow those who are 18-20 years old to carry a deadly weapon concealed without a permit, as is allowed for those who are 21 or older
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3369. Creating a School Safety Unit within the Division of Protective Services
3395. To require railroad companies to provide alternative entry and exit ways
3452. To authorize an increase to the officer uniform allowance and to create a maternity and specialty uniform allowance
3463. To study ADA accessibility of the State Capitol
3477. WV Emergency and Crisis Response Act
3505. Requiring response by fire departments be based upon distance/travel time from fire scene

PUBLIC SERVICE COMMISSION:
2119. Local Energy Efficiency Partnership Act
2159. Establishing a community solar program for subscribers to gain credits against their utility bills
2178. Assure West Virginians proper access to water and sewage service at reasonable rates
2208. Assure West Virginians proper access to water and sewage service at reasonable rates
2212. Require that a public service district board that represents more than one community have at least one member from each community
2394. Require PSC annual report on ratepayer utility costs to the Joint Committee on Government and Finance
2456. Relating to a customer constructing a connection or other infrastructure necessary for the customer to connect to the public utility
2459. To clarify the application of zoning requirements to exempt wholesale generators
2593. Creating the WV Energy Efficiency Jobs Creation Act
2595. To require that Public Service District Boards that represent more than one community to have at least one member from each community on the board.
2616. Relating to net metering
2817. Relating to Public Service Commission jurisdiction over alternative fuel for motor vehicles

2865. To clarify that the PSC may enter an order requiring corrective measures up to and including an acquisition of a distressed or failing utility
2870. Correcting a reference relating to siting certificates for certain electric generating facilities
2899. Repealing two sections of code relating to gas utility rates
3308. Authorizing PSC consider and issue financing orders to certain utilities to permit the recovery of certain costs through securitization via consumer rate relief bonds
3428. Relating to the West Virginia Business Ready Sites Program
3437. Consumer Energy Affordability and Reliability Act
3446. Clarifying the powers and duties of Public Service Commission as to electric generating facilities
3539. Relating to increasing individual customer on-site generator limits
3541. Moving recovery of certain expenses from the reconcilable rate to be charged to the users of the broadband facilities

REAL AND PERSONAL PROPERTY:
2033. Relating to unsafe real property
2047. Exempting motor vehicles from personal property tax
2237. Relating to consumer protection of new manufactured home warranties
2240. Requiring urban renewal authorities to submit proposed urban renewal projects to the affected local county boards of health
2269. Recognize convictions of domestic battery in the fair and equitable distribution of marital property
2476. Relating to property ownership by Farmland Protection Board
2575. To expand recreational benefits to West Virginia Landowners to promote land ownership within the State, increase property value, bolster the State economy, and to provide additional benefits to West Virginia taxpayers
2977. Reducing to one year the deadline for right to set aside deed
3006. West Virginia Critical Infrastructure Protection Act
3104. Require Surveyors to offer to record surveys of property
3202. Clarifying what parties are entitled to redeem delinquent property
3215. Relating to land use
3291. Relating generally to landlords and tenants
3426. Establishing certain tenant protections and landlord notice requirements at rental properties
3436. Restricting foreign ownership of land and other interests in the State of West Virginia
3493. Relating to prohibiting certain foreign ownership of agricultural land
3544. Offering a tax credit to property owners who provide lease land to the state for access for bike trails and rafting/kayaking

RECORDS AND PAPERS:

2053. Require governmental meetings to have agendas posted on websites three days prior to the meeting
2276. Issuing identification documents to homeless individuals residing at homeless shelters
2307. To ensure false claims on property titles are not fault of landowner
2309. To require the Division of Forestry to create an online renewal process no later than July 1, 2023
2361. To unseal adoption records after 21 years of age for adoptees for a one time fee of $30 and issuance of an original birth certificate for the common birth certificate fee.
2400. Allowing a home improvement transaction to be performed under an oral contract
2752. Non-Profit Transparency and Accountability Act
2998. Non-binary not permitted on birth certificates
3357. Clarifying acceptance of e-file court orders without raised seal

RENTAL PROPERTY:

2033. Relating to unsafe real property
2047. Exempting motor vehicles from personal property tax
2237. Relating to consumer protection of new manufactured home warranties
2240. Requiring urban renewal authorities to submit proposed urban renewal projects to the affected local county boards of health
2269. Recognize convictions of domestic battery in the fair and equitable distribution of marital property
2476. Relating to property ownership by Farmland Protection Board
2575. To expand recreational benefits to West Virginia Landowners to promote land ownership within the State, increase property value, bolster the State economy, and to provide additional benefits to West Virginia taxpayers
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3493. Relating to prohibiting certain foreign ownership of agricultural land
3544. Offering a tax credit to property owners who provide lease land to the state for access for bike trails and rafting/kayaking

RESOLUTIONS (NAMING):

2433. Creating three separate job titles for school bus operators

RESOLUTIONS:

2043. Creating a Small Business and Minority Populations Economic and Workforce Development Taskforce

3053. Requesting a study to evaluate and analyze the potential for bulk energy storage resources

RETIREMENT:

2026. Authorizing municipalities with police or firefighter employees in PERS to elect to become participating employer in Municipal Police Officer and Firefighter Retirement System for a limited time

2134. To modify the teacher retirement system so that Tier 2 teachers may use annual/sick leave towards retirement

2136. Provide a cost-of-living increase for certain individuals

2138. Permit beneficiary under the State Teachers Retirement System to convert to the maximum life annuity if the spouse dies within the first five years of the beneficiary's retirement

2139. To provide a 5% cost of living increase for state retirees who make under $60,000 per year

2161. Increase the State Police Retirement Benefit multiplier

2451. To allow another round of "buy in" to the old public employees retirement plan for those that didn't last time.

2463. Allowing substitute teachers to work and not receive any deduction on their retirement over the 140-day of work

2491. Relating to the Deputy Sheriff Retirement System Act

2493. To modify deputy sheriff's retirement pay and the cost of receiving certain reports

2568. Raising retirement rate for Deputy Sheriff's Retirement System

2791. Relating to appointing members to county authorities

2889. Increase the retirement benefit multiplier from 2.5% to 3% for Deputy Sherriff's retirement

2900. Relating to the Deputy Sheriff Retirement System

2959. Relating to reemployment after retirement for certain legislative employees

2996. Public defender experience counts for judicial retirement

3060. Permitting membership of the state teachers retirement system to include any person who has been retired by any other retirement system administered by the Board at the option of the retirant

3070. Increasing Retirement Benefits for Public Employees

3119. Authorizing expenditure of revenue from the Municipal Pension and Protection Fund and Fire Protection Fund

3178. Authorizing sheriffs who are members of the public retirement system to retire upon attaining the age of sixty-two with eight or more years of service.
3211. Relating to authorizing service credit for unused accrued annual or sick leave days for use in determining retirement benefits in the Municipal Police Officer and Firefighter Retirement System
3226. Modifying the West Virginia State Police Retirement System
3234. Relating to disability retirement medical examinations of public employee retirement systems
3235. Adding Natural Resource Police Officers Retirement System and public charter schools for federal pick-up contribution purposes
3236. Relating to the Teachers Retirement System and the Teachers' Defined Contribution Retirement System
3237. Ensure the retirement contributions, and delinquency charges if applicable, of charter school employees are paid upon school closure or by a successor
3241. Setting the rate of interest on delinquent retirement contribution submissions
3242. Relating to the Emergency Medical Services Retirement System
3243. Relating to examinations for disability pensions
3244. Relating to Municipal Pensions Oversight Board proposing legislative rules
3281. To provide supplement funding for the plan and to increase recruitment and retention of certified officers for the agency
3282. Relating to decreasing the time period of eligibility for nonduty disability from 10 to five or more years of contributory service for the West Virginia Municipal Police Officers and Firefighters Retirement System.
3292. To expand the EMS retirement system
3299. Relating to Natural Resource Police Officer Retirement
3364. Requiring the closure of certain municipal policemen's and firemen's pension and relief funds as condition of issuance of pension funding revenue bonds
3481. Increasing the number of days that retirees in the Consolidated Public Retirement Board can work without a decrease in the amount they receive in retirement

ROADS AND TRANSPORTATION:

2020. Requiring a warning light to be erected on certain roads to warn of a traffic light ahead
2042. Limiting supervision of laying of lines on state rights-of-way
2054. Requiring the Commissioner of Highways to develop a formula for allocating road funds among districts
2069. Including emergency response vehicles in the single fee program for EZ Pass transponders

2078. Relating to performance metrics for the West Virginia Division of Highways
2084. During a state of emergency lasting more than 6 months, the department of highways will reimburse any vehicle damages without including auto insurance deductibles
2171. Removing obsolete provisions regarding DOH standards for studded tires and chains
2198. To modify the E-bike legislation in West Virginia Code
2222. Prohibiting driving slow in left lane except under certain circumstances
2270. Exempting school buses with students on board from paying turnpike tolls
2271. Exempting law enforcement and emergency vehicles from paying turnpike tolls
2274. Eliminating specific statutory restrictions on outdoor advertisement
2281. Exempt non-profits from certain road sign fees
2337. Prohibiting the placement of the name or likeness of public officials on state road signs
2371. Ensure State Road Construction Account funds are in addition to general highways funds provided to the DOT districts
2373. Requiring legislative approval of additional parkways bonds and removing tolls once bonds paid
2445. To exempt EMS providers from Turnpike Tolls
2469. Keep federal level weight limits for trucking in the state of WV
2484. Requiring paving contracts for state highways to have special requirements to prevent potholes
2514. Increasing penalties for putting objects on highways
2520. Free Gold Star License Plates to parents
2528. Authorizing Division of Highways transfer of spending authority between appropriations
2531. Requiring cooperation between the rail company and the Division of Highways when construction or maintenance activities are conducted by the company
2564. Repeal of administrative hearing procedures for DUI offenses
2570. Requiring certain non-discretionary procedures be strictly complied with by the West Virginia Parkways Authority before tolls, rents, fees or charges may be increased
2590. To remove the helmet law in West Virginia.
2753. To modify e-bike laws in West Virginia
2781. Establishing Comprehensive Highway Paving Plan
2822. Relating to the consumers sales and service tax and returning the refundable exemption for sales of construction and maintenance materials acquired by a second party for use in Division of Highways projects

2888. Elimination of Statewide Contracts that are awarded to out of state vendors
2929. To supersede all ordinances that restrict atv's on paved roads
2957. Create camera assisted enforcement of speeding in active work zones
2984. Relating to establishing a program for camera assisted speed enforcement in active school zones in this state
3032. Relating to increasing the validity of a commercial instruction permit
3059. Give PSC authority to fine Class I railroads for safety and operational violations.
3071. Requiring the approval of the Legislature and the Governor before additional bonds may be issued by the Parkways Authority
3080. To mandate sharp containers, AED monitors, and first aid kits at WV rest areas
3114. Deny severance pay to employees of DOT for failure or refusal of drug testing
3179. Relating to road work signs
3214. To create the Road Optimization & Assessment Data (ROAD) Pilot Project
3217. To eliminate the process of vehicle inspection in West Virginia
3256. To mandate that credit card payment be acceptable at toll booths
3258. Ending the toll road when the bond is paid off
3259. Exempting county school buses from paying the toll fees
3283. Relating to reporting requirements under the Grant Transparency and Accountability Act
3440. Relating to costs of relocating public utility facilities, lines, or systems for certain highway construction projects
3473. Creating a workgroup relating to Dig Once Policy
3535. Prohibiting the transportation and incarceration of political prisoners in West Virginia

RULE MAKING AUTHORITY:

2426. Authorizing the Secretary of the Department of Health and Human Resources to develop a submission procedures manual and adopt the same as a procedural rule.
2800. All relating to authorizing legislative rules regarding higher education

SALARIES:

2098. Increase the minimum salary for Child Support Attorneys
2982. Increasing the minimum wage based upon increases in the consumer price index
3135. To modify the salaries of the Governor and Constitutional officers beginning January 1, 2025

SENIOR CITIZENS:

2485. Establishing reimbursement rates for congregate and in-home meals
3290. To clarify privileges for senior license holders for hunting and fishing

SOLID WASTE MANAGEMENT:

2055. Exempt unmined rare earth metals and elements from taxation
2062. Establish rules and regulations for e-bikes in West Virginia that more closely comport to federal law
2095. Relating to wild and wonderful restoration Task Force
2169. Provide valuation limitations to the Tax Commissioner for coal properties and to clarify the penalty for non-filers
2170. Providing valuation limitations for coal property taxation and clarifying the penalties for non-filers
2174. Standardize gas and oil contracts
2198. To modify the E-bike legislation in West Virginia Code
2254. Natural Gas Electric Generation Development Act
2275. Creating the Intrastate Coal and Use Act
2288. Allowing disabled persons to operate small electric vehicles on the Greenbrier Trail
2296. Relating to the beginning and expiration of hunting and fishing licenses
2309. To require the Division of Forestry to create an online renewal process no later than July 1, 2023
2314. Providing property tax relief to rare earth industries
2365. Creating a hunter access program for private landowners to enter an agreement with the state to allow hunters to use their property
2369. To allow landowners to pay hunters to hunt their property
2450. Relating to tax credit for disabled veterans for lifetime hunting, trapping and fishing license
2479. Relating to rules for hunting antlered deer
2553. Expand the scope of hunting, fishing, and trapping benefits provided to former members of the United States Armed forces
2556. Eliminating fees for hunting and fishing licenses for military retirees.
2569. Establishing the Motorsport Responsibility Act
2574. Relating to warrantless entry of private lands
2575. To expand recreational benefits to West Virginia Landowners to promote land ownership within the State, increase property value, bolster the State economy, and to provide additional benefits to West Virginia taxpayers
2614. Relating generally to hunting and fishing
2620. To create a new hunting license stamp for upland game bird

2783. To remove primates as a dangerous wild animal
2796. To exempt daylight fluorescent outer garments from sales
2818. Make first day of gun season for deer to Saturday before Thanksgiving holiday
2839. Making a technical correction regarding an incorrect fund name and clarifying applicability to mine lands governed by SMCRA and the Abandoned Mine Lands Act
2975. Electric charging stations at state parks must charge market rates
3102. Creating Adopt-A-Trail volunteer programs for public land under DNR jurisdiction
3122. Permitting certain types of rifles using an encapsulated propellant charge that loads from the breech
3124. To allow non-resident students enrolled at West Virginia colleges and universities to purchase their hunting and fishing licenses at the resident rate.
3147. To create the Upper Ohio Valley Trail Network
3280. Authorizing adjustment from federal adjusted gross income for certain law enforcement pension benefit payments
3290. To clarify privileges for senior license holders for hunting and fishing
3294. Ensuring future economic development with limitations, excise tax, and registration requirements of carbon offset agreements
3303. Clarifying and expanding the powers and duties of the director of the Coalfield Community Development Office
3312. Provide that all coal severance tax go to the county that produced the coal
3438. To establish an auto-renewal licensing program that is eligible for discounts on licensing fees
3442. Creating of the Mountain Bike Responsibility Act
3544. Offering a tax credit to property owners who provide lease land to the state for access for bike trails and rafting/kayaking

STATE PERSONNEL:
2089. To make Juneteenth a paid holiday for all state workers
2102. End qualified immunity
2112. Create a Police Officer's Bill of Rights
2136. Provide a cost-of-living increase for certain individuals
2137. To allow money paid to state employees to go to their estate if they pass away before their retirement date
2138. Permit beneficiary under the State Teachers Retirement System to convert to the maximum life annuity if the spouse dies within the first five years of the beneficiary's retirement
2139. To provide a 5% cost of living increase for state retirees who make under $60,000 per year
2144. To create the "Council on Efficient Government Act."

2249. Specifying when a public employee's spouse may be covered by PEIA
2375. Relating to hiring new West Virginia State Police Officers
2387. Fair Advancements for State Employees Act
2507. Relating to the West Virginia public employees grievance procedure
2534. Relating to public employees insurance
2542. Make it illegal for any state employee to access Tik Tok through a government device
2598. Raising salaries for school service personnel
2878. To grant the Fleet Management Division oversight authority of the state vehicle fleet
3060. Permitting membership of the state teachers retirement system to include any person who has been retired by any other retirement system administered by the Board at the option of the retirant
3078. Allow state employees to cash in on certain benefits
3195. Relating to the management of personal service appropriations for vacant positions
3216. Funding EMS and School Resource Officers through marijuana tax
3299. Relating to Natural Resource Police Officer Retirement
3451. Updating the veteran preference ratings in state code for state employment

TAXATION:
2001. Reduce personal income tax rates by 10% for all
2002. Relating to providing support for families
2010. To exempt the full amount of social security benefits from personal income tax
2035. Providing tax credits for hiring those in recovery for substance abuse
2040. Relating to allowing a personal income tax exemption for First Responders
2050. West Virginia Economic Diversification Act
2055. Exempt unmined rare earth metals and elements from taxation
2061. Provide targeted business personal property tax relief in certain communities
2063. Provide a tax credit to distribution centers who build away from interstates and in more rural areas of West Virginia.
2064. To create commercial opportunity zones to attract new businesses to West Virginia
2065. West Virginia Heavy Duty Truck Excise Tax Elimination Act
2068. Reducing federal adjusted gross income for interest paid on student loans
2071. Taxation With Representation Act

2079. Policy offering a housing credit for educators who live in West Virginia 5 or more years after becoming an educator in the state
2088. Creating an exemption from state income tax for public school educators and personnel
2091. Decriminalization and legalization of cannabis with a taxing mechanism to bring more revenue to the state
2093. Provide that you can make monthly payments on property taxes
2115. Exempting law-enforcement officers from payment of income and personal property taxes
2116. Home Instruction Tax Relief Act
2133. Granting tax credits for parents and legal guardians whose children are in a home schooling program or private school
2147. Allowing for surplus money collected above voter approved excess levy requests to remain with specific county and placed in general fund
2152. Exempting social security benefits from personal income tax
2156. Exempting firefighters and volunteer firefighters from payment of income and real and personal property taxes
2158. Abolishing the Personal Income Tax
2163. Expanding the Manufacturing Investment Tax Credit
2165. A bill dedicating 25 percent of insurance tax revenue to the PEIA Rainy Day Fund.
2168. Providing tax credits to provide vehicles to certain persons
2169. Provide valuation limitations to the Tax Commissioner for coal properties and to clarify the penalty for non-filers
2170. Providing valuation limitations for coal property taxation and clarifying the penalties for non-filers
2173. Limit amount a county tax assessor can increase assessed value of antique or classic cars
2176. Limit property tax increases on certain individuals
2177. Require all tax assessments be done on a periodic schedule
2183. Provide a state income tax credit for nurses to encourage recruitment and commitment to the profession in this state
2185. Providing a tax credit to encourage new teachers to remain in the state
2192. Relating to health insurance for living organ donors
2193. Removing certain deductions for modification of social security income in adjusted gross income
2209. Relating to property taxes dedicated to volunteer fire departments
2223. Relating to Personal Refundable Credit for resident individuals and families
2224. Relating to West Virginia standard deduction of a resident individual
2234. Remove sales tax on gun safes and certain firearm safety devices
2245. Eliminate double taxation on foreign income at the state level

2268. Providing a tax credit for obtaining certain certifications by the United States Green Building Council Leadership in Energy and Environmental Design green building rating system
2272. Relating to Good Samaritan Food Donation Act
2292. Continuing personal income tax adjustment to gross income of certain retirees receiving pensions from defined pension plans
2295. To implement a Property Tax Poverty Exemption - School Excess Levy
2300. Establishing tax credits for lead abatement in child occupied residences
2303. Providing a tax exemption for income from a qualified retirement plan used to pay for long-term care
2311. Relating to taxable exemptions for surviving spouses
2313. Increasing the personal exemption for personal income tax
2314. Providing property tax relief to rare earth industries
2316. Establishing the "Stay in State" tax credit
2344. Relating to providing a cap on property taxes
2349. Authorizing a temporary foreign brewers import license
2351. Establishing a tax credit for businesses who hire, promote and develop women and minorities into executive, professional or administrative roles
2359. The Young Professional Tax Credits
2360. Collecting a tax from manufacturers and distributors of opium and opiate drugs to be used for funding addiction and prevention
2364. To exempt school buses from toll fees in West Virginia
2377. Relating to taxation of gambling and lottery winnings
2384. Providing for the Relief at the Pump Bill
2393. To extend the Neighborhood Investment Program Act to July 1, 2026 and to increase the allowable tax credit
2405. Eliminate sales tax on Professional Employment Organization's administration fees
2418. Tax credits for living and deceased organ donors
2422. Dedicate severance tax to State Road Fund over a three year period
2439. Exempting from the sales tax all-terrain vehicles and utility terrain vehicles used as farm equipment
2445. To exempt EMS providers from Turnpike Tolls
2450. Relating to tax credit for disabled veterans for lifetime hunting, trapping and fishing license
2466. Repeal of taxing state employees pensions and social security
2483. Creating a tax credit for improving facades in historic districts
2489. Allowing low income senior citizens to receive certain tax credits without filing a state income tax return
2510. To establish the Rare Earth Element and Critical Mineral Investment Tax Credit Act

2511. Modify how sales tax is collected on seller financed vehicle transactions
2526. Relating to reducing the personal income tax
2566. Increasing the Homestead Property Tax Exemption
2581. Relating to a permanent partial repeal of the gasoline tax in WV not to exceed 50% of the current tax
2582. To reduce the amount of money provided in welfare programs for certain individuals
2584. Allow homestead exemptions for disabled veterans
2585. Authorizing a special election for presenting the question of a special levy renewal for levies expiring prior to the primary election scheduled for May 14, 2024
2586. Relating to establishing a thirty thousand dollar homestead exemption for taxpayers with a household income at or below U.S. Department of Health & Human Services Poverty Guidelines.
2587. To reflect that County Sheriffs will be required to include a breakdown of the distribution of where a citizen's taxes will be paid
2600. Making disbursement of hotel occupancy tax wholly discretionary
2601. To remove the taxation on burials, funerals and cremation
2608. Allow pass-through entities to elect to be taxed at the entity level
2623. Relating to withholding tax on income of nonresidents from natural resources royalty payments
2635. Exempting personal income earned by individuals working as teachers at primary and secondary schools from personal income tax
2759. Relating to updating the health care provider tax
2773. Create the Education Tax Credit
2776. Updating meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act
2777. Updating federal taxable income and other terms in the West Virginia Corporation Net Income Tax Act
2778. To create curriculum transparency in public schools
2780. Repeal municipal amusement tax
2808. Relating to taxation of gambling and lottery winnings
2826. Remove variable rate on gas tax
2831. Relating to limiting the personal income tax
2842. Repeal municipal license and tax when state license required
2891. Repeal domestic animal tax
2934. Levying a tax on a pass-through entity's income apportioned to West Virginia
2950. Exempting certain hygiene products from sales tax
2958. To create the Business Tax Rebate Incentive Program

2966. To create a tax incentive to landlords who allow a first time or second chance housing of houseless individuals, justice impacted persons, assault victims, veterans, and adults who age out of the foster care system.
2969. Establish a refundable tax credit for veterans with a 100% service-connected disability
3007. To create the West Virginia Small Business Payroll Tax Credit Pilot Program
3012. To encourage economic development regarding rare earth elements and critical minerals, as defined, by providing temporary severance tax relief
3013. Relating to authorizing the Jefferson County Commission to levy a special district excise tax
3023. To cut the WV gas tax by 50% for WV residents
3075. To clarify that municipal B and O taxes shall only apply to the owner of a contract, and not to subcontractors on a project
3089. Tax credits for employers providing child care
3093. Creating a tax credit against the corporate net income tax for companies paying moving expenses of employees to West Virginia
3096. Creating the Distribution and Manufacturing Center Tax Credit Act
3133. Create a credit against the severance tax to encourage private companies to make infrastructure improvements to highways, roads and bridges in this state
3153. Relating to distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers.
3169. Creating a Distribution Center Refundable Toll Payments Tax Credit Act
3209. Providing tax credits to incentivize investments and improvements in blighted properties in West Virginia
3216. Funding EMS and School Resource Officers through marijuana tax
3227. Providing a tax credit against the state corporate net income tax to for-profit corporations or a tax credit against payroll withholdings for nonprofit corporations for expenditures related to the establishment and operation of employer-provided child-care facilities
3231. To exempt from sales tax the purchase of solar energy equipment and installation
3238. Removing methanol and methanol fuel from the definition of special fuel
3240. Relating to cessation of West Virginia Fund
3245. Providing an election for pass-through entities to pay income tax at the entity level
3249. To allow for sheriffs to collect additional funds for notice served related to tax sales

3266. To amend and reenact codes concerning the distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers as well as certain funds from the Fire Protection Fund.
3280. Authorizing adjustment from federal adjusted gross income for certain law enforcement pension benefit payments
3286. Relating to an additional modification decreasing federal taxable income
3300. To provide for the creation of an "EV Manufacturers Investment Credit."
3304. Providing an exemption from the severance tax for coal sold to coal-fired power plants located within the State of West Virginia
3312. Provide that all coal severance tax go to the county that produced the coal
3314. Increasing the special district excise tax to a rate or rates on sales within the boundaries of an economic opportunity development district
3319. Relating to sheriff's commission for collection of taxes
3321. Limiting the imposition of municipal business and occupation taxes
3322. To provide that the first $100K made jointly or the first $50K filing single is exempt from the tax on social security
3324. Relating to the reduction of State Gas Tax
3327. Capping amount of moneys to third party vendors who collect business and occupation taxes on behalf of cities
3333. To grant a tax credit for the amount of taxes paid for a royalty interest
3334. Valuation of industrial property and natural resources property by Tax Commissioner
3340. To revise the West Virginia Tax Increment Financing Act
3350. To reduce the personal income tax to zero for those who make $80,000 per year or less
3351. To reduce the personal income tax to zero for those who make $60,000 per year or less.
3352. To reduce the personal income tax to zero for those making the median yearly income in West Virginia
3377. Remove the Privilege Tax
3382. Child care expense tax credit
3388. Creating the health care professionals preceptor tax credit
3389. Allocating a percentage of county excise taxes for improvements to election administration
3391. Establishing filing deadlines for appeals of property tax valuations and issues involving property tax classification and taxability to the West Virginia Office of Tax Appeals
3399. Increasing the tax credit for employers providing child care for employees

3403. Providing a tax credit for employers with childcare facilities
3404. Relating to the valuation of farm property
3409. Relating to authorizing application of the manufacturing investment tax credit and the manufacturing property tax adjustment credit against personal income tax
3427. Relating to consumers sales and service tax and use tax exemption for certain goods to be incorporated into a qualified, new or expanded warehouse or distribution facility
3486. Allocating a percentage of county excise taxes received from transfers of title to real estate in each county for election administration improvements
3492. Relating to the distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments
3494. Relating to withholding tax on income of nonresidents from natural resources royalty payments
3525. Relating generally to taxation of solar panels used as energy wholesale generator or small scale utility
3530. Relating to tax reductions and other aid
3544. Offering a tax credit to property owners who provide lease land to the state for access for bike trails and rafting/kayaking

TELEPHONE SERVICES:

2395. Make the Consumer Advocate division separate and independent from the PSC
2616. Relating to net metering
2848. Water and Sewer Operator licensing reciprocity
2864. To require larger municipally owned public water and wastewater utilities to pass rates to meet the same standards as utilities regulated under Chapter 24 of the Code
2865. To clarify that the PSC may enter an order requiring corrective measures up to and including an acquisition of a distressed or failing utility
2881. Relating to utility rate increases
2892. Relating to the Disconnection of Residential Utility during a State of Emergency
2899. Repealing two sections of code relating to gas utility rates
2954. Eliminate need for Certificate of public convenience for water and sewer utilities
2955. Relating to the establishment and operation of regional water, wastewater and stormwater authorities
3059. Give PSC authority to fine Class I railroads for safety and operational violations.
3087. Concerning the right of consumers of electricity to interconnect energy storage systems for use on their property
3094. To create the Remote Worker Home Development Act

3423. Relating to utility rate freeze
3525. Relating generally to taxation of solar panels used as energy wholesale generator or small scale utility

TENANTS:
2033. Relating to unsafe real property
2047. Exempting motor vehicles from personal property tax
2237. Relating to consumer protection of new manufactured home warranties
2240. Requiring urban renewal authorities to submit proposed urban renewal projects to the affected local county boards of health
2269. Recognize convictions of domestic battery in the fair and equitable distribution of marital property
2476. Relating to property ownership by Farmland Protection Board
2575. To expand recreational benefits to West Virginia Landowners to promote land ownership within the State, increase property value, bolster the State economy, and to provide additional benefits to West Virginia taxpayers
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3493. Relating to prohibiting certain foreign ownership of agricultural land
3544. Offering a tax credit to property owners who provide lease land to the state for access for bike trails and rafting/kayaking

UNEMPLOYMENT COMPENSATION:
2588. Relating to indexing unemployment benefits based on the state average unemployment rate
2589. Requiring work search activities to qualify for unemployment benefits
2779. To make those who fail drug test ineligible for unemployment

UNIFORM LAWS:
3145. Recognizing the Commission on Uniform State Laws as a presumptive provider of continuing legal education
3146. Establishing in West Virginia Code, the contents of the Uniform Public Meetings During Emergencies Act

3149. Uniform Collaborative Law Act
3212. Updating the provisions of the Uniform Commercial Code
3363. Law Enforcement Officers Safety Act

UTILITIES:
2395. Make the Consumer Advocate division separate and independent from the PSC
2616. Relating to net metering
2848. Water and Sewer Operator licensing reciprocity
2864. To require larger municipally owned public water and wastewater utilities to pass rates to meet the same standards as utilities regulated under Chapter 24 of the Code
2865. To clarify that the PSC may enter an order requiring corrective measures up to and including an acquisition of a distressed or failing utility
2881. Relating to utility rate increases
2892. Relating to the Disconnection of Residential Utility during a State of Emergency
2899. Repealing two sections of code relating to gas utility rates
2954. Eliminate need for Certificate of public convenience for water and sewer utilities
2955. Relating to the establishment and operation of regional water, wastewater and stormwater authorities
3059. Give PSC authority to fine Class I railroads for safety and operational violations.
3087. Concerning the right of consumers of electricity to interconnect energy storage systems for use on their property
3094. To create the Remote Worker Home Development Act
3423. Relating to utility rate freeze
3525. Relating generally to taxation of solar panels used as energy wholesale generator or small scale utility

WELFARE:
2006. Relating to reorganizing the Department of Health and Human Resources
2044. Creating a litigation practice license for social workers
2109. Requiring the Public Employees Agency and other health insurance providers to provide mental health parity
2142. Providing for the reintegration of inmates in correctional facilities
2143. Screening for adverse childhood experiences
2167. Relating to calculating max number of students at alternative and year-round schools
2200. Creating the Fair Chance Act
2206. Provide programs to educate senior citizens

2262. Permitting certain felons to work in licensed behavioral health facilities
2341. Incentivizing the Sale of Healthy, Local Produce.
2407. Require photo identification on all EBT cards
2446. Food insecurity state wide tip line
2487. Relating to designation of social workers in the Department of Health and Human Services
2515. Require agencies to develop and maintain an inventory of available services for single parents wanting to obtain degrees, secure training or reenter the workforce
2946. Relating to eligibility verification for applicants for public assistance
2988. Relating to wholesale importation of prescription drugs
3015. Creating the Food Infrastructure Grant
3033. Create Intergenerational Poverty Task Force
3160. Providing that records of Department of Health and Human Services of sustained and non-sustained allegations of child abuse or neglect are preserved
3200. Authorize DHHR to transfer state facilities to regional mental health centers or intellectual disability facilities
3205. Eliminating the certificate of need program
3263. Provide for statewide participation in the federal Community Eligibility Provision for its duration
3296. Provide for statewide participation in the federal Community Eligibility Provision for its duration
3337. Prohibiting additional drug and alcohol treatment facilities and services in a certain county
3419. Relating to wages of persons with disabilities
3472. Returning a woman’s right to choose

WILLS:
2480. Relating to the intestate share of a decedent’s surviving spouse
3239. Directing payment of the estate administration fee to the State Auditor
3499. To permit joint tenancy with rights of survivorship when transfer on death deeds specify a joint tenancy with right of survivorship

WORKERS COMPENSATION:
2025. Relating to who may diagnose post-traumatic stress disorder as a compensable injury or disease under workers compensation
2128. Including three types of cancer for which rebuttable presumption of injury from employment exists for firefighters
2190. Relating to eligibility for workers' compensation benefits by requiring blood test after traumatic injury to determine intoxication

2402. To reaffirm and enhance the workers compensation exclusive remedy rule or doctrine
2454. Creating WV Black Lung Program
2524. Repealing the law which makes prime contractors liable for the failure of subcontractors to make proper payments for workers' compensation
3270. To amend the deliberate intent statute to limit noneconomic damages to $500,000

DISPOSITION OF BILLS ENACTED

The first column gives the number of the bill and the second column gives the chapter assigned to it.

Regular Session, 2023

HOUSE BILLS

Bill No.	Chapter	Bill No.	Chapter	Bill No.	Chapter
2002	188	2602	300	2899	73
2004	156	2605	1	2900	87
2005	178	2607	135	2904	11
2006	189	2611	157	2906	12
2007	233	2621	97	2907	13
2008	282	2638	203	2908	14
2016	61	2640	204	2910	15
2018	62	2648	205	2911	16
2024	8	2754	234	2913	17
2026	85	2757	179	2914	18
2029	69	2759	314	2915	19
2062	322	2760	325	2917	248
2218	323	2762	283	2928	20
2221	56	2776	315	2955	263
2283	86	2777	316	2967	235
2309	311	2800	180	2993	264
2310	212	2814	168	3012	318
2346	298	2817	290	3013	88
2380	133	2820	136	3018	114
2412	185	2821	317	3035	138
2436	261	2827	137	3036	121
2506	213	2835	71	3039	21
2509	113	2839	149	3040	22
2515	190	2845	72	3042	295
2526	312	2848	262	3044	160
2530	214	2860	284	3055	139
2533	324	2862	274	3061	64
2540	195	2865	291	3065	23
2564	70	2870	292	3066	24
2569	215	2875	63	3067	25
2587	313	2882	9	3073	26
2596	134	2883	10	3074	27
2597	299	2890	301	3077	74

DISPOSITION OF BILLS ENACTED

The first column gives the number of the bill and the second column gives the chapter assigned to it.

Regular Session, 2023

HOUSE BILLS
-Continued-

Bill No.	Chapter	Bill No.	Chapter	Bill No.	Chapter
3084	140	3286	319	3479	105
3092	265	3299	250	3482	123
3108	28	3302	104	3499	155
3109	29	3303	122	3500	158
3110	150	3306	270	3509	31
3113	141	3307	170	3510	32
3114	249	3308	293	3511	33
3122	222	3311	5	3512	34
3135	75	3315	287	3513	35
3141	236	3317	239	3514	36
3146	169	3328	224	3515	37
3147	223	3332	98	3516	38
3148	89	3337	271	3517	39
3156	110	3340	93	3518	40
3164	266	3344	68	3519	41
3166	267	3354	94	3520	42
3168	321	3360	171	3521	43
3189	151	3364	95	3522	44
3190	103	3369	288	3523	45
3191	268	3370	225	3524	46
3199	269	3371	182	3526	47
3203	237	3387	96	3527	48
3210	285	3391	320	3528	49
3211	90	3396	30	3529	50
3214	297	3398	327	3542	51
3215	196	3428	294	3547	302
3218	142	3432	303	3552	79
3224	181	3439	65	3553	52
3233	286	3441	183	3555	184
3244	91	3443	197	3557	53
3261	238	3444	172	3559	66
3265	92	3448	111	3560	3
3270	331	3450	161	3563	54
3271	143	3451	328	3564	55
3272	154	3473	191		

DISPOSITION OF BILLS ENACTED

The first column gives the number of the bill and the second column gives the chapter assigned to it.

Regular Session, 2023

SENATE BILLS

Bill No.	Chapter	Bill No.	Chapter	Bill No.	Chapter
4	216	241	251	453	129
10	174	244	229	455	210
47	124	246	57	457	159
51	125	247	230	458	163
83	226	258	296	461	247
89	275	267	192	463	211
99	126	268	241	465	82
121	175	270	101	468	220
128	276	271	277	469	130
131	80	273	59	475	83
132	99	275	127	476	187
136	106	276	278	478	307
142	152	294	81	481	118
143	147	298	279	487	308
146	208	300	231	488	176
149	304	302	280	490	102
151	305	335	198	495	78
161	217	345	199	508	207
162	218	356	200	510	6
187	100	361	201	516	144
188	115	409	202	522	309
191	107	422	128	523	119
200	219	423	242	526	252
205	209	430	272	527	326
207	116	439	162	529	58
208	227	443	153	533	2
220	173	444	273	534	4
231	117	446	306	543	177
232	77	449	243	544	289
237	240	450	244	546	76
239	186	451	245	548	310
240	228	452	246	552	253

DISPOSITION OF BILLS ENACTED

The first column gives the number of the bill and the second column gives the chapter assigned to it.

Regular Session, 2023

SENATE BILLS
-Continued-

Bill No.	Chapter	Bill No.	Chapter	Bill No.	Chapter
553	164	608	329	674	257
558	108	609	146	677	281
561	148	613	255	678	7
568	165	617	256	679	258
573	112	625	131	688	132
577	193	631	145	730	259
579	67	633	109	733	221
591	84	647	60	734	167
594	194	649	332	735	120
597	166	661	330	737	260
605	254	665	232	740	206

DISPOSITION OF BILLS ENACTED

The first column gives the chapter assigned and the second column gives the bill number.

Regular Session, 2023

House Bills = 4 Digits Senate Bills = 1-3 Digits

Chapter	Bill No.	Chapter	Bill No.	Chapter	Bill No.
1	2605	33	3511	65	3439
2	533	34	3512	66	3559
3	3560	35	3513	67	579
4	534	36	3514	68	3344
5	3311	37	3515	69	2029
6	510	38	3516	70	2564
7	678	39	3517	71	2835
8	2024	40	3518	72	2845
9	2882	41	3519	73	2899
10	2883	42	3520	74	3077
11	2904	43	3521	75	3135
12	2906	44	3522	76	546
13	2907	45	3523	77	232
14	2908	46	3524	78	495
15	2910	47	3526	79	3552
16	2911	48	3527	80	131
17	2913	49	3528	81	294
18	2914	50	3529	82	465
19	2915	51	3542	83	475
20	2928	52	3553	84	591
21	3039	53	3557	85	2026
22	3040	54	3563	86	2283
23	3065	55	3564	87	2900
24	3066	56	2221	88	3013
25	3067	57	246	89	3148
26	3073	58	529	90	3211
27	3074	59	273	91	3244
28	3108	60	647	92	3265
29	3109	61	2016	93	3340
30	3396	62	2018	94	3354
31	3509	63	2875	95	3364
32	3510	64	3061	96	3387

DISPOSITION OF BILLS ENACTED

The first column gives the chapter assigned and the second column gives the bill number.

Regular Session, 2023
-Continued-

House Bills = 4 Digits Senate Bills = 1-3 Digits

Chapter	Bill No.	Chapter	Bill No.	Chapter	Bill No.
97	2621	128	422	159	457
98	3332	129	453	160	3044
99	132	130	469	161	3450
100	187	131	625	162	439
101	270	132	688	163	458
102	490	133	2380	164	553
103	3190	134	2596	165	568
104	3302	135	2607	166	597
105	3479	136	2820	167	734
106	136	137	2827	168	2814
107	191	138	3035	169	3146
108	558	139	3055	170	3307
109	633	140	3084	171	3360
110	3156	141	3113	172	3444
111	3448	142	3218	173	220
112	573	143	3271	174	10
113	2509	144	516	175	121
114	3018	145	631	176	488
115	188	146	609	177	543
116	207	147	143	178	2005
117	231	148	561	179	2757
118	481	149	2839	180	2800
119	523	150	3110	181	3224
120	735	151	3189	182	3371
121	3036	152	142	183	3441
122	3303	153	443	184	3555
123	3482	154	3272	185	2412
124	47	155	3499	186	239
125	51	156	2004	187	476
126	99	157	2611	188	2002
127	275	158	3500	189	2006

DISPOSITION OF BILLS ENACTED

The first column gives the chapter assigned and the second column gives the bill number.

Regular Session, 2023
-Continued-

House Bills = 4 Digits Senate Bills = 1-3 Digits

Chapter	Bill No.	Chapter	Bill No.	Chapter	Bill No.
190	2515	221	733	252	526
191	3473	222	3122	253	552
192	267	223	3147	254	605
193	577	224	3328	255	613
194	594	225	3370	256	617
195	2540	226	83	257	674
196	3215	227	208	258	679
197	3443	228	240	259	730
198	335	229	244	260	737
199	345	230	247	261	2436
200	356	231	300	262	2848
201	361	232	665	263	2955
202	409	233	2007	264	2993
203	2638	234	2754	265	3092
204	2640	235	2967	266	3164
205	2648	236	3141	267	3166
206	740	237	3203	268	3191
207	508	238	3261	269	3199
208	146	239	3317	270	3306
209	205	240	237	271	3337
210	455	241	268	272	430
211	463	242	423	273	444
212	2310	243	449	274	2862
213	2506	244	450	275	89
214	2530	245	451	276	128
215	2569	246	452	277	271
216	4	247	461	278	276
217	161	248	2917	279	298
218	162	249	3114	280	302
219	200	250	3299	281	677
220	468	251	241	282	2008

DISPOSITION OF BILLS ENACTED

The first column gives the chapter assigned and the second column gives the bill number.

Regular Session, 2023
-Continued-

House Bills = 4 Digits Senate Bills = 1-3 Digits

Chapter	Bill No.	Chapter	Bill No.	Chapter	Bill No.
283	2762	300	2602	317	2821
284	2860	301	2890	318	3012
285	3210	302	3547	319	3286
286	3233	303	3432	320	3391
287	3315	304	149	321	3168
288	3369	305	151	322	2062
289	544	306	446	323	2218
290	2817	307	478	324	2533
291	2865	308	487	325	2760
292	2870	309	522	326	527
293	3308	310	548	327	3398
294	3428	311	2309	328	3451
295	3042	312	2526	329	608
296	258	313	2587	330	661
297	3214	314	2759	331	3270
298	2346	315	2776	332	649
299	2597	316	2777		

DISPOSITION OF BILLS ENACTED

The first column gives the number of the bill and the second column gives the chapter assigned to it.

First Extraordinary Session, 2023

HOUSE BILLS

Bill No.	Chapter	Bill No.	Chapter	Bill No.	Chapter
112	31	116	3	125	35
114	1	117	4	128	5
115	2	124	34	144	33

DISPOSITION OF BILLS ENACTED

The first column gives the number of the bill and the second column gives the chapter assigned to it.

First Extraordinary Session, 2023

SENATE BILLS

Bill No.	Chapter	Bill No.	Chapter	Bill No.	Chapter
1003	6	1021	32	1033	18
1004	7	1022	10	1034	19
1005	8	1023	11	1037	20
1006	26	1026	12	1038	21
1007	27	1027	13	1039	22
1009	28	1029	14	1041	23
1010	30	1030	15	1042	24
1019	9	1031	16	1043	25
1020	29	1032	17		

DISPOSITION OF BILLS ENACTED

The first column gives the chapter assigned and the second column gives the bill number.

First Extraordinary Session, 2023

House Bills = 3 Digits Senate Bills = 4 Digits

Chapter	Bill No.	Chapter	Bill No.	Chapter	Bill No.
1	114	13	1027	25	1043
2	115	14	1029	26	1006
3	116	15	1030	27	1007
4	117	16	1031	28	1009
5	128	17	1032	29	1020
6	1003	18	1033	30	1010
7	1004	19	1034	31	112
8	1005	20	1037	32	1021
9	1019	21	1038	33	144
10	1022	22	1039	34	124
11	1023	23	1041	35	125
12	1026	24	1042		

APPENDIX

FIRST REGULAR SESSION, 2023

Proposed Amendment to H. B. 2526

REMARKS
of
HON. LARRY ROWE
January 18, 2023

DELEGATE ROWE: Thank you, Mr. Speaker. I appreciate the opportunity to present this amendment.

The idea is pretty simple. We want, you know, the Governor's bill is coming out of this place. He mentions it on the floor in the State of the State, and the next day in the evening, we get the bill approved by Finance. We're out here on the floor. So, it's moving fast. The question is, is it a fair way to cut taxes?

What our plan does is real simple. Whenever you look at it, you'll see that we've kind of eliminated all the categories other than $80,000 in income. Real simple. Under our plan, anybody who makes $80,000 in income or less pays zero tax. Now, get your head around that. Zero tax. You say, well, what's the Governor do on it? Half. He cuts it in half for those same people. And we're talking about 72 percent of West Virginians would pay no tax whatsoever. Well, what kind of numbers are we talking? If you want to write some of these down, I think they're close, but I always warn people I'm dyslexic and I don't do numbers so well. $80,000 will save $4,075 to a family. Let me repeat that. $4,079 will be saved by a family making $80,000. What's the Governor do on that? A couple thousand dollars.

That's all. Two. Cut it in half. A family that makes $60,000. Now, these are regular income earners. That's who these folks are. These are the people that you see every day in your life when you drive through fast food places, whenever you go to the barber, the beautician, when you go to church, and you see retired people. These are the people that are going to get a zero tax. More numbers. At $60,000, our plan gives them $2,778. At the Governor's plan, he gives them $1,382. Half. And you ought to be sitting there going, why half? Why half? What's going on here? Exactly. On $40,000 in income, our plan would save them $1,575. The Governor's plan, half again. Do the math. It's not easy for me. But at $40,000, it would be about $735. Half. And the poor folks who make and report $10,000 in income, these are state retirees. We're getting down into the place where state retirees would have no tax.

But their tax benefit under our plan is only $300 if they make under $10,000. And it's only $150, some pocket change in the Governor's plan. And you say, well, where's the money going? The Governor's plan is going to be about 25% of the state budget revenue is going to go away. Who's getting that money? Well, folks, his plan applies and gives tax reductions to folks who are making more than $80,000. And what would that be? Let's just say a person reports $1 million in income, they would pay under our plan about $65,000, which is what they're paying now. What's the Governor do to that? Cuts it in half.

Gets it down to about $32,000. That's their tax break. A state retiree making less than $10,000 a year gets $150 from the Governor's plan. A millionaire who's reporting $1 million in income will get about $32,000 in reduction. So, whenever you hear folks say, now, it's fair because it's 50% off to everybody. Yeah, 50% off on a $10,000 person is $150.

On an $80,000 family, it would be $4,075. For that $1 million report, they're going to save $32,000. Now, at some point, you have to say, who am I here for? Well, I think under our plan in this amendment that it's pretty clear that we're here for the regular folks of West Virginia. And you'll hear people say, oh, but this discriminates against small businesspeople. Hey, they'll get their $4,000 off the first $80,000 of income like anybody else. And a lot of small businesses are in that range.

The Governor's only going to give them $2,000. We'll give them $4,000 on our plan. Now, if they're making $1 million in income and we're going to make them pay the full price that they pay now on taxes of $65,000, I'm not sure that we're really discouraging small business. We certainly don't intend to do that. Under our plan, we encourage startup businesses. We encourage West Virginia young people to stay in West Virginia. We encourage people who are remote workers to come to West Virginia because maybe they're

making more than $80,000 a year. I hope they are. I hope everybody does.

But that's not the reality in West Virginia. Just sort of imagine yourself sitting in church and you look across the congregation. These are the people that you will help. These are the people who will get a 100% zero tax up to $80,000. All those older folks, they're probably going to get the zero tax. Maybe not, but their income based on their pensions probably won't put them over $80,000. So, when you think about all the seniors in your district getting a zero tax, I think that's pretty powerful. Very powerful stuff. On the other hand, when you have to explain why you're only getting them half because you went along with the governor's plan, I think that gets to be difficult. Particularly when you're staring at the statistic that somebody who files for a million dollars in income gets a $32,000 break and the seniors that are getting $20,000 only get a break of $350,000 under the governor's plan. It's not enough. (16:36) And you say, well, but Larry, on $20,000 you're only going to give them another $350,000.

True, but they get a zero tax. That's going to be the powerfulness. It's not just the numbers, but the fact that there won't be tax on 72% of all West Virginia filers. That's powerful. That says it all. And that's fair. That's why the governor's plan is not fair. It benefits the folks that hire. The more money you make, the bigger the break you get. And that's not right. That doesn't make any sense. What we want to do is to encourage young people to stay in West Virginia. We want to encourage retirees to come to West Virginia. We want to encourage remote workers to come to West Virginia. And we've heard very often that, hey, whenever you have no income tax on 72% of the people, that's going to be a powerful economic driver.

Well, it certainly can be. Where will those people spend their money, that extra $4,000 for an $80,000 house? Where will they spend it? Are they going to put it in a stock portfolio and pass it around the room in a board meeting? No, they're going to spend it locally. These are the people who will boost our economy.

Now, the million-dollar filer, someone said, Larry, what do you get against rich people? I don't have anything. Matter of fact, we need them, and they're wonderful. And we have been greatly benefited in the Kanawha Valley of having folks who've donated and been very good to us. But I think probably most of them would say, look, I need to pay my fair share. And that's all we're asking, is let them pay their fair share of what they got out of this society. When you were able to make a million dollars in income, a whole lot of things clicked for you to get you in that position. Pay your way. Pay it back. Now, I would point out that the economic boom, I hope, will help us.

There is in this debate two sides. There are two sides. One is the happy, skippy, barefoot, running through the cornfield part, which is where we get to give tax breaks to people. That's why we're here. That's why we ran for office. We want to help the regular income folks with their increasing utility bills and just to make ends meet with inflation and all those kinds of things. And there's the dark side. The dark side is Halloween ugly. And it is what this tax plan, whether you take ours or the governor's, does to the state budget. I'm not going to go into a lot of detail about that. They're basically, they're pretty close in cost. We're talking, remember this number, 25% of state revenues.

Poof. Gone. So, we've got to replace those.

Now, what you'll hear is that we got all kinds of money because severance taxes on gas, natural gas, and coal are producing like $900 million a year. And if we had that for the next 50 years, we're in good shape. But everybody in this room can remember when coal wasn't at those kinds of prices.

When coal and gas together produced 200 and some million dollars instead of 900 and some million dollars. Now, I've been told that, and I don't know this for a fact, but I've been told that every year we have surpluses, without the big severance taxes, we have surpluses of $150 million or something. And that's kind of where we add on programs and do things and that sort of stuff. If that's true, if all we really do when we go back to normal is have $150 million extra to spend, on the governor's plan, how many years is it going to take to catch up? Now, there is something in the bill that House Finance put in. They took $700 million of surplus that we have right now in hand, it's in the bank, into a special fund for the very purpose of having money if we can't make our budget work.

APPENDIX

And I asked the budget director, and I said, well, do you all just get that money if you need it? No, no, no. You all have to come back into session and vote taking money out of that $700 million. Now, what that cushions is our plan is now, right now, next year, get it on your tax return this year and you'll get the benefit this year. And it's been criticized from some folks saying, well, gosh, if there's no lead in, that's going to be kind of quick. That's what the $700 million is for. It's the first year, it's, I don't know that I've got good numbers on this, but $300 or $400 million is just the coming year because of the way people pay their taxes. And then the next year will be the big hit.

And you say, well, what's the governor's plan? It's $1.4 billion. That's the Halloween part of this. And I don't know how we're going to do it. I don't, you tell me, drive by your local school and figure out where you're going to be able to take 25% out of their budget. There's another thing that is, that's coming along and that is about $150 million needed to fund the HOPE scholarship.

The whole point is you can't take these things in isolation. You know, how much money we got, that includes the $150 or whatever it is that we're going to need to fund the HOPE scholarship. So, it's kind of up to us what we're going to do. You know, we can, we can run and skip through the cornfields barefoot and, and give great big tax breaks. If we're going to do it, the plan over here is very simple. Be fair. Help the people who need the help. Help the people who have paid taxes their entire lives. This is a historic vote, and I agree with anybody who says that. It's a historic vote, but it can be the worst historic vote of our careers if we get it wrong. Now's the chance with this simple amendment to have the right people get the benefit of this tax break. Seventy-two percent of West Virginia taxpayers pay zero. Now that you can take back to your districts and make your voters very, very happy.

But when you have to start explaining why you decided to go with the governor's plan and you cut everything in half, and $4,000 all of a sudden became $2,000, and on lower income people say at $60,000 that $2,700 went down to $1,300, that's what you've got to explain. And, and to the new members, it's not fun to have to explain your votes. Never fun, because it's difficult.

So, in this case, you've got a rare opportunity. We all have a rare opportunity to cut income tax dramatically. It just needs to be done fairly, and that's in this amendment. Very simple. $80,000 income folks pay no tax, and anybody that makes less pays no tax. A powerful change in the way we do business. Now we'll have to deal with the ugly Halloween part of it later on, but again the two plans are not, not that, that far off. So, I would encourage all the members to vote yes on the amendment. We need to help the people that need to be helped. That's 72 percent of West Virginia. Thank you, Mr. Speaker.

House Bill 2014: Marshall University Airplane Crash

REMARKS
of
HON. SEAN HORNBUCKLE
January 20, 2023

DELEGATE HORNBUCKLE: Thank you, Mr. Speaker.

Colleagues arise today humbly with all of my delegates from the Huntington area, the Wayne area, all the other co-sponsors, and quite frankly all of you all. This tragedy was not just about football. It wasn't just about Huntington or Marshall University, but it was heard around the state.

During that tragedy, the whole country actually stopped and came together. It was arguably the largest tragedy and incident in NCAA history, and we want to make sure that we can honor all those that are fallen. I will tell you that I've spoken many a times at the plane crash memorial in Huntington, West Virginia on campus, and no matter how old, how young, where you come from, there's rarely ever a dry eye in the crowd, because it's just that moving.

But the underlying issue of that is also unity. Community coming together to pick up the pieces and trying to put something back together, trying to put greatness back together, and we've done that. And I think we should symbolize that in our great state.

And today, when we all light up this board green, I want us to remember all of those 75. I would like for us to remember James

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Adams, Mark Andrews, Mike Blake, Dennis Blevins, Willie Bluford, Larry Brown, Tom Brown, Roger Childers, Stuart Cottrell, Ricker Dartigan, David DeBoard, Kevin Gilmore, David Griffith, Arthur Harris Jr., Bob Harris, Bob Hill, Joe Hood, Tom Howard, Marcella Lauderman, Richard Leach, Barry Nash, Pat Norell, James Patterson, Scotty Reese, Jake Repassi, Larry Sanders, Al Sailor, Art Shannon, Ted Shoebridge, Alan Skeens, Jerry Standback, Donald Tackett, Bob Van Horn, Roger Vanover, Fred Wilson, John Young, Tom Zobro, Deke Brackett, Al Carelli Jr., Charles Cotts, Frank Loria, Gene Morehouse, Jim Moss, Jim Shore, Rick Tolley, Gary George, Dr. Ray Hagley, Shirley Hagley, Arthur L. Harris Sr., Dr. Brian O'Connor, Dr. H.D. Proctor, Courtney Proctor, Dr. Glenn Preston, Phyllis Preston, Dr. Joseph Chambers, Margaret Chambers, Michael Prostero, Emmett Heath, Elaine Heath, James Jarrell, Cynthia Jarrell, Merle Rolstein, Helen Rolstein, Parker Ward, Ken Jones, Jeff Nathan, Charles Arnold, Rachel Arnold, Donald Booth, Norman Wiseman, Frank Abbott, Jerry Smith, Charlene Pote, Patricia Vaught, and Danny Deese. Thank you all.

Com. Sub. for H. B. 3247

REMARKS
of
HON. DANIEL LINVILLE
February 24, 2023

DELEGATE LINVILLE: Thank you, Mr. Speaker.

Colleagues, I've explained the bill, but now I'd like to speak to it. If you'll recall, we had a report brought to us by the Department of Health and Human Resources. People would ask why we would need this bill.

We need this bill because we need to be able to sleep at night. Mr. Speaker, I'm going to take a page out of the gentlelady from the 81st's book. I'm going to read something, and I'm going to read every word into the record.

There's a new one, by the way, that was on everybody's desk yesterday. Behavioral health centers provide a continuum of services for the treatment of some of the most vulnerable individuals in our state who are at risk of or suffering from mental, behavioral, or addictive disorders. These facilities treat individuals who require a higher level of care than many other facility types, including one-on-one care and daily nursing care. In recent years, the number and severity of incidents and other issues related to care of the consumer have arisen, leading to a crisis level. Additional protections for the vulnerable populations served by behavioral health centers is needed to maintain their safety and, in some instances, their lives. Outlined within are samplings of incidents and other issues that have occurred and been discovered as a result of regulatory activity at behavioral health centers in West Virginia. This list is not exhaustive but representative. Facility and consumer names have been removed. Incidents.

A 19-year-old consumer consumed unsecured antifreeze and did not receive outside medical attention for upwards of 12 hours, after which he was life-flighted to Charleston. The consumer repeatedly notified staff that he was not feeling well and even told them that he drank the antifreeze. The consumer spent several days in the ICU and several additional weeks being hospitalized for recovery. The consumer needed dialysis as a result.

Greenbrier County. A consumer was repeatedly sprayed with a water hose outside of his residence and in full view of his neighbors as punishment for noncompliance of staff directives. A concerned neighbor filmed this severe abuse and contacted OFLAC out of concern for the consumer's well-being.

Marion County. A consumer who was a child with required supervision was able to obtain the keys to a facility-owned vehicle. He died in a fiery crash.

Kanawha County. Facility admitted a consumer who was a known child molester and had served time in prison for child molestation to a licensed residential site. The consumer molested a housemate shortly after admission due to staff's neglect to provide supervision consistent with his behavior plan, and he was arrested.

Greenbrier County. A nonverbal consumer was swaddled tightly in blankets with pillows and a heavy beanbag lying on and against her to restrict movement as the consumer tried desperately to free herself.

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Cabell County. One consumer had her shirt sleeves tied in a knot so that she could not use her hands. She was restrained 24 hours per day except in the shower. Surveyors watched this consumer attempt to eat dinner in this de facto mechanical restraint.

Kanawha County. The provider was renovating a consumer's bathroom. Supplies, including an open bag of cement tools, including a working drill and a saw, and other dangerous equipment was piled in the hallway right outside of the bedroom of multiple consumers and blocking the emergency exit. Construction was done for the week. However, supplies were left unattended and within reach of the consumers.

Wood County. A consumer was restrained on many occasions with heavy blankets piled on top of him, even covering his head. Multiple staff sat on him, even sleeping on top of him, for long periods of time while playing on their phones.

Kanawha County. A consumer was physically assaulted by staff. Staff was upset because the consumer was having a behavior on another staff, which happened to be the staff's wife.

Greenbrier County. Consumer overdose. I'd appreciate it if everyone was quiet and listened. Consumer overdosed on staff's medication, Subutex, and died. Hospital records confirmed the overdose.

Mineral County. Consumer sustained a third-degree burn and did not receive medical attention for upwards of six hours.

Greenbrier County. Another consumer suffered burns and was treated with mustard by direct care staff because they were unable to locate the first aid kit with burn cream. Consumer was not assessed by the registered nurse.

Mercer County. A consumer ingested a battery while she was on suicide protocol, resulting in the need for emergency surgery.

Greenbrier County. A consumer was not provided a shower for a period of months, only periodic bedside sink baths. Her hygiene was so poor that staff took it upon themselves to give her a tight military haircut to eradicate the problem of the matted hair and odor which resulted. An immediate jeopardy was identified nine months prior for failure to provide adaptive equipment, which was a shower chair.

Cabell County. Consumer sustained a fractured nose of unknown origin, and the provider neglected to follow its abuse and neglect policy to protect consumers pending the outcome of an investigation.

Cabell County. Consumer spent approximately two hours in a facility vehicle unsupervised, resulting in heat exhaustion and a body temperature of 104 degrees, for which he received no outside medical attention. Greenbrier County. A facility neglected to provide consumer with medical evaluation and follow-up for four days after he suffered physical abuse by his direct care staff.

Staff pulled the consumer's hair to pull his head back until his neck was extended, then poured his whole cup of honey-thickened liquids into his mouth quickly and did not give the consumer a chance to swallow.

Ohio County. Agencies are failing to train staff, often having staff just sign a sheet claiming they were trained. One instance of a facility training staff on a consumer's programs and safety protocols after the consumer had died.

Cabell County. Video surveillance footage revealed an unsupervised consumer brandishing large kitchen knife while walking and balancing himself on kitchen counters. Staff and management had been in the practice of hiding kitchen cutlery rather than locking it up, as required by program protocol.

Marion County. Consumer was administered by staff and overdosed on a different consumer's prescription medication for seizures.

Mercer County. Three staff withheld CPR from a consumer when required. The consumer died.

Ohio County. Staff and management repeatedly sleeping on duty at a time when they were assigned consumer care

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responsibilities and management repeatedly not acting when aware that staff were sleeping on duty.

Cabell County. Multiple decubitus ulcers not being reported and no internal investigations. Severity levels ranging up to stage four statewide. A staff withheld water from a consumer for several hours because he didn't want the consumer to urinate in her pants.

Cabell County. Consumer overdosed on digoxin. No assessment of the consumer or lab work completed after discovery of medication error to rule out digoxin toxicity and erythema grumius. I don't know how to say that.

Mercer County. Multiple choking incidents. A consumer choked and died as a result of being provided food that was contrary to her diet orders. OFLAC discovered that facility management attempted to conceal the facility's culpability by telling first responders, hospital staff, and state regulators that the consumer had choked on crayons in a first-time PICA-type behavior.

Cabell County. Multiple examples of unsupervised consumers eloping and being retrieved by law enforcement.

Kanawha, Cabell, and multiple other counties. Drug use by staff. One incident involved an overnight staff removing two consumers from their home in the middle of the night while in a paranoid state, leaving one low-functioning consumer alone on a dark country road and leaving the other consumer at the home of a person who was unaffiliated with the facility and untrained and unapproved to care for the consumer.

Greenbrier County. Multiple incidents of consumers not being provided required adaptive equipment. One man was required to urinate and defecate in a brief because he did not have a handicap-accessible bathroom and lacked sufficient staff to assist him while toileting. It was easier and cheaper for the facility staff to change his diaper than to provide the required staff and handicap accommodations.

Berkeley County. Consumer going for over a year needing dental extractions requiring pain medications.

Cabell County. Multiple examples of community storage of toileting and personal hygiene supplies. Examples, several consumers' toothbrushes, razors, etc. stored in the same box statewide. Multiple incidents of consumers living in deplorable conditions, including but not limited to no blankets, broken down mattresses and furniture, filth, roaches, and bed bugs and broken toilets.

Kanawha, Mercer, and Berkeley Counties: Chemical storage. Chemicals maintained in an unlocked condition and accessible to consumers. Multiple instances of consumers ingesting chemicals.

Greenbrier and Cabell Counties. Medication issues. LPNs giving medications outside the ordered time and then falsifying medication administration records. Extra medications found, generally given to reduce anxiety. And the facility unable to explain 30 extra pills.

Cabell and Upshur Counties, as well as similar issues statewide. Significant false documentation on medication administration records. Mercer and Upshur Counties, as well as similar issues in multiple counties. No medical evaluations conducted after discovery of improper distribution of medications.

Mercer and Berkeley Counties, as well as statewide. Facility could not produce physician orders for medications documented, “being withheld per physician orders”. Statewide. Numerous medications listed as medication not in home.

Mercer and Logan Counties, as well as statewide. No medication variance reports completed.

Upshur and Wood Counties, as well as statewide. No accountability for narcotics.

Upshur and Wood Counties. No record of missed medications.

Kanawha, Upshur, and Berkeley Counties, with similar issues statewide. Medications not administered in compliance with the physician's order and state law.

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Kanawha, Mercer, and Upshur Counties, with similar issues statewide. Drugs not stored under proper conditions of security. Wood and Berkeley Counties. Failure to secure medications. An example, medication combinations the same as other locks in the home and already preset with the combination so anyone could access.

Wood County. Failure to administer over 1,000 medications, including benzodiazepines and other crucial medications.

Mercer County. Physician orders not followed. Over 3,700 medications missed in a three-month period, which included critical medications. In that three-month period, one consumer did not receive 1,094 blood pressure doses of medications.

Kanawha County. One consumer missed 51 doses of Klonopin and 29 doses of mood stabilizer from November 2nd through November 15th of 2019 because she missed a doctor's appointment. Despite the pharmacy also calling and letting them know that it needed refills, she still did not get seen by a doctor until February 15th of 2020. The pharmacy gave her 15 pills in November, hoping they would get her to the doctor. The consumer had serious increases in behaviors. Overall, this consumer missed 873 doses of medications. In addition, there were 106 PEG tube feedings not given to her and no weights taken. The most current weight was 73 pounds from the hospital in January.

Kanawha County. Consumer was not given patch for nausea as prescribed. The patch should have been administered every 72 hours but went as long as 144 hours apart.

Kanawha County. Depo-Provera shot for birth control not given for a consumer on multiple occasions because the facility did not have it available. Then she received the wrong dosage.

Logan County. There are issues with physician's orders not being signed and dated.

Statewide. Pharmacy review indicated problems and still no follow-up from the facility.

Kanawha County. Blood pressures and pulses not taken prior to the administrative of antihypertensive medications.

Kanawha County and similar issues statewide. Elopement issues. Elopement protocols not implemented for the stated reason that the consumer was, and I quote, “too fat to elope”.

Wood County. Elopement consumers found by the police. This has occurred in several areas.

Cabell, Greenbrier, and Kanawha Counties. Multiple IJs for failing to follow consumer elopement protocols and for having monitoring systems that were absent or inadequate. Door alarms were not in working condition or not being activated.

Statewide. Abuse, neglect, and investigation issues. Multiple instances of failure to follow their own abuse and neglect policies designed to protect consumers from alleged perpetrators during the course of abuse and neglect investigations, including failure to remove perpetrators to protect consumers during investigations.

Statewide. Multiple occurrences of abuse and neglect not reported to OFLAC.

Statewide. Multiple occurrences of the provider failing to conduct required internal investigations for allegations of abuse and neglect.

Statewide. Incident tracking system did not accurately reflect critical incidents that occurred and were not being used to enhance care and service. Many critical incidents went undocumented.

Statewide. Provider lacked documented evidence of consumer care and supervision, i.e., sleep charts, progress note documentation, consumer caseload assignments. This is a normal occurrence.

Statewide. Provider could not produce documented evidence of completed investigations upon request of OFLAC surveyors.

Cabell and Kanawha Counties, and statewide. Consumer did not have abnormal

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involuntary movements completed per policy for consumers on medications for behaviors.

Kanawha County was similar issue statewide. Even after IJs were identified, the facility failed to effectively complete their immediate plan of correction. They pulled old training rather than providing additional training and instruction.

Kanawha County. Reporting of critical incidents to OFLAC not completed.

Statewide. Mr. Speaker, I won't beleaguer the point, but I would ask unanimous consent. Is there something funny? You should be ashamed of yourselves. I ask unanimous consent that this report, as I've read and that which I've not completed reading, be entered in the appendix of the journal. And I urge passage.

H. C. R. 44
U. S. Army PV2 Harold Richard Plumley

REMARKS
of
HON. BILL RIDENOUR
February 27, 2023

DELEGATE RIDENOUR: Mr. Speaker, I'd like to speak on the events surrounding Private Plumley's death at Outpost Harry during the Korean War. My best friend is writing several books on the last two years of the Korean War, the Outpost War. In a few months, I'll be editing his book on Outpost Harry. I've interviewed one of the officers in Private Plumlee's company. I'm thus very familiar with the battle and the unbelievable conditions that these men fought and died in.

Outpost Harry was a small hill with steep slopes in what is now the Demilitarized Zone in the northern end of the Kumwa Valley. It's about the size of the Capitol Building and was defended by five 180-man companies each night of the battle. Harry was lined with trenches at the top and had only a few narrow trails that led from the base to the top. Four U.S. companies and a company of the elite Greek Sparta battalion took turns defending Harry. Each was destroyed over the next eight days by massive Chinese Communist night attacks. The first night and the last for Private Plumlee on Earth was 10 June 1953.

Company K, 15th Infantry, had been told to hold at all costs. The Chinese were incredible infiltrators and despite excellent defenses under cover of a heavy mortar barrage, the Chinese burst into the trenches almost before Private Plumlee's company knew they were there. What followed was primeval warfare at its worst. Men fought with rifles, carbines, submachine guns, napalm, bayonets, shovels, helmets, rocks, clawing and beating the Chinese to death, and more came, wave after wave, thousands of them, the trenches filled with the dead and dying Chinese and American troops. Surviving Americans clambered on top of the bodies and killed more Chinese, surging to and over the trenches and bunkers. U.S. artillery and heavy mortars fired tens of thousands of rounds in desperate support of the incredible carnage. Chinese mortars and artillery fired thousands of rounds in return. Massive, constant explosions engulfed the outpost. Americans, in suicidal desperation, called artillery onto their own positions in the forlorn hope that more Chinese than Americans would be killed in the resulting bloodbath. But it did not stop the equally suicidal Chinese who just kept coming. A half a million U.S. artillery rounds would be fired during the eight-day battle. The Chinese fired 90,000 in return. This was about 100 rounds a minute every night. The din was deafening and constant. Shrapnel sliced through the air and bodies, alive and dead.

Private Plumley was killed in the early morning hours of 11 June during this savage hand-to-hand combat. On that morning, as the sun rose, the last surviving Chinese troops withdrew to positions where they could renew the attack. Only a dozen of the 180 Combat K soldiers had not been killed or badly wounded. Surviving Americans began throwing Chinese bodies, dead or wounded, out of the trenches, killing those still able to resist. This was war, not a high school prom. Reinforcements arrived and helped clear the Chinese dead and repair the defenses. Men could not step out of the trenches without stepping on bodies. Many men were missing, some probably hit by so many mortar rounds that they simply disintegrated into the morass of bodies.

At night, the Chinese returned, and the cycle of primordial combat renewed. Men shot, hacked, and beat each other to death for hours. Tanks blasted Chinese columns with direct cannon fire. Artillery and mortars

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engulfed the entire area. Another company was destroyed and replaced again and again. Within days, the bodies turned into an indescribable goo. After several days of decomposition, the blood and entrails made the paths leading to the rear slick with men slipping and sliding in the goo. The stench of decomposing bodies made it difficult to breathe, so men squirted insecticide up their nostrils to overcome the putrefying smells. Visiting hell would have been a relief. Why didn't the Americans withdraw? The main line of resistance was a few hundred yards to the south.

I've been within a dozen miles of Outpost Harry. In 1984, Kim Il-sung threatened to invade South Korea again. My unit, 4th Marines, was ordered from Okinawa to the only defensible train in the Chorwon Valley just to the west of the Kumwa Valley. I've traveled throughout the Chorwon and the Kumwa Valleys and know them from the DMZ where the valleys exit just northeast of the capital of Seoul. Our defenses there were nothing compared to Harry. We would have put up a good fight and we would have been annihilated. A speed bump on the road to Seoul. Once Harry was lost, the main line of resistance would be lost within days. And then the Chinese would advance down the Kumwa and Chorwon Valleys towards Seoul.

Losing Seoul again probably meant losing Korea. It possibly meant losing Japan, Taiwan, and the Philippines. If Harry and the outposts were lost, the world would see another world war that the world was already preparing to fight.

Harry was the key, and that's why these men had to fight and die. You can go home tonight and look at your kids and grandkids and know that the men, like Private Plumley, who died on that morning in June, are the reason that they are alive today. You can thank the men on the Jackson Heights, Old Baldy, Kelly, Little and Big Nori, Porkchop, Tom and Dick, Whitehorse, Triangle Hill, Boomerang, The Hook, Bunker Hill, and a dozen other tiny outposts who fought and died inside the gates of hell for the life you live today. To get a very mild view of what Harry was like, watch the old movie Porkchop Hill and the documentary on the battle at Outpost Harry, Hold at All Costs. Regarding the outpost war, I'm reminded of the epitaph of another forgotten battle that saved the world. To the war dead at the British Battle of Kohima Cemetery in Burma; "When you go home, tell them of us and say for your tomorrow, we gave our today." Thank you.

Com. Sub. for H. C. R. 2
U. S. Army Cpl. Billy F. Mann

REMARKS
of
HON. BILL RIDENOUR
February 23, 2023

DELEGATE RIDENOUR: Mr. Speaker, I'd like to take a few minutes and discuss Corporal Mann and what he and his brothers in arms did during the Battle of the Bulge. I'm not familiar with what schools now teach regarding the European theater during World War II, but I'll try to give people a very brief understanding of what Corporal Mann went through.

The Battle of the Bulge, or more accurately, the German Ardennes Offensive, was the largest battle in U.S. history and was the largest battle in Western Europe during World War II. Over a million men in nearly 30 U.S. divisions and 45 German divisions spent a month and a half in brutal combat in an area the size of West Virginia during the coldest winter in Europe in decades. Corporal Mann's 14th Tank Battalion was in the 9th Armored Division's Combat Command B. When the surprise German offensive engulfed the young kids in the front lines, Combat Command B and Corporal Mann rushed to the critical road junction of St. Vith to slow the German assault.

There they traded blood for time. For a few days in December 1944, St. Vith became the most valuable piece of property in the world, worth at least 10,000 men's lives. Fighting raged in and around the tiny town, with men shooting, bayoneting, or beating each other to death with rifle butts, helmets, rocks, anything that happened to be at hand. Men died or were maimed in hundreds of ways. As a tank commander, Corporal Mann's Sherman tank undoubtedly ambushed German tanks, including the feared King Tigers, as well as gunning down German infantry. The Sherman was poorly armed and armored.

Shooting most German panzers might damage them, but shooting a Tiger usually

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meant knocking on the gates of hell. German 88s would pierce a Sherman and often blow the turret off, cutting American tankers in half or decapitating them. Getting hit by a German Panzerfaust or Panzerschreck anti-tank rocket would usually kill or maim most of the crew, with high-velocity molten steel being thrown throughout the Sherman. Often the molten steel would catch the gasoline engine on fire. Only those already in the top hatches could escape. As the rest of the crew burned to death in a fiery steel coffin. I can only surmise, but that's how I believe Corporal Mann received the wounds he died of. His tank was probably engaged in one of the ferocious attacks or counterattacks around St. Vith. It was probably hit by a Panzerfaust.

As a tank commander, he would have been the sole survivor. He was probably ejected out of the top hatch and rolled off the side of the tank where infantrymen put out his flames. As the ammunition began exploding inside the tank, and as German infantrymen continued to try and kill him and anybody else that was with him. He probably lay in the snow and mud until the American troops beat back the German attack hours later and then was dragged through the snow to an aid station. He died of his wounds several months later. Corporal Mann was one of nearly 20,000 U.S. dead during the Battle of the Bulge.

Combat Command B became famous for its heroic but ultimately futile defense of St. Vith. (45:58) While Corporal Mann may have been wounded at St. Vith, (46:01) he could have been wounded at the equally brutal combat around Echternach or possibly further west. (46:08) There were many different places to die in Belgium.

(46:11) Let us pause to remember what Corporal Mann and those other dead died for. (46:18) Thank you, Mr. Speaker.

H. C. R. 25
U. S. Marine Corps, PFC John Louis "Johnny" Brumbaugh, Jr

REMARKS
of
HON. BILL RIDENOUR
February 23, 2023

DELEGATE RIDENOUR: Mr. Speaker, I'd like our fellow delegates to note that Private First Class Brumbaugh was killed after being in Vietnam for only 7 days.

His unit, 1st Battalion, 5th Marines, was defending an area south of Da Nang Air Base when he was killed in the vicious fighting of the first day of the North Vietnamese 1969 Tet Offensive. This was a year after the more famous 1968 offensive but was a continuation of that very difficult war. Thank you, Mr. Speaker.

H. C. R. 62
U.S. Army PFC Clayton Collins

REMARKS
of
HON. BILL RIDENOUR
March 4, 2023

DELEGATE RIDENOUR: Mr. Speaker, I would like to speak to H.T.R. 62 regarding Private 1st Class Clayton Collins.

Clayton Collins was inducted into the U.S. Army in 1964. He could have avoided service as he was married and had a 3-year-old son and a 1-year-old daughter. But he told his neighbors, "I must do my part."

PFC Collins left the U.S. on September 11, 1965, very early in the U.S. combat deployment to Vietnam. In late October, his unit, Troop C, 1st Squadron, 4th Cavalry, moved into War Zone D in the III Corps Sector northwest of Saigon, one of the areas of heaviest combat between the Viet Cong and South Vietnamese units on a primary invasion route into the Saigon metropolitan area. The North Vietnamese used this route throughout the war to try to take Saigon, using it for their final offensive in 1975 when they finally conquered the Republic of Vietnam.

PFC Collins was an armored reconnaissance specialist, and generally rode in the back of an M113 armored personnel carrier, a so-called battle taxi, that took the infantry into the fight and then provided machine gun support during combat. The first major combat between U.S. Marine units and the Viet Cong occurred earlier in August, Operation Starlight in northern South Vietnam. North Vietnamese units were infiltrating south along the Ho Chi Minh Trail

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through neutrals Laos and Cambodia to eventually prepare for operations against Saigon.

Viet Cong units had established major base areas in War Zone D, posing a threat to the critical Bien Hoa Air Base, and also served as a covering force for arriving North Vietnamese units. The U.S. 173rd Airborne Brigade, with several armored units, prepared to launch Operation Hump on November 5th to clear out these Viet Cong base areas. I believe that PFC Collins' M113 was moving in support of the preparations for Operation Hump when it was hit by a mine and he was killed on November 5th, the first day of the operation.

Specialist 5 Walter William Brown from Waukegan, Illinois, was also killed at the same time. It's very likely most of the rest of his 11-man squad was wounded in that attack. In one of my previous missions, I had to watch dozens of al-Qaeda in Iraq videos of bombings of U.S. and Iraqi Army vehicles. Those are gut-wrenching videos to watch. The level of destruction of those vehicles as they're hit is indescribable. What happens to the men inside is almost impossible to imagine. The effect on a human body inside an M113 hit by an anti-tank mine is something awful to describe. The M113 was probably penetrated, if not split in half, and you can imagine what would happen to the men inside.

Operation Hump was successful, and the Viet Cong units in the area were largely destroyed, with remnants pushed back towards the Cambodian border, but at the cost of 51 American and Australian lives and between 400 and 700 Viet Cong dead.

Hump was a major operation, but it was overshadowed a few days later by the Battle of Ia Drang, the larger Battle of Ia Drang, which some of you may remember from the movie We Were Soldiers. I've seen a picture of PFC Collins. He was smiling and looked like many of the young men I served with when I was in the Marine Corps. I'm certain he was a great son, husband, and father to the children for the short time he was with them. I've spent much of my life studying the war in Vietnam and Southeast Asia for various reasons. I know why we were there.

My wife is from Thailand. I know the reason she is alive and that my three sons, my daughter-in-law, and my grandchild are alive is because of the selfless sacrifice of men like PFC Clayton Collins and the family he left behind so that he could serve our country and the people of West Virginia. Thank you, Mr. Speaker.