

JOURNAL of THE SENATE State of West Virginia

EIGHTY-SEVENTH LEGISLATURE

Regular Sixty-Day Session, 2025

VOLUME I



NOTE: The first volume of this three-volume Official Senate Journal starts with proceedings proper of the First Regular Session of the Eighty-Seventh Legislature from January 8, 2025, to March 28, 2025, ending with page 1104 of the Regular Session.

The Index of the Official Journal is shown in Volume III.

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EIGHTY-SEVENTH LEGISLATURE

Regular Sixty-Day Session, 2025



NOTE: The First Regular Session of the Eighty-Seventh Legislature convened on January 8, 2025, and, pursuant to section eighteen, article six of the Constitution of the State of West Virginia, adjourned until February 12, 2025. Reconvening on February 12, pursuant to the adjournment, the constitutional sixty-day session concluded with final adjournment at 11:56 p.m., April 12, 2025.

This session 2,466 bills were introduced in the two houses.

Members of the Senate, officers, and standing committee membership lists precede the Official Regular Session Journal and are shown hereinafter.

PUBLISHED UNDER THE DIRECTION OF
LEE CASSIS, *Senate Clerk*

STAFF

Kristin Jones, *Assistant Clerk*

Lori Nichols, *Journal Clerk*

Xris Hess, *Bill History Clerk*

SENATE OF WEST VIRGINIA MEMBERS, OFFICERS, AND STANDING COMMITTEES

REGULAR SESSION, 2025

OFFICERS

President: Randy E. Smith, (R), Terra Alta

President pro Tempore: Donna J. Boley, (R), St. Marys

Clerk: Lee Cassis, Charleston

Sergeant at Arms: H. Stephen Walker, Charleston

Doorkeeper: Ralph Coleman, Charleston

District	Name	Address
First	Laura Wakim Chapman, (R)	Wheeling
	*Ryan W. Weld, (R)	Wellsburg
Second	Charles H. Clements, (R)	New Martinsville
	*Christopher A. Rose, (R)	Maidsville
Third	Michael T. Azinger, (R)	Vienna
	*Donna J. Boley, (R)	St. Marys
Fourth	*Amy N. Grady, (R)	Leon
	Eric J. Tarr, (R)	Scott Depot
Fifth	*Scott Fuller, (R)	Kenova
	Michael A. Woelfel, (D)	Huntington
Sixth	*Craig A. Hart, (R)	Lenore
	Mark R. Maynard, (R)	Wayne
Seventh	*Rupie Phillips, (R)	Lorado
	Mike Stuart, (R)	South Charleston
Eighth	² T. Kevan Bartlett, (R)	Sissonville
	*Glenn D. Jeffries, (R)	Red House
Ninth	*Brian Helton, (R)	Mount Hope
	Rollan A. Roberts, (R)	Beaver
Tenth	Vince S. Deeds, (R)	Renick
	*Jack David Woodrum, (R)	Hinton
Eleventh	Bill Hamilton, (R)	Buckhannon
	*Robert Morris, Jr., (R)	Elkins
Twelfth	*Patrick S. Martin, (R)	Jane Lew
	Ben Queen, (R)	Bridgeport
Thirteenth	*Joey Garcia, (D)	Fairmont
	Michael A. Oliverio II, (R)	Morgantown
Fourteenth	*Randy E. Smith, (R)	Terra Alta
	Jay Taylor, (R)	Grafton
Fifteenth	¹ Darren J. Thorne, (R)	Romney
	*Tom Willis, (R)	Martinsburg
Sixteenth	Jason Barrett, (R)	Martinsburg
	*Patricia Puertas Rucker, (R)	Harpers Ferry
Seventeenth	³ Anne B. Charnock, (R)	Charleston
	Tom Takubo, (R)	Charleston

*Elected in 2024 to full four-year term.

¹Appointed December 20, 2024, to unexpired term of Charles S. Trump IV, who resigned December 10, 2024.

²Appointed January 30, 2025, to unexpired term of Mark Hunt, who resigned January 13, 2025.

³Appointed February 3, 2025, to unexpired term of Eric Nelson, Jr., who resigned January 15, 2025.

Democrats	2
Republicans	<u>32</u>
Total	34

STANDING AND SELECT COMMITTEES OF THE SENATE

2025

AGRICULTURE

Senators Hart (*Chair*), Thorne (*Vice Chair*), Deeds, Hamilton, Queen, Rose, Rucker, Tarr, and Woelfel.

BANKING AND INSURANCE

Senators Azinger (*Chair*), Morris (*Vice Chair*), Barrett, Boley, Chapman, Charnock, Fuller, Oliverio, and Garcia.

CONFIRMATIONS

Senators Boley (*Chair*), Charnock (*Vice Chair*), Azinger, Barrett, Rose, Taylor, Weld, and Woelfel.

ECONOMIC DEVELOPMENT

Senators Jeffries (*Chair*), Morris (*Vice Chair*), Barrett, Boley, Charnock, Clements, Hamilton, Hart, Helton, Oliverio, Phillips, Thorne, Weld, Woodrum, and Woelfel.

EDUCATION

Senators Grady (*Chair*), Clements (*Vice Chair*), Azinger, Bartlett, Boley, Deeds, Fuller, Hart, Morris, Oliverio, Roberts, Stuart, Tarr, Taylor, and Garcia.

ENERGY, INDUSTRY, AND MINING

Senators Rose (*Chair*), Queen (*Vice Chair*), Azinger, Boley, Charnock, Fuller, Hart, Helton, Jeffries, Phillips, Stuart, Taylor, and Garcia.

ENROLLED BILLS

Senators Woodrum (*Chair*), Fuller (*Vice Chair*), Jeffries, Maynard, Roberts, and Woelfel.

SENATE COMMITTEES

FINANCE

Senators Barrett (*Chair*), Roberts (*Vice Chair*), Boley, Clements, Grady, Jeffries, Hamilton, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Takubo, Thorne, Woodrum, and Woelfel.

GOVERNMENT ORGANIZATION

Senators Rucker (*Chair*), Woodrum (*Vice Chair*), Barrett, Chapman, Charnock, Hamilton, Helton, Jeffries, Maynard, Phillips, Rose, Thorne, Willis, and Woelfel.

HEALTH AND HUMAN RESOURCES

Senators Chapman (*Chair*), Deeds (*Vice Chair*), Azinger, Bartlett, Grady, Martin, Maynard, Queen, Roberts, Rose, Rucker, Takubo, Taylor, Willis, and Garcia.

INTERSTATE COOPERATION

Senators Oliverio (*Chair*), Helton (*Vice Chair*), Bartlett, Queen, Taylor, Willis, and Garcia.

JUDICIARY

Senators Stuart (*Chair*), Willis (*Vice Chair*), Azinger, Bartlett, Chapman, Charnock, Deeds, Fuller, Hart, Helton, Martin, Rose, Rucker, Tarr, Taylor, Weld, and Garcia.

MILITARY

Senators Weld (*Chair*), Fuller (*Vice Chair*), Bartlett, Clements, Deeds, Grady, Tarr, Taylor, Willis, and Woelfel.

NATURAL RESOURCES

Senators Hamilton (*Chair*), Deeds (*Vice Chair*), Hart, Jeffries, Morris, Queen, Rose, Tarr, Woodrum, and Garcia.

PENSIONS

Senators Oliverio (*Chair*), Bartlett (*Vice Chair*), Barrett, Clements, Hamilton, Takubo, Tarr, Thorne, Willis, and Woelfel.

SENATE COMMITTEES

RULES

Senators Smith (*Chair*), Martin (*Vice Chair*), Barrett, Boley, Chapman, Grady, Maynard, Rucker, Stuart, Taylor, and Woelfel.

TRANSPORTATION AND INFRASTRUCTURE

Senators Maynard (*Chair*), Taylor (*Vice Chair*), Clements, Hart, Helton, Jeffries, Morris, Oliverio, Rucker, Stuart, and Garcia.

WORKFORCE

Senators Roberts (*Chair*), Woodrum (*Vice Chair*), Deeds, Fuller, Hamilton, Queen, Rose, Tarr, Thorne, Weld, and Woelfel.

SELECT COMMITTEE ON SUBSTANCE USE DISORDER AND MENTAL HEALTH

Senators Helton (*Chair*), Fuller (*Vice Chair*), Deeds, Takubo, Tarr, Weld, and Woelfel.

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE
REGULAR SESSION, 2025

WEDNESDAY, JANUARY 8, 2025

Pursuant to section eighteen, article six of the Constitution of the State of West Virginia, which prescribes that the Legislature shall convene annually on the second Wednesday in January, the Legislature assembled in the state capitol in the City of Charleston on this the eighth day of January, 2025, for the first annual session of the eighty-seventh Legislature.

The Senate met in its chamber at 12 Noon.

Pending organization of the Senate by the election of a President, under the provisions of section twenty-four, article six of the Constitution, the Senate was called to order by the Honorable Donna J. Boley, a senator from the third senatorial district, being the oldest member present in point of continuous service.

Prayer was offered by Bishop Joe Thomas, Nondenominational Fellowship Pentecostal Ministries, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Ryan W. Weld, a senator from the first district.

The following communication was reported by the Clerk:

The Senate of West Virginia
Charleston

CHARLES S. TRUMP, IV
CHAIR
COMMITTEE ON THE JUDICIARY



STATE CAPITOL, ROOM W-210
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7980

December 10, 2024

The Honorable Craig P. Blair,
President of the West Virginia Senate
Room 229M, Building 1
State Capitol Complex
1900 Kanawha Boulevard, East
Charleston, WV 25305

Re: Resignation of Charles S. Trump IV from the West Virginia Senate

Dear President Blair:

I hereby resign as a member of the West Virginia Senate, effective 4:15 p.m. today.

It has been the great honor and privilege of my life to serve with you and our colleagues in the Senate over these last ten years. I have loved every minute of our work together for the citizens of West Virginia. I leave with a full heart, knowing that that under the continued leadership of the Senate, West Virginia has a bright future ahead. I thank you and all of our fellow senators, as well as the remarkable staff of the Senate, for the friendship and many kindnesses that have always been extended to me by everyone. All of you are a perfect reflection of the fundamental goodness of the people of West Virginia. I love you all.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles S. Trump IV", with a stylized flourish at the end.

Charles S. Trump IV

cc: The Honorable Jim Justice, Governor
The Honorable Lee Cassis, Clerk
Chairman Matt Herridge, WV GOP

CST/bdd

CHARLES.TRUMP@WVSENATE.GOV

Executive Communications

The following communication from His Excellency, the Governor, was reported by the Clerk:



Jim Justice
Governor of West Virginia

December 20, 2024

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 the Honorable Darren Thorne, Romney, Hampshire County, as a Senator representing the Fifteenth Senatorial District, to fill the vacancy created by the resignation of the Honorable Charles Trump from this day through the remainder of the unexpired term of said office.

Sincerely,

A handwritten signature in blue ink, reading "Jim Justice".

Jim Justice
Governor

cc: President of the Senate
Speaker of the House
Clerk of the Senate
Clerk of the House of Delegates
West Virginia Ethics Commission

The several oaths of office prescribed by the Constitution were administered by the Honorable Charles S. Trump IV, Justice of the Supreme Court of Appeals of West Virginia, to Darren J. Thorne, of the County of Hampshire, on January 3, 2025.

The Honorable Mac Warner, Secretary of State, appeared at the bar of the Senate and presented the official returns of the election held on the fifth day of November, 2024, for members of the Senate for the State of West Virginia.

**CANDIDATES FOR STATE SENATOR
FOR THE STATE OF WEST VIRGINIA
APPEARING TO HAVE BEEN ELECTED**

NOVEMBER 5, 2024

First Senatorial District: Ryan W. Weld, of the County of Brooke;

Second Senatorial District: Christopher A. Rose, of the County of Monongalia;

Third Senatorial District: Donna J. Boley, of the County of Pleasants;

Fourth Senatorial District: Amy N. Grady, of the County of Mason;

Fifth Senatorial District: Scott Fuller, of the County of Wayne;

Sixth Senatorial District: Craig A. Hart, of the County of Mingo;

Seventh Senatorial District: Rupie Phillips, of the County of Logan;

Eighth Senatorial District: Glenn D. Jeffries, of the County of Putnam;

Ninth Senatorial District: Brian Helton, of the County of Fayette;

Tenth Senatorial District: Jack David Woodrum, of the County of Summers;

Eleventh Senatorial District: Robert Morris, Jr., of the County of Randolph;

Twelfth Senatorial District: Patrick S. Martin, of the County of Lewis;

Thirteenth Senatorial District: Joey Garcia, of the County of Marion;

Fourteenth Senatorial District: Randy E. Smith, of the County of Preston;

Fifteenth Senatorial District: Tom Willis, of the County of Berkeley;

Sixteenth Senatorial District: Patricia Puertas Rucker, of the County of Jefferson;

Seventeenth Senatorial District: Eric Nelson, Jr., of the County of Kanawha.

From the foregoing official returns of the election of members of the Senate, it appears that the persons therein named were elected to the Senate at the election held on the Tuesday next after the first Monday in November, 2024.

Whereupon,

On the call of the roll of the Senate, the following members and members-elect answered to their names:

Azinger, Barrett, Boley, Chapman, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Hunt, Jeffries, Martin, Maynard, Morris, Nelson, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Smith, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Woodrum.

Thirty-four present and prospective members having answered to their names, the Chair declared the presence of a quorum.

The following members-elect came forward to the Clerk's desk, taking and subscribing to the several oaths of office prescribed by the Constitution, which oaths were administered by the Honorable Tim Armstead, Justice of the Supreme Court of Appeals of West Virginia: Ryan W. Weld, of the County of Brooke; Christopher A. Rose, of the County of Monongalia; Donna J. Boley, of the County of Pleasants; Amy N. Grady, of the County of Mason; Scott Fuller, of the County of Wayne; Craig A. Hart, of the County of Mingo; Rupie Phillips, of the County of Logan; Glenn D. Jeffries, of the County of Putnam; Brian Helton, of the County of Fayette; Jack David Woodrum, of the County of Summers; Robert Morris, Jr., of the County of Randolph; Patrick S. Martin, of the County of Lewis; Joey Garcia, of the County of Marion; Randy E. Smith, of the County of Preston; Tom Willis, of the County of Berkeley; Patricia Puertas Rucker, of the County of Jefferson; and Eric Nelson, Jr., of the County of Kanawha.

The Senate then proceeded to its biennial organization.

The first order of business in the organization of the Senate being the election of a President,

For that office, Senator Martin nominated the Honorable Randy E. Smith, of the County of Preston; seconded by Senator Roberts.

On motion of Senator Woelfel, nominations for the office of President were closed and Senator Smith was elected President of the Senate by acclamation.

Whereupon, the Chair appointed Senators Martin, Taylor, and Woelfel a committee to escort the President-elect to the Chair.

A standing ovation was then accorded the President-elect, as he proceeded to the rostrum accompanied by the foregoing select committee.

Whereupon, Senator Smith qualified as President, by taking the several oaths of office prescribed by law and administered by the Honorable Tim Armstead, Justice of the Supreme Court of Appeals of West Virginia.

Senator Smith (Mr. President) assumed the Chair and addressed the Senate as follows:

MR. PRESIDENT: I don't know what to say. Those of you that know me, very seldom am I without words. But I'm just so overwhelmed today with the love and support that each of you have shown me, and especially my family, and the people in the gallery that's here to It's just I've never had a more humbling experience than I've had today.

You know, I'm a coal miner. Well, I used to be. But coal miners always used to tell guys, "Coal miners don't cry." And I'm going to have to tell you I guess I'm not a coal miner anymore because I've cried quite a bit today with just being overwhelmed with joy and, you know

First thing I want to say is God is good. I mean, without God I wouldn't be standing here right now, you know. And I'll be the first one to, you know, announce that, you know, Jesus Christ is my Lord and savior and without him I wouldn't be standing here before you today.

And I love each and every one of the colleagues, you know, that's put your trust in me and I'll try my best to never let you down. You know, I'll promise you, I'll, you know, I'll never lie to you and, you know, the Senate will be a body of integrity, and, you know

I look back . . . my political career I've had . . . I've thought about it a lot last night and today and . . . how did I get here? And I believe first of all God put me here. If it wouldn't be for God I wouldn't be here. I'm smart enough to know that.

And the reason I'm standing here before you today is because when I first originally got into politics I got into politics because of my family that's sitting back there. Now, mind you, there wasn't near as many of them back then, you know, because they took the verse out of the Bible be fruitful and multiply . . . they took it seriously. And, you know, I want to . . . my whole family's here today but my next to the oldest granddaughter, Gracie, who is in

the hospital with our new great-granddaughter who was born on Monday and she was the one that was always down here with me any chance she got, so . . . But, I know she's watching and I just want to tell Gracie hi and God bless her. But, my family, I wanted to make a difference in the State of West Virginia, make it a place where my family could get jobs and wanted to stay here and live here because my biggest fear as a parent and grandparent is my family having to move away from this great state that we live in—because we do, we live in the greatest state. We have freedom, you know, and we, you know, have the love for each other and neighbors and it's just a . . . there's not a greater state than the State of West Virginia. And the reason I'm standing here before you today is because I honestly believe that. And I'm going to do anything and everything humanly possible to move this state forward so not just my family wants to stay here, but your family wants to stay here and is able to stay here, and the people in the gallery. You know, we want to keep West Virginians home. You know, for so many years they had to leave to find employment or, you know, a better life. And we've made great, great strides in the last 10 – 12 years, 10 years. And, you know, I think we're finally seeing the fruits of our labor. But it's just the start. We're nowhere near done for what we can accomplish and what we will accomplish working together.

And I just, again, I want to thank each and every one of you for, you know, believing in me, and my family for letting me do this. You know, as you can probably tell we're a pretty close family. I'm a very family-oriented person. You know, my love for God, and family, and friends is unwavered and I continue to do that.

And, I'm just . . . I can't express how humble I am to be standing here today and, you know, and I couldn't have done it without the people sitting in this chamber. And I just want to give you my thanks and appreciation. And I hope moving forward that, you know . . . we don't always agree on everything, we don't always . . . You know, I always joke that my wife and I have been married for almost 47 years and we still don't agree. So, we're going to have our disagreements but when you, you know, when you love someone you work them out. And I can tell you I love each and

every one of you and, you know, we're going to hit bumps in the road and anybody that's been in politics long enough, you know . . . I mean I've survived 12 last days of session so I'm pretty . . . I'm pretty tough, you know. And I've got thick skin, you know.

And it's a pleasure to be the face of the Senate. And you will always have my support. And, like I said, I'll guarantee you I'll be fair to each and every one of you and anyone in the capital that comes, you know. There will not be any, you know, special interests coming from me. Everyone, including, you know, from the lobbyists, to the senators, to staff, will be treated fairly and honestly.

And I want to speak on the staff. We've got . . . the staff we have here is just unbelievable. And I've always known that since I got here but I can tell you in the last two or three weeks I've seen just how great our staff is. Every one of us could walk out of here today and this staff could run the place. You know, we have to come up with the ideas and the decisions but this staff is just unbelievable. You know, I've got to know each and every one of the staff members over the years and love each and every one of them like family. And, you know, the staff, you will be treated like gold because you're worth your weight in gold to me. And I appreciate that. And Jake, our Parliamentarian, you got your work cut out for you. I think everybody knows that.

But, you know, what you see is what you get. I'm nothing fancy. I'm not going to change. I haven't changed in 12 years and I'm not going to change in the next two years or four years, whatever God blesses me with.

So, you know, my office is always open to each and every one of you and even, you know . . . This is the people's house. We've got to remember we're the servants of the people and this is the people's house and it will be the people's house. And I encourage each and every one of you to get a good relationship with all your people that you represent and represent them well. You know, I just ask that you vote with your heart, your conscience, and what is right. I don't expect anything special from anyone, just to be honest

and fair and just represent the people of West Virginia as we was elected to do.

And with that being said, again, I thank you. And I'm very humbled to stand before you today. And God bless each one of you and I love you.

Thank you.

At the request of Senator Martin, and by unanimous consent, the foregoing acceptance remarks by Senator Smith (Mr. President) were ordered extended in the Journal.

The next order of business being the election of a Clerk,

For that office, Senator Weld nominated the Honorable Lee Cassis, of the County of Kanawha; seconded by Senator Takubo.

On motions of Senator Woelfel, severally made, nominations were closed and the President was authorized to cast the unanimous vote of the Senate for the election of Mr. Cassis.

The President then announced the vote and declared that Mr. Cassis, having received all the votes cast, had been unanimously reelected Clerk of the Senate.

Whereupon, Mr. Cassis qualified as Clerk, by taking the several oaths of office prescribed by law and administered by the Honorable Tim Armstead, Justice of the Supreme Court of Appeals of West Virginia.

The next order of business being the election of a Sergeant at Arms,

For that office, Senator Clements nominated the Honorable David Lavender, of the County of Putnam; seconded by Senator Hamilton.

On motions of Senator Woelfel, severally made, nominations were closed and the President was authorized to cast the unanimous vote of the Senate for the election of Mr. Lavender.

The President then announced the vote and declared that Mr. Lavender, having received all the votes cast, had been unanimously reelected Sergeant at Arms of the Senate.

Whereupon, Mr. Lavender qualified as Sergeant at Arms, by taking the several oaths of office prescribed by law and administered by the Honorable Tim Armstead, Justice of the Supreme Court of Appeals of West Virginia.

The last order of business in the biennial organization of the Senate being the election of a Doorkeeper,

For that office, Senator Grady nominated the Honorable Jeffrey L. Branham, of the County of Kanawha; seconded by Senator Jeffries.

On motions of Senator Woelfel, severally made, nominations were closed and the President was authorized to cast the unanimous vote of the Senate for the election of Mr. Branham.

The President then announced the vote and declared that Mr. Branham, having received all the votes cast, had been unanimously reelected Doorkeeper of the Senate.

Whereupon, Mr. Branham qualified as Doorkeeper, by taking the several oaths of office prescribed by law and administered by the Honorable Tim Armstead, Justice of the Supreme Court of Appeals of West Virginia.

With the completion of organization of the Senate, by the election of officers for the eighty-seventh Legislature,

At the request of Senator Martin, unanimous consent being granted, the Clerk was authorized to notify the House of Delegates and Governor that the Senate has assembled, with a quorum present, and organized by the election of officers as required by the Constitution and is ready to proceed with the business of this session.

The first organizing resolution was then offered, Senator Martin submitting the following:

Senate Resolution 1—Adopting rules of the Senate.

Resolved by the Senate:

That the rules of the Senate be adopted as follows and shall govern the proceedings of the Senate during the eighty-seventh Legislature, subject to amendment as provided in the rules:

RULES OF THE SENATE

QUORUM

1. A majority of the members elected to the Senate shall constitute a quorum and a quorum shall be necessary to proceed to business, but two members may adjourn, and three members may order a call of the Senate, send for absentees and make any order for their censure or discharge. On a call of the Senate, the doors shall not be closed against any member until his or her name shall have been twice called.

2. In case a less number than a quorum of the Senate shall convene, the members present are hereby authorized to send the Sergeant at Arms, or any other person or persons by them authorized, for any and all absent members as the majority of such members shall agree, at the expense of such absent members, respectively, unless such excuse for nonattendance shall be made as the Senate, when a quorum is convened, shall judge sufficient; and, in that case, the expense shall be paid out of the contingent fund of the Senate. This rule shall apply, as well to the first meeting of the Senate at the legal time of meeting, as to each day of the session, after the hour has arrived to which the Senate stood adjourned.

OFFICERS

3. The Senate, at the commencement of each new Legislature, shall elect as its officers a President, Clerk, Sergeant at Arms and Doorkeeper. If at any time the President is obligated to act as Governor pursuant to Article VII, Section 16 of the Constitution of West Virginia, the Senate shall immediately elect one of its

remaining members to serve as Acting President. The Acting President shall act and serve at all times when the duly elected President is acting as Governor and shall perform all of the duties of the office of Senate President without limitation, including any duties imposed by the Constitution of West Virginia, any statute, the Senate Rules and any adopted Joint Rules of the Senate and House of Delegates, and he or she shall receive the compensation and expenses of the President of the Senate as provided in article two-a, chapter four of the Code of West Virginia. The Acting President shall not be in the line of succession to act as Governor under the provisions of Article VII, Section 16 of the Constitution of West Virginia. The majority vote of all the members elected to the Senate shall be necessary for the election of these officers and the vote shall be by voice vote and be recorded in the Journal.

4. The President of the Senate or Acting President shall appoint a President *pro Tempore*, who, during the absence of the President or Acting President, if any, shall preside and perform all the duties of the President.

5. The presiding officer may call a member to the chair who shall perform the duties of the chair until the presiding officer returns to the chair, but no member by virtue of such appointment shall preside for a longer period than three consecutive legislative days.

6. The Clerk of the Senate shall not allow any records or papers to be taken from the table or out of his or her custody except by a chair of a committee to which they may have been referred and then only upon a proper receipt therefor and except as required by these rules or by the Joint Rules of the Senate and House of Delegates.

ORDER OF BUSINESS AND PROCEDURE

7. The order of business of the Senate shall be:

1. To read, correct and approve the Journal.
2. Introduction of guests.

3. To dispose of communications from the House of Delegates and the Executive.
4. To receive reports from standing committees.
5. To receive reports from select committees.
6. To receive bills, resolutions, motions and petitions.
7. To act upon unfinished business of the preceding day and resolutions lying over from the previous day, and no resolution shall lose its place on the calendar by not being acted upon on the day following that on which it was offered.
8. Senate and House bills and joint resolutions on third reading.
9. Senate and House bills and joint resolutions on second reading.
10. Senate and House bills and joint resolutions on first reading.
11. Introduction of guests.
12. Remarks by members of the Senate.
13. Miscellaneous business.

8. Every member desiring to speak shall stand in his or her own place, address the presiding officer and, upon being recognized, shall proceed, confining oneself to the question under debate, avoiding all indecorous or disrespectful language. The presiding officer may recognize the member by name; but no member in debate or remarks shall designate another by name.

9. Any member may call for a division of any question before the vote thereon is taken, if it comprehend propositions so distinct in substance that, one being taken away, a substantive proposition will remain for the decision of the Senate, but the member calling

for the division of a question shall state in what manner it shall be divided. A motion to strike out and insert is not divisible.

10. The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition and shall not prevent a subsequent motion to simply strike out. The rejection of a motion simply to strike out shall not prevent a subsequent motion to strike out and insert.

11. No question shall be debated until it has been propounded by the presiding officer. The presiding officer, after calling a member to assume the chair, the mover of the question, the chair of the committee that reported the matter or the sponsor of the bill or resolution, in that order of preference, shall have the right to explain his or her views in preference to any other member.

12. No member shall speak more than twice upon the same question without leave of the Senate or more than once until every member choosing to speak shall have spoken, except that the mover of the question shall have the right to close the debate thereon.

13. While the presiding officer is putting the question, any member who has not spoken before to the matter may speak to the question before the negative is put.

BILLS AND RESOLUTIONS

14. No Senate bill, other than a Senate supplementary appropriation bill, and no Senate joint resolution shall be introduced in the Senate after the forty-first day of a regular session unless permission to introduce the bill or the joint resolution be given by a Senate resolution, setting out the title to the bill or the joint resolution and adopted by two-thirds vote of the members present. When permission is requested to introduce a bill or joint resolution under the provisions of this rule, duplicate copies of the bill or the joint resolution shall accompany the resolution when introduced and all such bills or joint resolutions shall be filed electronically with the Clerk's office.

Standing and select committees of the Senate may originate a bill or joint resolution and report the same after the forty-first day.

No Senate concurrent resolution requesting the naming of transportation infrastructure shall be introduced from the floor at any time or introduced in the Senate after the forty-first day. No concurrent resolution requesting the naming of transportation infrastructure may be adopted by the Senate after the fifty-fifth day.

The forty-first day of the regular session held in the year one thousand nine hundred seventy-seven and every fourth year thereafter shall be computed from and include the second Wednesday of February of such years.

15. Each bill or resolution for introduction shall be presented in duplicate and electronically, bearing the name of the member or members by whom it is to be introduced, and shall be filed with the Clerk not later than twelve o'clock noon on the legislative day next preceding its introduction: *Provided*, That the pre-filing requirement shall not apply to the first day of any session of the Legislature. A bill may be introduced by request. All bills introduced by request shall bear the words "By Request", following the designation of the name or names of the bill sponsor or sponsors.

The Clerk shall designate one copy of a bill or resolution the official copy and it shall constitute the official bill or resolution for use of committees and for the permanent files of the Senate. One copy shall be used for printing.

Each bill or resolution shall be numbered, edited and corrected as to form by the Clerk and reported by the Clerk to the Senate on the next legislative day, under the sixth order of business. In case of urgency, on motion for leave agreed to by a majority of the members present, a member may introduce a bill or resolution from the floor.

Any ~~member who is a co-sponsor~~ sponsor, other than the original lead sponsor, of a bill or resolution may be removed as a

sponsor of the bill or resolution by submitting a request to the Clerk prior to the bill being enrolled or the resolution being adopted.

Any member may be added as a co-sponsor of a bill or resolution by submitting a request to the Clerk prior to the bill or resolution being reported from the last committee to which it was referred.

The electronic version of a bill or resolution shall be changed to include the addition or removal of a sponsor, but the addition or removal of a sponsor shall only be included in a printed version if a subsequent printing is otherwise required.

15a. Prior to any committee reporting a bill to the floor, any bill which either increases or decreases the revenue or fiscal liability of the State or any county, municipality or other subdivision of the State or in any manner changes or modifies any existing tax or rate of taxation, such bill shall have attached thereto a fiscal note, if available.

It shall be the responsibility of the legislator introducing a bill to obtain such note when required, which shall conform to the requirements as to form and content as prescribed by the Clerk.

The jackets of all measures with fiscal notes attached or requiring such notes shall have the words "Fiscal Note" or the initials "FN" clearly stamped or endorsed thereon.

15b. Upon the introduction of any legislation which has a potential impact on the state's economy, the presiding officer may request from any institution under the authority of the West Virginia Higher Education Policy Commission, including, but not limited to, West Virginia University and Marshall University, a review of the proposed legislation for purposes of preparing a "Jobs and Wages Impact Statement". Any such statement shall be based on generally accepted methodology and shall conform to the requirements as to form and content as prescribed by the Clerk: *Provided*, That the Clerk shall prescribe that all Jobs and Wages Impact Statements shall include an analysis of both the jobs that are projected to be gained or lost if the legislation is adopted and

any wage impact associated with the projected job changes, including wage increases or decreases in existing jobs, wages of jobs lost, wages of new jobs and the net impact on wages.

The phrase "Jobs and Wages Impact Statement" or the initials "JWS" must be clearly stamped or endorsed on the jackets of all bills that have statements attached to them. No act is void or voidable if it does not contain a "Jobs and Wages Impact Statement" even when requested.

16. All concurrent and simple resolutions when introduced shall lie on the table at least one day, and then be referred to the appropriate committee unless the Senate directs otherwise by majority vote of the members present.

It is hereby declared to be the policy of the Senate that concurrent resolutions be limited to the general purposes of expressing the sentiments of the Legislature, for authorizing expenditures incidental to the sessions and business of the Legislature, for agreeing upon adjournments beyond the constitutional limitation, for creating special joint committees, for raising a joint assembly and other inferior and incidental purposes of legislation, and such other purposes as the Legislature may deem proper. The adoption of such resolutions must be concurred in by both houses.

Concurrent resolutions shall be restricted to expressions of sentiments and actions having a bearing upon matters incident to legislative business and the functioning of the legislative process insofar as possible.

Concurrent resolutions shall not embrace congratulatory expressions to individuals, organizations, associations or other entities having no relation to the Legislature or public affairs generally, athletic events, scholastic contests, or any other matter not related to the scope and areas of legislative business: *Provided*, That this rule shall not bar the introduction of resolutions memorializing deceased members of the Legislature and public officials or commending or congratulating public officials on actions in connection with governmental affairs.

17. Unless otherwise directed by the Committee on Rules all bills, resolutions or business originating in the Senate shall be considered at the appropriate order of business in the order in which they are introduced, and all bills and resolutions received from the House of Delegates shall be introduced in the order in which they are received and shall be considered at the appropriate order of business in their numerical order.

18. All bills and joint resolutions introduced shall be read by their titles and referred to the appropriate committee and shall be treated in committee as resolutions of inquiry. If the committee reports a bill or resolution different, either by amendment or substitution, from the one introduced, it shall be received and treated by the Senate as the original bill or resolution. All Senate bills and joint resolutions reported by a committee shall be made available, with the proposed committee amendments on the foot thereof, and shall be then read a first time, unless in any of the aforesaid cases the Senate directs otherwise by majority vote of the members present. All bills and resolutions passed or adopted by and reported from the House of Delegates shall be read by their titles and referred to the appropriate committee unless the Senate directs otherwise by majority vote of the members present.

18a. Any bill, resolution or business which does not follow the procedures of Rule Nos. 17 and 18 shall remain in the possession of the Committee on Rules.

19. All bills shall be read on three different days, unless in case of urgency, by four-fifths vote of the members present, taken by yeas and nays, on each bill, this rule be dispensed with. Joint resolutions proposing amendments to the Constitution of West Virginia shall be read on three different days which readings shall not be suspended.

20. All engrossed bills shall be fully and distinctly read when put upon their passage.

21. On each reading of the bill the Clerk shall state whether it is the first, second or third reading of such bill, but no bill shall be put upon its second reading until the same shall have been made

available to the members of the Senate at least one day previous to such reading, unless the Senate directs otherwise by majority vote of the members present.

21a. Upon motion of any member, on any legislative day or the day preceding, the Senate may, by two-thirds vote of those present, establish a period of time known as "Bill Reading Docket".

Such motion shall state each bill to be read, the time and order for such bill reading docket to commence and to conclude, and may provide for the adjournment or recess of the Senate for not more than one legislative day, during which reading of the docket no motion, except a motion to postpone the reading of the bills, by two-thirds vote of those elected, shall be heard. A quorum shall not be required during the reading of the docket. Any and all members requesting that a bill be read shall be present at all times in the Chamber during its reading.

All bills read on the bill reading docket shall be considered as having been read fully and distinctly.

22. On the first reading of a bill, a motion to reject the bill shall be in order.

23. If a committee shall have reported adversely to a bill or resolution, the presiding officer immediately after the report of said committee is read shall put the question, "Shall the bill be rejected?" or "Shall the resolution be rejected?" which question shall have precedence over all motions, except a motion to adjourn.

24. A bill or joint resolution shall be amended only on second reading: *Provided*, That after the passage of a bill or adoption of a joint resolution, amendments to its title may be offered. When a bill or joint resolution is being read for amendment, it shall be read section by section on the demand of any two members. When the amendments which may be moved shall be disposed of, the question shall be taken on ordering a Senate bill or joint resolution to be engrossed and ordered to third reading and on ordering a House bill or joint resolution to third reading. If a Senate bill or joint resolution should be ordered to its engrossment and third

reading, and amendments thereto have been made, the bill or joint resolution shall be changed to conform to the amendments and become the engrossed bill or joint resolution. If no amendments are made, the original bill or joint resolution may be ordered to its third reading and shall become the engrossed bill or joint resolution. All Senate bills or joint resolutions so ordered shall be jacketed, endorsed with their number, title, by whom introduced, and if the bill or joint resolution is finally passed or adopted, the date of its passage or adoption and the signature of the Clerk. If a Senate bill or joint resolution should be passed or adopted by the House and returned to the Senate without amendments, or if amended, and the amendments should be agreed to, the bill or joint resolution shall be enrolled by the Clerk. Enrolled Senate bills shall be delivered to the Joint Committee on Enrolled Bills. In the case of a House bill or joint resolution on second reading if the same be amended, the amendment or amendments shall be noted in full and attached to the bill or joint resolution at the proper place by the Clerk before the bill or joint resolution is returned to the House, and all amendments shall appear in the Senate Journal.

25. When a bill or joint resolution is put upon its passage or adoption, respectively, the presiding officer shall propound the question, "Shall the bill pass?" or "Shall the resolution be adopted?" On the passage or adoption, respectively, of every bill or joint resolution, the vote shall be taken by yeas and nays.

26. When a Senate bill or Senate joint resolution passed by the Senate shall be amended by the House of Delegates, the question on agreeing to the bill or joint resolution, as amended, shall be again voted on by yeas and nays in the Senate. In all such cases the affirmative majority vote of all the members elected to the Senate shall be necessary.

COMMITTEES

27. At the commencement of each Legislature, the following standing committees shall be appointed:

1. On Agriculture and Natural Resources.

2. On Banking and Insurance.
3. On Confirmations.
4. On Economic Development.
5. On Education.
6. On Energy, Industry, and Mining.
7. On Enrolled Bills.
8. On Finance.
9. On Government Organization.
10. On Health and Human Resources.
11. On Interstate Cooperation.
12. On the Judiciary.
13. On Military.
14. On Natural Resources.
- ~~14. On Outdoor Recreation.~~
15. On Pensions.
16. On Rules (the presiding officer of the Senate is to be ex officio chair).
- ~~17. On School Choice.~~
- ~~18~~17. On Transportation and Infrastructure.
- ~~19~~18. On the Workforce.

28. All standing committees shall be appointed by the President. All standing committees shall consist of not less than five nor more than 17 members. The President shall designate the chair of each standing committee and may also designate a vice chair of any standing committee.

The chair of each standing committee of the Senate shall cause a record to be kept of every meeting of such committee, wherein shall be entered:

(a) The time and place of each committee meeting and every hearing had before the committee.

(b) The attendance of members of the committee at each meeting thereof.

(c) The name of any person appearing before the committee and the interest represented by him or her.

(d) The vote of each member of the committee when a yea and nay vote is taken.

Any member of such standing committee may cause a notation to be made upon the record aforesaid of the reason for his or her absence at any former meeting of the committee; and, in the absence of any such explanatory note, the presumption shall be that his or her absence was without reasonable cause.

The chair of each standing committee shall, upon request, make the record of any yea and nay vote taken, in open or executive session, available for public inspection no later than the next legislative day after the close of the standing committee meeting at which such yea and nay vote was taken.

The several standing committees may report bills, resolutions, amendments, or any proposal originating therein, as well as committee substitutes for Senate bills, resolutions, or other proposals, which may be referred to additional committees. A committee substitute, with the consent of the original sponsor, shall carry the name of the original sponsor. Reports of committees shall be advisory only. All committees shall submit their reports to the Senate in writing and the same shall be recorded in the Journal.

On the adjournment of each session of the Legislature, the respective committees shall deliver to the Clerk of the Senate the record herein provided for, and it shall be the duty of such Clerk to preserve the same among the archives of his or her office.

28a. Every committee shall have authority, upon its own motion adopted by a majority of the members present and voting, to administer oaths to any witness appearing before the committee. If any witness to whom an oath has been administered shall refuse to answer a question put to such witness by any member of the committee, the committee may report such refusal to the Senate, and the Senate may cause to be issued a subpoena to compel such witness to appear before the committee to give testimony. Upon appearance pursuant to subpoena, the witness may be questioned by the chairman and members of the committee. The Clerk of the Senate, the chairman of the committee and, in the absence of the chairman, any member of the committee may administer the oath to the witness and may require that such oath be subscribed to by the witness.

29. The presiding officer shall refer bills and resolutions introduced, and such other matters as the presiding officer shall deem appropriate, to standing or select committees.

30. Select committees shall consist of not less than three nor more than five members, unless the Senate directs otherwise by majority vote of the members present.

31. The Committee on Rules shall examine the oaths taken by each member and the evidence of their election and report to the Senate.

The Committee on Rules shall report in all cases of privileges and contested elections, the principles and reasons on which their resolutions are founded.

The Committee on Rules shall see that all papers belonging to the Clerk's Office are properly labeled and filed and that the books belonging to the office are chronologically arranged.

32. All meetings of Senate standing committees, other than executive sessions, shall be open to the public, and an executive session may be held only by majority vote of the members present.

33. When the Senate shall resolve itself into the Committee of the Whole, the presiding officer shall leave the chair and appoint a member to preside in the committee.

The Committee of the Whole shall consider and report on such subjects as may be committed to it by the Senate. The Rules of the Senate shall be observed in the Committee of the Whole, so far as they are applicable, except the rules limiting the number of times speaking, concerning the previous question and taking the yeas and nays. The proceedings in the Committee of the Whole shall not be recorded in the Journal of the Senate, except so far as reported to the Senate by the chair of the committee.

34. Any bill, resolution or business may, by majority vote of the members present, be withdrawn from the committee to which it had been referred or be taken from the table, and placed upon the calendar of the Senate in such order of business as the Senate may direct: *Provided*, That those bills, resolutions or business referred to the Committee on Rules under authority of Rule 17 may by two-thirds vote of the members present be withdrawn from the Committee on Rules.

DECORUM AND DEBATE

35. If a member be called to order for words spoken in debate, the person calling the member to order shall repeat the words excepted to, and they shall be taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to the censure of the Senate, for words spoken in debate if any other member has spoken or other business has intervened after the words spoken and before the exception to them was taken.

36. While the presiding officer is reporting or putting a question, no one shall entertain private discourse or walk into, out of or across the Chamber. When a member is addressing the presiding officer, no one shall entertain private discourse or pass between the member and the presiding officer.

37. No member or other person except the Clerk and the Clerk's assistants shall visit or remain by the Clerk's table while the yeas and nays are being taken.

38. During any debate, any Senator, though he or she has spoken to the matter, may arise and speak to the orders of the Senate, if they be transgressed, in case the presiding officer does not.

38a. Smoking and the use of other tobacco products shall be prohibited in the Chamber.

38b. The use of electronic devices in the Chamber shall be limited to official legislative business when at all possible and any such devices shall be muted at all times.

38c. Proper business dress attire shall be worn by all those admitted to the floor of the Chamber while the Senate is in session, which includes a coat and tie for men.

MOTIONS

39. When a question is pending, no motion shall be received except:

1. To adjourn.
2. To lay on the table.
3. For the previous question.
4. To postpone the question to a different day.
5. To commit.
6. To amend.
7. To postpone indefinitely.

These several motions shall have precedence in order in which they are arranged.

40. The following motions shall be decided without debate, and shall not be amended:

1. To adjourn.
2. To fix the time to which the Senate shall adjourn.
3. To lay on the table.
4. For the previous question.
5. To suspend the constitutional rule requiring bills to be read on three different days.
6. To recess.

41. There shall be a motion for the previous question, which being ordered by a majority of the members present, shall have the effect to cut off all debate and bring the Senate to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions, or may be made to embrace all authorized motions or amendments and include the bill to its engrossment and third reading and then, on renewal and second of said motion, to its passage or rejection. It shall be in order, pending a motion for, or after the previous question shall have been ordered on its passage, for the presiding officer to entertain and submit a motion to commit with or without instructions to a standing or select committee. A motion to lay upon the table pending a motion for the previous question shall be in order only when the previous question has been moved on the second or third reading of a bill.

A call of the Senate shall not be in order after the previous question is ordered, unless it shall appear upon an actual count by the presiding officer that a quorum is not present.

All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

RECONSIDERATION OF VOTE

42. After any question has been decided in the affirmative or in the negative, it shall be in order for any member who voted with the prevailing side to move for a reconsideration of the vote thereon at any time on the same day or the next succeeding day of actual session. Any member may make the motion to reconsider, when the yeas and nays have not been taken. If the Senate refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order. No vote shall be reconsidered upon motions to adjourn, to lay on the table, to take from the table or for the previous question.

The motion to reconsider may be put and acted upon when made. If seconded, it shall take precedence of all other questions, except the consideration of a conference report and the motion to adjourn, and unless by motion postponed until some future date be acted upon at once. When a motion to reconsider is made and not acted upon at the time, it shall be placed upon the calendar, under unfinished business, and be acted upon the next succeeding day of actual session. A motion to reconsider shall not be withdrawn without leave of the Senate.

No bill, resolution, message, report, amendment or motion, upon which a motion is pending to reconsider the vote thereon, shall be taken out of the possession of the Senate until final disposition of the motion to reconsider. No motion for reconsideration of the vote on any question, which has gone out of the possession of the Senate, shall be in order unless subsequently recalled by vote of the Senate and in possession of the Clerk.

When a motion to reconsider has been adopted, its effect shall be to place before the Senate the original question in the exact position it occupied before it was voted upon.

VOTING

43. Every member within the Chamber, when a question is put, shall vote unless he or she is immediately and particularly interested therein, meaning an interest that affects the member

directly and not as one of a class, or the Senate excuses him or her. A member may raise an inquiry to the presiding officer regarding whether he or she should not vote or should be excused from voting on a particular matter, but the member may still be required to vote. All motions to excuse a member from voting must be made by the member requesting to be excused before the Senate divides, or before the call of the yeas and nays is commenced, and it shall be decided without debate, except that the member making the motion to be excused from voting may briefly state the reason why it ought to be adopted. No members may pair on any question.

44. The yeas and nays shall be taken on motions to dispense with the constitutional rule requiring a bill to be fully and distinctly read on three different days; on setting the effective date of an act of the Legislature; on agreeing to a joint resolution proposing an amendment to the Constitution of West Virginia; on the passage of a bill notwithstanding the objections of the Governor; on the passage of a supplementary appropriation bill; on the passage of a Senate bill or Senate joint resolution amended by the House; on all questions where a specific vote is required by the Constitution of West Virginia, the Joint Rules of the Senate and House of Delegates, or by these rules; on the passage of a bill; and on quorum calls: *Provided*, That the yeas and nays shall be taken on demand of any member on any question unless another member objects. Upon any such objection the presiding officer shall inquire of the membership if the demand for the yeas and nays is sustained. If the demand is so sustained by one tenth of the members present, the yeas and nays shall be taken, and, if the demand is not sustained by one tenth of the members present, then the yeas and nays shall not be taken.

The result of all votes taken by yeas and nays shall be recorded in the Journal. When the yeas and nays are recorded in the Journal, the result of the vote as to total yeas, nays and absentees shall be recorded, with the names of the Senators voting yea or nay, and those absent.

When the yeas and nays are ordered, or a call of the Senate is directed, the names of the members shall be called in alphabetical

order; excepting, however, the name of the presiding officer, which shall be called last.

After completion of a roll call vote, no member shall speak to explain his or her vote. A member's vote explanation shall not be recorded in the daily Journal. A member may have his or her vote explanation recorded in the bound Journal provided the member obtains the floor and makes this request immediately following announcement of the results of the roll call vote and disposition of the matter and delivers his or her written vote explanation to the Clerk within three legislative days during the session or, if there are less than three legislative days remaining in the session, within seventy-two hours after adjournment *sine die*. The Clerk shall note on the daily Journal for the day of the roll call vote that the member has reserved the privilege of having his or her vote explanation recorded later in the bound Journal.

45. On all roll calls of the yeas and nays when the voting machine is not used, and before the result is announced, the Clerk shall at the request of any member read either the names of those who voted yea or of those who voted nay, whichever is the smaller number, and the names of those absent and not voting, if any, and shall announce that all others voted either yea or nay, whichever is the larger number. In the event of a tie vote, the Clerk shall upon such request read the names of those who voted yea and the names of those absent and not voting, if any, and shall announce that all others voted nay. At that time any member shall have the right to correct any mistake committed in enrolling his or her name. The vote then shall be announced and the count recorded in the Journal.

45a. The voting machine may be used in taking the yeas and nays on any question, including quorum calls. When the machine is used for quorum calls, a member shall indicate "present" by use of the green "yea" button.

When using the voting machine, the presiding officer shall announce the question to be voted upon and direct the Clerk to prepare the machine. The presiding officer shall then state, "The members will now vote." After reasonable time has been given for all members to vote, the presiding officer shall ask, "Have all

members voted?" The presiding officer shall then direct the Clerk to close the machine and ascertain the result. The presiding officer shall promptly announce the result. Voting shall be continuous and shall be permitted until the result thereof is announced by the presiding officer: *Provided*, That any vote cast after the machine has been closed shall be stated by the presiding officer as having been cast and such shall be recorded in the Journal: *Provided, however*, That no vote may be cast after the vote has been announced.

While the members are voting and before the machine is closed, the wall display boards shall continuously display the vote of each member and the total pending vote.

Under no circumstance shall a member or nonmember vote on behalf of another member.

All other rules governing voting and the taking of the yeas and nays, insofar as applicable, shall apply to taking votes by means of the voting machine.

MESSAGES

46. The Clerk of the Senate may interchange messages with the Clerk of the House of Delegates at any time.

47. Messages may be received in any stage of business except when the presiding officer is reporting or putting a question or while the yeas and nays are being taken. Messages and reports received by the Clerk, which do not require action by the Senate, shall be considered received by the Senate and filed with the Clerk and shall be recorded in the Journal.

48. When a bill or resolution of the House of Delegates is passed or rejected by the Senate, the fact of its passage or rejection, with the bill or resolution shall be communicated to the House of Delegates.

JOURNAL

49. The Journal of the Senate shall be daily prepared by the Clerk and shall be read, corrected and approved the succeeding day. It shall be published under the supervision of the Clerk and made available to the members without delay. After the Journal has

been approved and fully marked for corrections, regular bound volumes of the Journal from the type so corrected shall be printed. In addition thereto six copies shall be printed with a certificate at the end thereof signed by the presiding officer and Clerk of the Senate certifying that the same is the Official Journal of the Senate. They shall be bound and bear the imprint on the spine, "Official Journal of the Senate of West Virginia", with designation of regular or extraordinary session and the year. After being signed by the proper officers, two of these copies shall be retained in the office of the Clerk, one copy shall be lodged in the office of the Governor, one with the Secretary of State, one with the Division of Archives and History and one with the Clerk of the House of Delegates.

ABSENCE OF MEMBERS

50. No member shall absent himself or herself from the service of the Senate during its sittings without leave of the Senate, except in case of his or her sickness or other unavoidable cause which may prevent his or her attendance.

POWER OVER MEMBERS

51. No Senator shall be taken into custody by the Sergeant at Arms on any question of complaint of breach of privilege until the matter is examined by the Committee on Rules and reported to the Senate, unless by order of the presiding officer.

52. The Senate may punish its own members for disorderly behavior, and, with the concurrence of two thirds of the members elected thereto, expel a member, but not twice for the same offense.

POWER OVER OTHERS

53. The Senate may punish by imprisonment any person not a member for disrespectful behavior in its presence, for obstructing any of its officers in the discharge of their duties, or for any assault, threat, or abuse of any member for words spoken in debate, but such imprisonment shall not extend beyond the termination of the session. The presiding officer may order the removal from the Chamber of any person using audible devices or recording devices from the galleries.

GUESTS AND PRIVILEGE OF THE FLOOR

54. No person except members of the House of Delegates, former members of the West Virginia Legislature who are not lobbyists, duly accredited representatives of the press, radio and television and legislative officers, employees, and interns engaged in the proper discharge of their duties shall be admitted to the floor of the Chamber while the Senate is in session. The rear or east balcony of the Chamber shall be reserved for guests of the members of the Senate, and admission thereto shall be by pass signed by the presiding officer and the member seeking admission of the guest.

LOBBYING

55. No person, not a member of the Senate, shall, when the Senate is in session, seek in any manner whatsoever, including electronic communications, to influence the vote or opinion of any Senator on any subject of legislative consideration, under penalty of disbarment from the Chamber for the remainder of the legislative session. No employee of the Senate shall, at any time, engage in such activity, under penalty of immediate dismissal by the Committee on Rules.

NOMINATIONS AND CONFIRMATIONS

56. Unless the Senate directs otherwise by majority vote of the members present, when nominations shall be made in writing to the Senate, a future day shall be assigned for taking them into consideration and the nominations shall be referred to the Committee on Confirmations.

When considering and acting on the nominations the Senate shall be in open session. The voting on each nomination shall be by yeas and nays. The result of Senate action upon any nomination shall be forthwith certified in a formal communication signed by the presiding officer and attested by the Clerk.

57. The phrase "next meeting of the Senate" contained in Article VII, Section 9 of the Constitution of West Virginia means any time the full Senate is convened and includes, but is not limited

to, any regular session, any extraordinary session called during any recess or adjournment of the Legislature, during any impeachment proceeding or any time the Senate is convened for the purpose of electing a presiding officer.

CONSTITUTIONAL AMENDMENT

58. When an amendment to be proposed to the Constitution of West Virginia is under consideration, the majority vote of the members present shall be sufficient to decide an amendment thereto or any collateral or incidental questions. A proposed amendment to the Constitution of West Virginia, to be adopted, shall be agreed to by two-thirds vote of the members elected to the Senate. ~~When an amendment to be proposed to the Constitution of West Virginia is under consideration, the majority vote of the members present shall be sufficient to decide an amendment thereto or any collateral or incidental questions. A proposed amendment to the Constitution of West Virginia, to be adopted, shall be agreed to by two-thirds vote of the members elected to the Senate.~~

ADJOURNMENT

59. When the Senate adjourns each day, it shall stand adjourned to 11 o'clock A.M. the next day, unless the Senate directs otherwise by majority vote of the members present, and every member shall keep his or her seat until the presiding officer leaves the chair.

AMENDING RULES

60. All propositions to amend these standing rules or any order of the Senate shall be by resolution and be at once referred, without debate, to the Committee on Rules and shall be reported therefrom within seven legislative days. Any such resolution may be adopted by majority vote.

SUSPENSION OF RULES OR ORDERS

61. Unless there be unanimous consent, no standing rule or order of the Senate shall be suspended except by two-thirds vote of the members present.

PARLIAMENTARY PROCEDURE

62. In all cases not provided for by the Rules of the Senate or any adopted Joint Rules of the Senate and House of Delegates, the Senate shall be governed by *Jefferson's Manual and Rules of the House of Representatives of the United States Congress* and practices thereunder.

At the request of Senator Martin, unanimous consent being granted, the resolution (S. R. 1) was taken up for immediate consideration and adopted.

At the request of Senator Martin, and by unanimous consent, the provisions of Rule 54 of the Rules of the Senate, relating to persons entitled to the privileges of the floor, were suspended in order to permit the Senators to have members of their families as guests during today's session.

At the request of Senator Martin, unanimous consent being granted, at 12:49 p.m., the Senate recessed for the purpose of making introductions.

The Senate reconvened at 12:53 p.m. and, at the request of Senator Martin, unanimous consent being granted, proceeded to the sixth order of business.

At the request of Senator Martin, and by unanimous consent, Senator Barrett offered the following resolution from the floor:

Senate Resolution 2—Authorizing the appointment of permanent and per diem employees for the First Regular Session of the Eighty-Seventh Legislature and payment of their compensation.

At the request of Senator Martin, unanimous consent being granted, the resolution was taken up for immediate consideration, reference to a committee dispensed with, and adopted.

At the request of Senator Martin, and by unanimous consent, Senator Martin offered the following resolution from the floor:

Senate Concurrent Resolution 1—Adopting joint rules of the Senate and House of Delegates.

Resolved by the Legislature of West Virginia:

That the joint rules of the Senate and House of Delegates be adopted as follows and shall govern the proceedings of the eighty-seventh Legislature, subject to amendment as provided in the standing rules of the Senate and the House of Delegates:

Joint Assembly

1. Whenever there shall be a joint assembly of the two houses, a brief account of the proceedings shall be entered upon the Journal of each house, except in the joint assembly for counting votes for state officers.

Joint Assembly to Open and Publish Election Returns

2. As soon as the Senate, being organized, is informed that the House of Delegates is ready to proceed, as provided by Article VII, Section 3 of the Constitution of West Virginia, to open and publish the returns of the election for state officers, the Senate, preceded by its presiding officer and other officers, shall repair in a body to the hall of the House of Delegates. Upon their arrival the Sergeant at Arms of the House of Delegates shall announce the presence of the Senate. The presiding officer of the Senate shall then address the Speaker of the House, stating that a majority of the Senate has assembled in the hall of the House of Delegates to be present at the opening and publishing of the returns of the elections for State officers, held on the _____ day of _____. The Speaker of the House of Delegates shall invite the presiding officer of the Senate to a seat upon his right, and the other members of the Senate and officers thereof to take seats assigned to them, and after announcing that a majority of the House of Delegates is present, shall then open and publish the returns of said election, proceeding by counties in alphabetical order, the Clerks of the two houses each taking down the returns as announced by the Speaker, to be entered upon the Journal of the House, and when completed and tabulated the Speaker shall announce the votes received by each person voted

for, for each of said offices, and those receiving the largest number of votes, shall be by him declared duly elected; and the Senate shall then return to its hall, and if any two or more candidates for any of said offices have an equal and the highest number of votes for the same office, the two houses shall immediately proceed to choose one of such persons for said office by a joint vote, as provided by Article VII, Section 3 of the Constitution of West Virginia.

Disagreement and Conference

3. (a) Whenever a measure of one house is amended in the other and the house in which it originated shall refuse to concur in the amendment, the house amending the measure may either insist or recede therefrom. But when a measure originating in one house is amended in the other, the house in which it originated may amend such amendment and a motion therefor shall take precedence of a motion to concur. If said house refuses to concur, the other house may either recede from or insist upon its amendment, and a motion to recede shall take precedence of a motion to insist. The motion to lay on the table or to postpone indefinitely shall not be in order in respect to the motion to recede from or to insist.

A motion to recede having failed shall be equivalent to the adoption of a motion to insist and shall be so entered upon the Journal. A motion to insist being decided in the negative shall be equivalent to the adoption of a motion to recede and shall be so entered upon the Journal. If the motion to insist prevails, the house so insisting shall request a committee of conference on the subject of disagreement and shall appoint a committee therefor. The other house may thereupon appoint such committee. Unless a different number is agreed upon, such conference committee shall consist of three members from each house.

Such committee shall consider and report upon only the subject matter of the amendment or amendments which were in disagreement, with necessary consequential changes. The committee shall meet at a convenient time, to be agreed upon by their Chairs, and upon notifying all conferees of the time and place of any such meeting, and having conferred freely, shall report to their respective houses the result of the conference. In case of

agreement, the report shall be first made, with the papers referred accompanying it, to the house of origin, and there acted upon; and such action, with the papers referred, shall be immediately reported by the Clerk to the other house. In case of disagreement, the papers shall remain with the house in which the measure originated. If an agreement is reached, the report shall be made and signed in duplicate by at least a majority of the conferees from each house, one of the duplicates being retained by the conferees of each house.

(b) Any conference report shall, upon recognition by the presiding officer, be communicated to each house by its Clerk and made available to members of each house. Each house shall designate a location or office where copies of such report shall be made available. The Clerk shall communicate availability of conference reports by an announcement to the members of said house during session. Such announcement can be made at any time upon recognition by the presiding officer, and the Clerk shall duly note the time of said announcement. Except as provided herein, the conference report shall lie over one day and shall not be considered in either house until at least the next day following, but thereafter it shall be proper to take up consideration of the conference report at any time otherwise permitted by the rules of such house whether or not such house met on the preceding day: *Provided*, That after the fifty-ninth day of any regular session or on any day of any extraordinary session a conference committee report may be considered the same day if availability of written copies of such report is communicated to that house while in session at least two hours prior to any consideration: *Provided, however*, That the conference report may be taken up for immediate consideration at any time by a two-thirds vote of the members of that house present.

With respect to any conference agreed to within the first fifty-one days of a regular session, the conference committee shall report to each house within seven days of agreement to conference or be discharged, except that upon a concurrent resolution duly adopted by a majority of those present and voting in each house, the presiding officer of each house may extend the conference not to exceed an additional three days. In no event shall a conference

committee report to each house later than 8:00 P.M. on the sixtieth day.

With respect to any conference agreed to after the fifty-first day of a regular session, or any time during any extraordinary session, the conference committee shall report to each house within three days after agreement to conference or be discharged, except that such conference may be extended by concurrent resolution duly adopted by a majority of those present and voting in each house, for a period not to exceed one additional day. In no event shall a conference committee report to each house later than 8:00 P.M. on the sixtieth day.

Any conference committee which fails to report within the time limits established by this rule shall be deemed to be discharged, and the papers referred shall remain with the house in which the measure originated.

Nothing herein shall affect the right of the presiding officer of either house to appoint or discharge any conference committee as heretofore provided, such right to appoint and discharge such committee being subject to the rules of each respective house.

The provisions of subsection (b) above shall not apply to the Budget Bill.

Messages Between the Houses

4. When a message is sent by one house to the other, it shall be communicated by the Clerk thereof to the Clerk of the house to which it is sent, but no message shall be received during a call of the roll. The Clerk of one house may communicate a message to the Clerk of the other at any time.

Bill Processing

5. (a) Legislation recommended by the Governor or by executive departments or agencies is requested to be filed in the respective Clerks' offices, and a copy sent to Legislative Services, no later than the tenth day of each regular session of a Legislature.

(b) No bill or joint resolution shall be considered on third reading in its house of origin after the fiftieth day, unless authorization shall be granted by a concurrent resolution adopted by a two-thirds vote of the members present of both houses: *Provided*, That the Budget Bill, or any salary or supplementary appropriation bills, may be considered at any time.

(c) This rule may be suspended by adopting a concurrent resolution approved by a two-thirds majority of those present and voting in each house. A house desiring to suspend this rule may adopt a concurrent resolution and proceed as if the concurrent resolution had been adopted in both houses and the rule suspended. Any bill or joint resolution passed pursuant to such concurrent resolution may be communicated to the other house with the concurrent resolution or at any time after the concurrent resolution has been communicated to the other house. The other house may proceed to consider such bill or joint resolution only after adopting the concurrent resolution. The provisions of this rule shall not apply to any extended regular session or to any extraordinary session.

Processing of Bills Authorizing the Promulgation of Proposed Legislative Rules; Duplication and Distribution of Proposed Legislative Rules.

5a. A "bill authorizing the promulgation of proposed legislative rules" or a "bill of authorization" is a measure intended to be enacted as general law, which incorporates by reference a proposed legislative rule, with or without amendments or substitutions set forth in the bill, and which authorizes the promulgation and implementation of the proposed legislative rule. The processing of bills authorizing the promulgation of proposed legislative rules shall be governed by the standing rules of the Senate and the House of Delegates, which are supplemented by the provisions of this joint rule. In the case of any conflict between this rule and a standing rule of the Senate or the House of Delegates, the provisions of this rule shall control.

(1) The requirement of either house that bills shall be presented in duplicate applies to bills authorizing the promulgation of

proposed legislative rules, but does not apply to the proposed legislative rule which the bill incorporates by reference. Of the duplicate copies, only the designated original copy shall have appended thereto the full text of the proposed legislative rule as finally approved by the agency seeking permission for its promulgation. Other copies of the full text of the proposed legislative rule shall be made available to members of the Legislature as hereinafter provided.

(2) Copies of the full text of each proposed legislative rule shall be reproduced by printing or duplication by the Clerk prior to, or as soon as is reasonably practicable after, the introduction of the bill which would authorize by law the promulgation of the proposed legislative rule. Prior to such printing or duplication, a notation shall be affixed to the proposed legislative rule which identifies the bill number of the introduced bill which would authorize its promulgation and which also identifies the committee or committees of the house to which the bill is to be referred by the presiding officer following its introduction. Otherwise, the copies printed or duplicated shall conform to the copy of the proposed legislative rule appended to the original bill, so as to facilitate the consideration and amendment of the rule throughout the legislative process.

(3) The Clerk shall furnish to any member, upon his or her request, without cost, one copy of the full text of a proposed legislative rule as reproduced by the Clerk in accordance with the provisions of subsection (2) of this Joint Rule. For any request for an additional copy or copies of the proposed legislative rule, the member requesting the copy or copies shall pay to the Clerk, in advance, a charge which the Clerk has reasonably determined to be adequate to cover the actual cost of the printing or duplication: *Provided*, That the provisions herein for the Clerk to furnish a member with an additional copy or copies, with a cost charged, may not interfere with or delay the prompt and otherwise timely consideration of bills of authorization by the house or its committees or subcommittees.

(4) Whenever the standing rules of either house require the printing or reprinting of a bill, the rules apply to bills authorizing

the promulgation of a proposed legislative rule with the same force and effect as they apply to other bills. However, no printing or reprinting of the proposed legislative rule which is incorporated by reference in the bill of authorization shall be required, other than the printing required by subsection (2) of this Joint Rule.

(5) Whenever the standing rules of either house require a bill to be read, or fully and distinctly read, the rules apply to bills authorizing the promulgation of a proposed legislative rule with the same force and effect as they apply to other bills. However, no reading of the proposed legislative rule which is incorporated by reference in the bill of authorization shall be required.

One House to Notify Other of Rejection of Bill

6. When a bill or resolution passed in one house is rejected in the other, notice thereof shall be sent to the house in which the same shall have been passed.

Record of Bills and Resolutions

7. The Clerks of the two houses shall keep separate records or registers, in which shall be recorded every action taken by the Senate and House on each bill and resolution.

Clerks to Endorse Bills or Resolutions

8. The Clerks of the two houses shall endorse on each bill or resolution a statement of any action taken by their respective bodies.

Messages to be in Writing

9. Messages to either house of the action of the other shall be in writing, signed by the Clerk of the house sending the message.

Each House to Have Control of Own Printing

10. Each house may order the printing of documents without the consent of the other.

Joint Committees

11. Joint standing committees of the Senate and House shall be appointed as follows:

(1) *Joint Committee on Enrolled Bills* — To consist of five members from each house.

(2) *Joint Committee on Joint Rules* — To consist of the presiding officers and two members of each house, to be appointed by the presiding officers.

(3) *Joint Committee on Pensions and Retirement* —

(a) The Joint Committee on Pensions and Retirement shall continually study and investigate public retirement systems. All pension and retirement related legislation introduced in the Legislature shall be referred to the committee in addition to any other reference the presiding officer may designate. Upon reference of any pension or retirement related legislation, the committee shall forward such legislation to the actuary of the Consolidated Public Retirement Board or other actuary or actuarial firm who shall return an actuarial letter or note to the committee prior to the committee's consideration of such legislation.

(b) The committee shall consist of seven members of the Senate to be appointed by the presiding officer of the Senate and seven members of the House of Delegates to be appointed by the presiding officer of the House of Delegates. If possible, no more than five of the seven members appointed by the presiding officers of the Senate and the House of Delegates, respectively, may be members of the same political party.

(c) The committee shall make a continuing study and investigation of retirement benefit plans applicable to nonfederal government employees in this state. The powers and duties of the committee include, but are not limited to, the following:

(1) Studying retirement benefit plans applicable to nonfederal government employees in the State of West Virginia, including, without limitation, federal plans available to such employees;

(2) Making recommendations within the scope of the study with particular attention to financing of the various pension funds and financing of accrued liabilities;

(3) Considering all aspects of pension planning and operation, and making recommendations designed to establish and maintain sound pension policy as to all funds;

(4) Filing a report to each regular session of the Legislature concerning activities conducted between sessions;

(5) Analyzing each item of proposed pension and retirement legislation, including amendments thereto, with particular reference to analysis as to cost, actuarial soundness and adherence to sound pension policy, and reporting of its findings in regard thereto to the Legislature; and

(6) Maintaining reference materials concerning pension and retirement matters, including, without limitation, information as to laws and systems in other states.

(d) The committee shall hold meetings at such times and places as it may designate. The presiding officer of each house shall appoint a cochair of the committee. When the Legislature is not in session, the committee shall meet and conduct its business as a joint committee.

When the Legislature is in session, in addition to joint meetings, the members of either house may meet separately from members of the other house to conduct committee business concerning pension and retirement related legislation introduced or originated in that house. When the members meet separately, they may function as other committees of that house. As far as practicable, relevant information, including actuarial letters or notes, gathered by members meeting separately from the other house shall be sent to the cochair of the other house if it is considering the same or similar legislation.

12. Other joint committees may be created by concurrent resolution or by approval of the presiding officers of each house.

Engrossed Bills to Be Filed with Clerk of the House

13. All engrossed bills passed by, and joint and concurrent resolutions adopted by, both houses shall be filed with the Clerk of the House of Delegates to be kept with the rolls of the Legislature and to be used in printing and publishing the Acts of the Legislature.

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.

Joint Committee on Enrolled Bills

14. The Joint Committee on Enrolled Bills shall consist of five members of the Senate and five members of the House of Delegates, to be appointed by the presiding officer of each house.

Printing Enrolled Bills

15. After a bill has been passed by both houses, the text from which it was originally printed shall be corrected as to any typographical errors that may not previously have been corrected and to include any amendments that may have been made by either house since the last printing of the bill. After the text has been so corrected, not less than five copies of the bill shall be printed. One of the copies, when properly authenticated, shall become the Enrolled Bill. In the case of enrolled bills authorizing the promulgation of a proposed legislative rule, a copy of the full text of the proposed legislative rule which the bill incorporates by reference shall be appended to the bill which has been properly authenticated and designated to be the Enrolled Bill. The copy appended to the Enrolled Bill shall conform to the copy of the full text of the proposed legislative rule appended to the introduced bill. Copies of the proposed legislative rule are not to be appended to the additional copies of the Enrolled Bill. Following action by the Governor, or the failure or refusal of the Governor to approve or disapprove a bill of authorization, the copy of the Enrolled Bill with the proposed legislative rule appended is the copy of the bill filed

with the Secretary of State in accordance with the provisions of Rule 19 of these Joint Rules.

Authentication of Enrolled Bills

16. Enrolled Bills shall be authenticated by the signature of the Clerk of each house, whose duty it shall be to compare carefully all bills and joint resolutions passed by both houses, with the enrollment thereof, and to correct any errors or omissions they may discover and to make reports to their respective houses, from time to time, of the correctly enrolled bills or joint resolutions.

All bills and joint resolutions shall be free from interlineations or erasures and any previous enrollment containing any interlineations or erasures destroyed. A certificate, showing in which house the bill originated and when it takes effect, signed by the Clerks of the two houses, shall be endorsed on the bill. All enrolled bills and joint resolutions shall be signed by the presiding officer of each house.

Presenting Enrolled Bills to Governor

17. After a bill shall have thus been signed in each house, it shall be presented to the Governor for his approval. It shall be the duty of each Clerk to report the day of presentation to the Governor, which time shall be entered on the Journal of each house.

Record of Enrolled Bills

18. It shall be the duty of the Clerk of the House of Delegates, as Keeper of the Rolls of the Legislature, to keep a record book of all bills presented to the Governor for his approval. The title and number of each bill presented to the Governor shall be entered in this book, and when a bill is presented to the Governor, the date presented and the signature of the Governor, showing receipt of same, shall be entered at the side of each title.

Action of Governor on Bills

19. When the Legislature is in session, any bill, including an appropriation bill or any part thereof, disapproved by the Governor

shall be returned to the house in which it originated, with objections thereto, within five days after receipt thereof, Sundays excepted, or become a law. If the Legislature, by adjournment, prevents the return of a disapproved bill, other than an appropriation bill, within such time, it shall be filed by the Governor in the office of the Secretary of State with objections within fifteen days, Sundays excepted, after adjournment, or become a law. If the Legislature, by adjournment, prevents the return of a disapproved appropriation bill or any part thereof, it shall be filed by the Governor in the office of the Secretary of State with objections within five days after adjournment, or become a law. When any bill, including an appropriation bill or any part thereof, is disapproved after adjournment of the Legislature and such bill with the Governor's objections is filed in the office of the Secretary of State within the prescribed time as aforesaid, the Governor shall notify the house in which the bill originated.

Every bill approved by the Governor shall, within the prescribed time after it is presented, as aforesaid, be filed by the Governor in the office of the Secretary of State and the fact of such approval communicated by the Governor to the house in which said bill originated.

Any bill which shall be neither approved nor disapproved by the Governor shall immediately, after the expiration of the time fixed by the Constitution of West Virginia in which he may disapprove the same, be filed in the office of the Secretary of State, who shall forthwith engross thereon a certificate to the following effect: "I certify that the foregoing act, having been presented to the Governor for approval, and not having been returned to the house of the Legislature in which it originated within the time prescribed by the Constitution of the State, has become a law without approval." and shall date and sign the same. The Governor shall notify the house in which the bill originated of each bill becoming a law without his approval.

When a bill is returned to either house of the Legislature with the objections of the Governor, proceedings thereon shall be governed by Article VII, Section 14 of the Constitution of West Virginia. In such cases the Clerk of the Senate and the Clerk of the

House of Delegates shall engross the action, if any, of their respective houses on the reconsideration of the bill and sign the same.

The action of the Governor on all bills presented shall be appropriately noted in the Journals of the two houses.

Joint Meetings of Committees

20. Whenever any bill has been referred by the Senate to one of its standing committees, and the same or like bill has been referred by the House to one of its committees, the Chairs of the respective committees, when in their judgment the interest of legislation or the expedition of business will be better served thereby, may arrange for a joint meeting of their committees for the consideration of such bill. All joint committee meetings shall be presided over by the Chair of the Senate committee.

What Shall Be Printed in the Journal

21. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills and resolutions.

(b) A record of all votes taken by yeas and nays as required by the Constitution of West Virginia, the rules of the respective houses and these rules; and a brief statement of the contents of each petition, memorial or paper presented to each house.

(c) A true and accurate account of the proceedings of each house.

Manner of Printing the Journal and Bills

22. In printing the daily Journal of the proceedings of each house there shall be printed at the top of each page, except the first, the date of the Journal; and on the last page of each day's Journal shall be printed the calendar for the next day.

On each bill, there shall be printed the name of the person by whom, or the committee by which, it was introduced and the date of introduction; and at the top of each page shall be printed the number of the bill.

Regulation and Use of Legislative Offices, Chambers, Halls, Stairways and Corridors

23. The presiding officer of each house shall have power to assign and regulate the office space in the portions of the Capitol used by their respective houses and to grant permission for the use of such space and the legislative Chambers for other than legislative purposes. They shall also have jurisdiction over all halls, stairways and corridors in the areas used by their respective houses. The presiding officers may submit any question or request arising under the foregoing provisions of this rule to the Committee on Rules of their respective houses for determination and action.

The area on the second floor between the legislative Chambers and surrounding the rotunda on the second floor shall be under the jurisdiction of the Joint Committee on Rules. It shall be the duty of this committee to maintain and preserve the aesthetic features of this area of the Capitol. No display or exhibition of any material or objects in this area shall be permitted without approval of the committee.

Attaching pictures, posters, cards or placards on the walls in any manner whatsoever in the halls, stairways and corridors in the areas used by the respective houses and in the area between the legislative Chambers surrounding and to the east and west of the rotunda is prohibited.

Resolutions

24. Resolutions requiring concurrent action may originate in either house and shall be of two kinds, namely:

Joint Resolutions: These resolutions shall be used for proposing amendments to the Constitution of West Virginia and for ratifying amendments to the Constitution of the United States. Joint resolutions proposing amendments to the Constitution of

West Virginia shall be adopted as provided in Article XIV, Section 2 of said Constitution.

Concurrent Resolutions: Such resolutions shall be used for all purposes not covered by joint resolutions as defined above.

Suspension of Joint Rules

25. Joint Rules may only be suspended by a two-thirds vote of each house taken by yeas and nays, or by unanimous consent.

Transfer of Appropriations Between Items

26. The Clerk of the Senate, with the approval of the presiding officer, is authorized to make written request to the State Auditor for the transfer of amounts between items of the total appropriations for the Senate in order to protect or increase the efficiency of the service. Upon receipt of such written request, the State Auditor shall transfer the amounts as requested.

27. The Clerk of the House of Delegates, with the approval of the presiding officer, is authorized to make written request to the State Auditor for the transfer of amounts between items of the total appropriations for the House of Delegates in order to protect or increase the efficiency of the service. Upon receipt of such written request, the State Auditor shall transfer the amounts as requested.

28. The Clerk of the Senate and the Clerk of the House of Delegates, with the approval of the presiding officers, are authorized to make a joint written request to the State Auditor for the transfer of amounts between items of the total appropriations for joint expenses of the Legislature in order to protect or increase the efficiency of the service. Upon receipt of such written request, the State Auditor shall transfer the amounts as requested.

Governing Powers

29. The presiding officers of each house, as selected in accordance with the Constitution of West Virginia, the Rules of the Senate, the Rules of the House of Delegates, respectively, these Joint Rules and laws of the State, shall have the power to and are

hereby authorized to act on behalf of the Legislature as required by the business and legal affairs of the Legislature unless otherwise directed by a majority vote of both houses while the Legislature is in session or by the majority vote of the Joint Committee on Government and Finance while the Legislature is not in session.

Receipt of Constitutional Petitions and Resolutions

30. Any application from a county commission or a verified petition from the voters of a county seeking to reform, alter or modify a county commission pursuant to Article IX, Section 13 of the Constitution of West Virginia and any related documents that may be subsequently submitted shall be filed with the Clerk of the Senate and the Clerk of the House of Delegates. The Clerk of the Senate and the Clerk of the House of Delegates shall verify that the application, petition or related document has been properly submitted to the other Clerk before processing it in his or her respective house. Such applications, petitions and related documents not submitted to both the Clerk of the Senate and the Clerk of the House of Delegates will not be submitted to either house for processing or consideration by the Legislature.

When the Legislature is not sitting in regular session, upon receipt of an application, petition or related document from a county commission by the Clerk of the Senate and the Clerk of the House of Delegates, it shall be processed as a regular order of business at the next regular session following receipt of the application, petition or related document.

An application or petition to reform, alter or modify a county commission filed with the Legislature on or after the tenth day of a regular legislative session may not be processed or considered by the Legislature until the next regular legislative session.

An application or petition to reform, alter or modify a county commission filed with the Legislature is only valid for the session in which it was processed and such application or petition not acted upon during that session is null and void.

If an application or petition to reform, alter or modify a county commission filed with the Legislature is determined by the Legislature to have an unconstitutional provision, then the Legislature may: (a) Request that the application or petition be corrected and resubmitted; or (b) make changes necessary to meet the constitutional objection. A corrected application or petition may be processed by the Legislature if there is sufficient time remaining in the session for full consideration. If any request by the Legislature to correct an application or petition prevents full consideration of that application or petition during the session in which it would have been considered, the Senate and the House of Delegates may process the corrected application or petition at the next regular session.

Concurrent Resolutions Naming Transportation Infrastructure

31. Concurrent resolutions requesting the naming of transportation infrastructure shall be limited to the naming of bridges and roads.

No later than the fifteenth day of December immediately preceding the convening of the Legislature in regular session, legislators shall submit all applications to name transportation infrastructure to Legislative Services and the Division of Highways. No later than the fifteenth day of January, the Division of Highways shall provide infrastructure availability and location information to Legislative Services for all timely submitted applications. Legislative Services shall then draft a concurrent resolution for each timely submitted application. All such concurrent resolutions requesting the naming of transportation infrastructure shall be introduced by the twenty-fifth day and shall not be considered after the fiftieth day.

No concurrent resolution requesting the naming of transportation infrastructure that does not follow these procedures shall be introduced.

At the request of Senator Martin, unanimous consent being granted, the resolution (S. C. R. 1) was taken up for immediate consideration and reference to a committee dispensed with.

The question being on the adoption of the resolution, the same was put and prevailed.

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

At the request of Senator Martin, and by unanimous consent, Senator Martin offered the following resolution from the floor:

Senate Concurrent Resolution 2—Relating to the payment of bills for supplies, services, and printing and authorized contingent and other expenses of the eighty-seventh Legislature.

At the request of Senator Martin, unanimous consent being granted, the resolution was taken up for immediate consideration and reference to a committee dispensed with.

The question being on the adoption of the resolution, the same was put and prevailed.

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

On motion of Senator Martin, at 1:01 p.m., the Senate recessed until 1:15 p.m. today.

The Senate reconvened at 1:36 p.m.

A message from the Clerk of the House of Delegates announced the adoption by that body and requested the concurrence of the Senate in the adoption of

House Concurrent Resolution 1—Raising a Joint Assembly to open and publish election returns.

At the request of Senator Martin, unanimous consent being granted, reference of the resolution to a committee was dispensed with and it was taken up for immediate consideration.

The question being on the adoption of the resolution, the same was put and prevailed.

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

A message from the Clerk of the House of Delegates announced the adoption by that body and requested the concurrence of the Senate in the adoption of

House Concurrent Resolution 2—Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor.

At the request of Senator Martin, unanimous consent being granted, reference of the resolution to a committee was dispensed with and it was taken up for immediate consideration.

The question being on the adoption of the resolution, the same was put and prevailed.

Whereupon, pursuant to the provisions of House Concurrent Resolution 2, the President appointed as Senate members of the committee to wait upon His Excellency, the Governor, the following:

Senators Boley, Martin, and Woelfel.

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

A message from the Clerk of the House of Delegates announced the adoption by that body and requested the concurrence of the Senate in the adoption of

House Concurrent Resolution 3—Providing for an adjournment of the Legislature until February 12, 2025.

At the request of Senator Martin, unanimous consent being granted, reference of the resolution to a committee was dispensed with and it was taken up for immediate consideration.

The question being on the adoption of the resolution, the same was put and prevailed.

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

The hour of 1:30 p.m. having arrived, that being the time set for the joint assembly to open and publish state election returns (under the provisions of H. C. R. 1, previously adopted by the Senate) and to hear the address of His Excellency, the Governor.

On motion of Senator Martin, at 1:40 p.m., the Senate recessed until five minutes after adjournment of the joint assembly. Members of the Senate then repaired in a body to the hall of the House of Delegates.

(NOTE: For formal procedure in the joint assembly, see the Journal of the House of Delegates for this day. For the remarks of His Excellency, the Governor, the Honorable Jim Justice, see the Appendix to the Journal of the Senate, page 2983.)

The joint assembly having been dissolved, at 2:49 p.m., the Senate returned to its chamber and resumed its regular session.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the adoption of

Senate Concurrent Resolution 1, Adopting Joint Rules of Senate and House of Delegates.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the adoption of

Senate Concurrent Resolution 2, Authorizing payment of joint expenses.

On motion of Senator Martin, and in accordance with House Concurrent Resolution 3, previously adopted, at 2:49 p.m., the Senate adjourned until Wednesday, February 12, 2025, at 12 Noon.

WEDNESDAY, FEBRUARY 12, 2025

The Senate met at 12:04 p.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Bishop Joe Thomas, Nondenominational Fellowship Pentecostal Ministries, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Jay Taylor, a senator from the fourteenth district.

Pending the reading of the Journal of Wednesday, January 8, 2025,

At the request of Senator Phillips, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

At the request of Senator Martin, and by unanimous consent, at 12:11 p.m., the Senate recessed for five minutes to permit the Honorable Charles S. Trump IV, Justice of the Supreme Court of Appeals of West Virginia, to address the Senate.

The Senate reconvened at 12:20 p.m.

The following communication was reported by the Clerk:

The Senate of West Virginia
Charleston

MARK HUNT
STATE SENATOR
8TH SENATORIAL DISTRICT



STATE CAPITOL, ROOM W-203
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7841

January 13, 2025

Honorable Randy Smith
President of the Senate
1900 Kanawha Blvd., East
Charleston, WV 25305

Dear Senate President Smith:

Please be advised that I have been elected the 22nd State Auditor of West Virginia and a member of the Board of Public Works. The election has been certified by the West Virginia Secretary of State.

Pursuant to Article V, Section 1 of the Constitution of West Virginia, I must resign as State Senator 8th. Pursuant to the demand placed on me by said Constitution, I do hereby resign as State Senator representing the 8th Senatorial District this 13th day of January, 2025.

I do so with great hesitation and remorse however with excitement for the new duties that lie ahead as State Auditor.

My very best to you, members of the Senate and my hope and prayer for a successful 2025 session.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Mark A. Hunt".

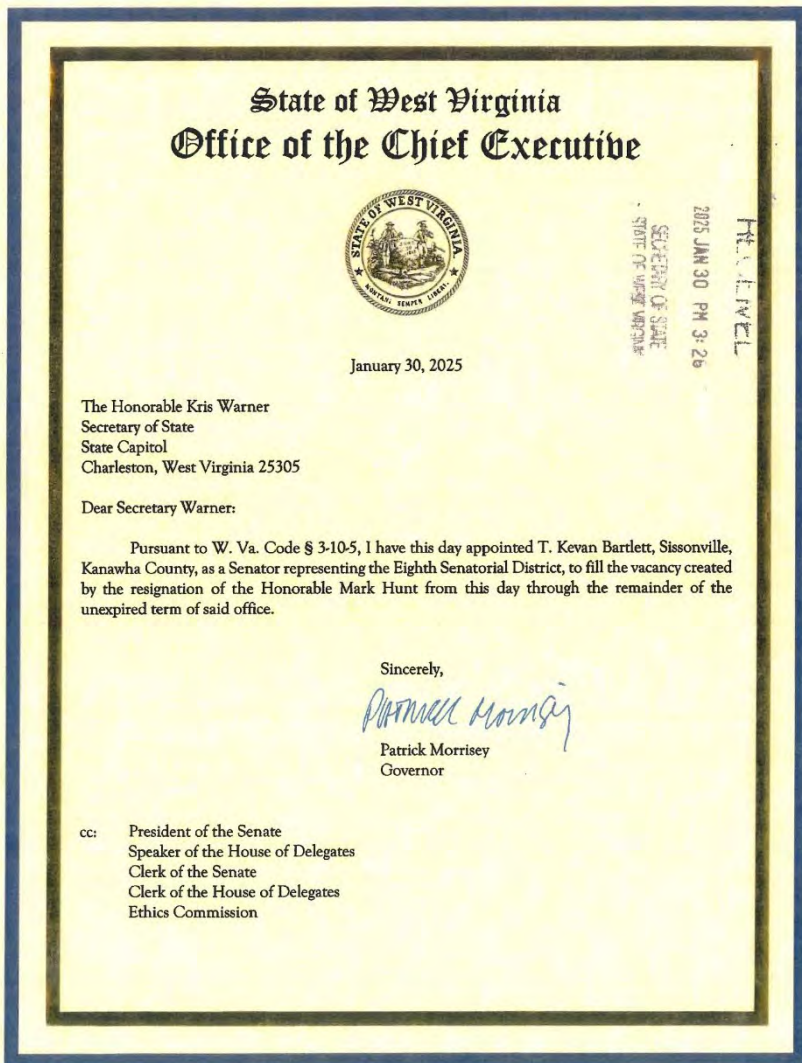
Mark A. Hunt
State Auditor of West Virginia
and Member of the Board of Public Works

cc Honorable Patrick Morrisey, Governor
Honorable Kris Warner, Secretary of State

MARK.HUNT@WVSENATE.GOV

Executive Communications

The following communication from His Excellency, the Governor, was reported by the Clerk:



The several oaths of office prescribed by the Constitution were administered by the Honorable Tim Armstead, Justice of the Supreme Court of Appeals of West Virginia, to T. Kevan Bartlett, of the County of Kanawha, on February 5, 2025.

The following communication was next reported by the Clerk:

The Senate of West Virginia
Charleston

ERIC NELSON JR.
CHAIR
COMMITTEE ON BUSINESS



SENATE CAPITOL, ROOM W-216
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305-0800
304-357-7854

January 15, 2025

The Honorable Randy E. Smith
President of the West Virginia Senate
State Capitol
1900 Kanawha Boulevard, East
Building 1, Room M-229
Charleston, WV 25305

Dear President Smith,

It is with mixed emotions that I submit my resignation as the senator representing the 17th district, effective immediately.

It's been my high honor and privilege to represent the citizens of Kanawha County and the 17th senatorial district for the past 14 years, first as a delegate and then as a senator. I want to thank the many people who put their trust in me. I especially want to thank my fellow senators and staff of the Senate for their hard work and dedication to West Virginia, but more importantly, for their friendship.

As I move on to the next stage in my career of public service as the Secretary of Revenue, I look forward to maintaining and building upon the relationships I have built while a member of this Senate and continuing to do the work of the people of West Virginia.

Sincerely,


Eric Nelson, Jr.
West Virginia State Senator
17th District

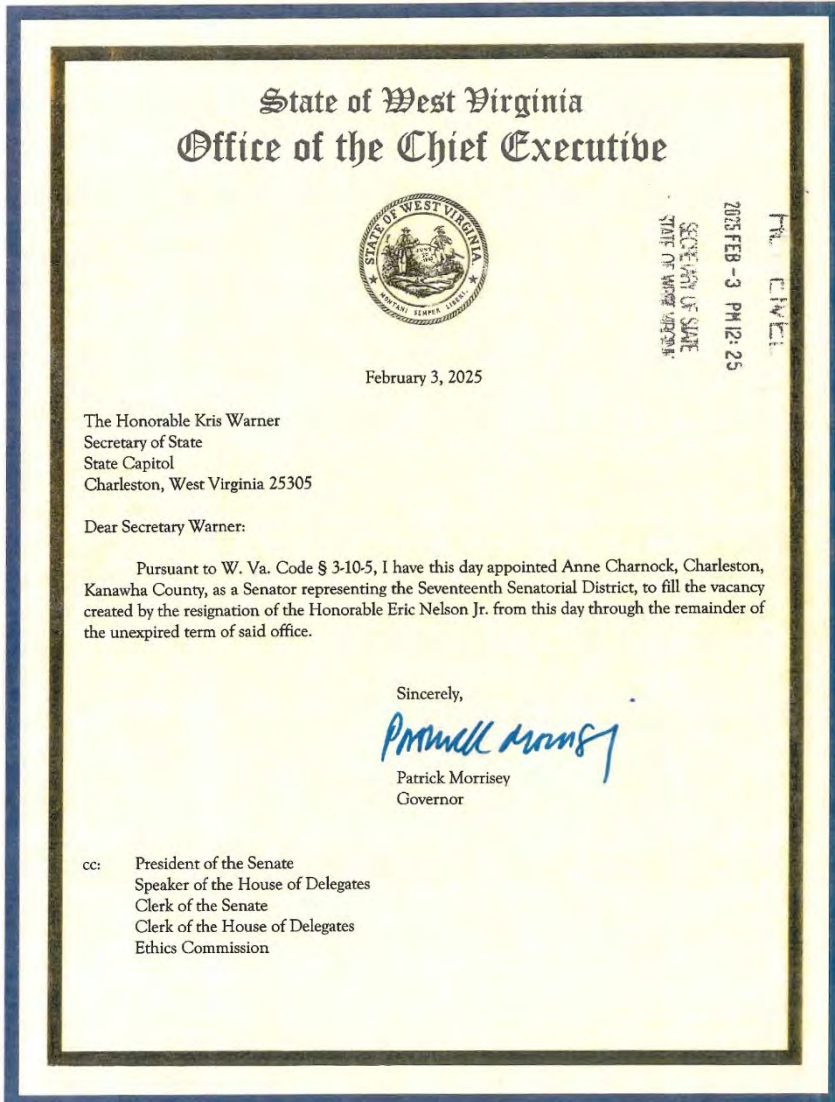
c: The Honorable Patrick Morrisey
Governor of West Virginia

The Honorable Lee Cassis
Clerk of the Senate

The Honorable Kris Warner
Secretary of State

Executive Communications

The following communication from His Excellency, the Governor, was reported by the Clerk:



The several oaths of office prescribed by the Constitution were administered by the Honorable Charles S. Trump IV, Justice of the Supreme Court of Appeals of West Virginia, to Anne B. Charnock, of the County of Kanawha, on February 6, 2025.

The following communication was reported by the Clerk:



The Senate of West Virginia
Charleston

February 12, 2025

Randy E. Smith
President of the Senate
State Capitol, Room M-229
Charleston, WV 25305

Dear President Smith:

Please accept this letter as notice of my resignation as the West Virginia Senate Sergeant at Arms.

I have greatly enjoyed my time at the Senate and will always be grateful for the experience. It was an honor and privilege to serve each member of this body over the last eight years.

May God bless each of you as you serve the great state of West Virginia.

Sincerely,

A handwritten signature in blue ink that reads "David Lavender".

David Lavender

c. Lee Cassis, Clerk of the Senate

The resignation of Mr. Lavender was accepted and the Office of Sergeant at Arms was declared vacant.

The Senate then proceeded to the election of a Sergeant at Arms.

For that office, Senator Queen nominated H. Stephen Walker, of the County of Kanawha; seconded by Senator Charnock.

On motions of Senator Woelfel, severally made, nominations were closed and the President was authorized to cast the unanimous vote of the Senate for the election of Mr. Walker.

The President then announced the vote and declared that Mr. Walker, having received all the votes cast, had been unanimously elected Sergeant at Arms of the Senate.

Whereupon, Mr. Walker qualified as Sergeant at Arms, by taking the several oaths of office prescribed by law and administered by the Honorable Lee Cassis, Senate Clerk.

The Senate proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the adoption by that body and requested the concurrence of the Senate in the adoption of

House Concurrent Resolution 4—Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor.

At the request of Senator Martin, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

The question being on the adoption of the resolution, the same was put and prevailed.

Whereupon, pursuant to the provisions of House Concurrent Resolution 4, the President appointed as Senate members of the committee to wait upon His Excellency, the Governor, and escort him into the Hall of the House of Delegates, the following:

Senators Boley, Martin, and Woelfel.

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

Executive Communications

Senator Smith (Mr. President) laid before the Senate the following communication from His Excellency, the Governor, consisting of executive nominations for appointees:



Jim Justice
Governor of West Virginia
January 10, 2025

Senate Executive Message No. 1 - J
Regular Session 2025

TO: The Honorable Members of the
West Virginia Senate

Ladies and Gentlemen:

I respectfully submit the following nominations for your advice and consent:

1. For Secretary, West Virginia Department of Homeland Security, Robert Cunningham, Winfield, Putnam County, to serve at the will and pleasure of the Governor.
2. For Member, West Virginia Board of Education, Cathy Justice, Lewisburg, Greenbrier County, for the term ending November 4, 2033.
3. For Member, State Conservation Committee, Timothy W. VanReenen, Hillsboro, Pocahontas County, for the term ending September 6, 2026.
4. For Member, State Conservation Committee, Jerry L. Ours, Maysville, Grant County, for the term ending September 6, 2027.
5. For Member, State Conservation Committee, Douglas L. Cyphers, Mannington, Marion County, for the term ending September 6, 2025.
6. For Member, West Virginia Board of Medicine, Radhakrishna U. Kukkillaya, Charleston, Kanawha County, for the term ending September 30, 2029.
7. For Member, Housing Development Fund, Troy N. Giatras, Charleston, Kanawha County, for the term ending October 30, 2028.

OFFICE OF THE GOVERNOR

8. For Member, Housing Development Fund, Lynne F. Gianola, Charleston, Kanawha County, for the term ending October 30, 2028.
9. For Member, Housing Development Fund, Robert L. Nistendirk, Charleston, Kanawha County, for the term ending October 30, 2028.
10. For Member, Environmental Quality Board, Charles C. Somerville, Huntington, Cabell County, for the term ending June 30, 2029.
11. For Member, Advanced Energy and Economic Corridor Authority, The Honorable Robert H. Phymale, Huntington, Wayne County, for the term ending June 30, 2029.
12. For Member, Advanced Energy and Economic Corridor Authority, The Honorable Chandler Swope, Bluefield, Mercer County, for the term ending June 30, 2029.
13. For Member, Surface Mine Board, Stephen Butler, French Creek, Upshur County, for the term ending June 30, 2029.
14. For Member, Southern West Virginia Community and Technical College Board of Governors, Brent Tomblin, Charleston, Kanawha County, for the term ending June 30, 2028.
15. For Member, Property Valuation Training and Procedures Commission, Jason Nettles, Chloe, Calhoun County, for the term ending June 30, 2026.
16. For Member, Property Valuation Training and Procedures Commission, Glen Ivan Johnson, Huntington, Cabell County, for the term ending June 30, 2028.
17. For Member, Property Valuation Training and Procedures Commission, Sarah F. Martin, Union, Monroe County, for the term ending June 30, 2028.
18. For Member, West Virginia Hope Scholarship Board, Jonathan Ritchie, Charleston, Kanawha County, for the term ending June 30, 2027.
19. For Member, West Virginia Hope Scholarship Board, Alice Bonnell, Davisville, Wood County, for the term ending June 30, 2026.
20. For Member, West Virginia Hope Scholarship Board, Jamion Wolford, Kenna, Jackson County, for the term ending June 30, 2025.
21. For Member, Southern West Virginia Community and Technical College Board of Governors, Christopher Reynolds, Williamson, Mingo County, for the term ending June 30, 2028.

OFFICE OF THE GOVERNOR

22. For Member, Board of Examiners in Counseling, Karen Bowling, Beckley, Raleigh County, for the term ending June 30, 2027.
23. For Inspector General, Office of the Inspector General within the Department of Homeland Security, The Honorable D. Michael Honaker, Lewisburg, Greenbrier County, for the term ending June 30, 2028.
24. For Member, First Foundation Board, Matthew L. Harvey, Shepherdstown, Jefferson County, for the term ending June 30, 2027.
25. For Member, Board of Coal Mine Health and Safety, J. Todd Moore, Fairview, Marion County, for the term ending June 30, 2026.
26. For Member, Fairmont State University Board of Governors, John DeVaul, Mannington, Marion County, for the term ending June 30, 2026.
27. For Member, Council for Community and Technical College Education, Tracy Karin Miller, Bridgeport, Harrison County, for the term ending December 20, 2026.
28. For Member, Council for Community and Technical College Education, Sandra Hamilton, Martinsburg, Berkeley County, for the term ending December 20, 2025.
29. For Member, Council for Community and Technical College Education, Joseph R. Oliverio, Belmont, Pleasants County, for the term ending December 20, 2026.
30. For Member, Council for Community and Technical College Education, Elizabeth A. Manuel, Logan, Logan County, for the term ending December 20, 2028.
31. For Member, Southern West Virginia Community and Technical College Board of Governors, Mary J. Phipps, Chapmanville, Logan County, for the term ending June 30, 2026.
32. For Member, Board of Registration for Professional Engineers, Rodney D. Holbert, Mineral Wells, Wood County, for the term ending June 30, 2029.
33. For Member, Auctioneers Board of Review, Rocky A. Peck, Parkersburg, Wood County, for the term ending January 1, 2027.
34. For Member, Auctioneers Board of Review, Katie Fitzsimmons, Cameron, Marshall County, for the term ending January 1, 2028.

OFFICE OF THE GOVERNOR

35. For Member, Workers' Compensation Board of Review, Patricia A. Jennings, Huntington, Cabell County, for the term ending December 31, 2030.
36. For Member, West Virginia Public Energy Authority, Chris Hamilton, Elkview, Kanawha County, for the term ending June 30, 2027.
37. For Member, West Virginia Public Energy Authority, Jeffrey W. Allen, Hurricane, Putnam County, for the term ending June 30, 2028.

Notice of these appointments was previously provided to the appropriate legislative staff at the time the appointments were made.

Sincerely,



Jim Justice
Governor

JCJ: mrp

cc: Clerk of the Senate
Clerk of the Senate
Senate Confirmations Chair

Which communication was received and referred to the Committee on Confirmations.

On motion of Senator Boley, consideration of the nominations immediately hereinbefore reported was made a special order of business for Saturday, April 12, 2025, at 11:30 a.m.

At the request of Senator Martin, and by unanimous consent, Senators Smith (Mr. President), Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Woodrum offered the following resolution from the floor:

Senate Resolution 3—Creating a Select Committee on Substance Use Disorder and Mental Health for the Eighty-Seventh Legislature.

At the request of Senator Martin, unanimous consent being granted, the resolution was taken up for immediate consideration, reference to a committee dispensed with, and adopted.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills and joint resolutions were introduced, read by their titles, and referred to the appropriate committees:

By Senator Chapman:

Senate Bill 1—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §17-31-1 and §24-9-1, relating to clearing all state road paving projects through the Public Service Commission in order to prevent the digging up of newly paved roads for planned utility projects.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Government Organization.

By Senator Chapman:

Senate Bill 2—A Bill to amend and reenact §2-2-1 of the Code of West Virginia, 1931, as amended, relating to designating September 13 of each year as the legal holiday of "Patriot Day".

Referred to the Committee on Finance.

By Senator Oliverio:

Senate Bill 3—A Bill to amend and reenact §31-15A-17c of the Code of West Virginia, 1931, as amended, relating to permissible expenditures by the Water Development Authority from the Infrastructure Fund; modifying the upper limit of funds which may be transferred to sub account; raising the cap on total project costs for certain facilities for use of Critical Needs and Failing Systems Sub Account funding; and allowing the authority to grant infrastructure grant money from the Critical Needs and Failing Systems Sub Account to certain projects for the upgrading of a water facility or wastewater facility to reduce maintenance costs, operations costs, or waterline leakages.

Referred to the Committee on Finance.

By Senator Oliverio:

Senate Bill 4—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9A-1-13, relating to prohibiting a person from receiving compensation for assisting another person to obtain veterans' benefits, except as permitted under federal law.

Referred to the Committee on Military; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 5—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §17-4-56, relating to authorizing Adopt-A-Road volunteer programs for public roads under the jurisdiction of the Department of Transportation; requiring volunteer project agreements with the department; providing that volunteer road services shall not replace work that is ordinarily performed by state personnel; providing for

project coordination; and establishing minimum requirements for volunteer organizations.

Referred to the Committee on Transportation and Infrastructure.

By Senators Oliverio, Barrett, Garcia, Phillips, Queen, and Woodrum:

Senate Bill 6—A Bill to amend and reenact §9-5-11 of the Code of West Virginia, 1931, as amended, relating to exempting the cash value of a life insurance policy from Medicaid eligibility calculations.

Referred to the Committee on Banking and Insurance; and then to the Committee on Health and Human Resources.

By Senators Woodrum and Deeds:

Senate Bill 7—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-2-5b, relating to creating the crime of desecration of a deceased human body; providing for a penalty; defining the term "desecrate"; and providing for an exception.

Referred to the Committee on the Judiciary.

By Senator Thorne:

Senate Bill 8—A Bill to amend and reenact §49-4-201 and §49-4-206 of the Code of West Virginia, 1931, as amended, relating to permitting the installation of newborn safety devices at emergency service medical facilities, police departments, or sheriff's detachments that have been designated as safe-surrender sites; and providing conditions for the same.

Referred to the Committee on Health and Human Resources.

By Senator Smith (Mr. President):

Senate Bill 9—A Bill to amend and reenact §11-3-9 of the Code of West Virginia, 1931, as amended, relating to eliminating the exemption from taxation of state-owned real property within the counties.

Referred to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 10—A Bill to amend and reenact §11-15-9 of the Code of West Virginia, 1931, as amended, relating to exempting the processing of beef, pork, or lamb by a slaughterhouse for an individual owner of the product processed from the Consumers Sales and Service Tax.

Referred to the Committee on Agriculture; and then to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 11—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §22-10A-1, §22-10A-2, §22-10A-3, §22-10A-4, §22-10A-5, §22-10A-6, §22-10A-7, §22-10A-8, and §22-10A-9, relating to the creation of the Orphan Oil and Gas Well Prevention Act of 2025; preventing oil and gas wells from being orphaned on surface owner's land with no responsible driller or operator with the resources to plug the well; procedures for prevention of orphaned wells; and requiring plugging money set aside as escrow in the office of the State Treasurer.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 12—A Bill to amend the Code of West Virginia, 1931, as amended, by adding three new sections, designated §9-5-34, §26-5-2, and §26-9-3, relating to providing long-term care and substance abuse treatment; authorizing the Secretary of the Department of Human Services to modernize or build new facilities; requiring certified beds for long-term care and substance abuse treatment; requiring facilities for out-patient substance abuse treatment; requiring the hiring of adequate professional classified staff; and replacing an outdated reference to Pinecrest Hospital with the correct name of Jackie Withrow Hospital.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 13—A Bill to amend and reenact §3-5-13 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §3-5-5, relating to the nomination and election of candidates for U.S. Congress; setting forth legislative findings and purpose; defining terms; setting forth residency requirements for candidacy; providing for legal standing to enforce and defend statute; establishing penalties; and clarifying the form and content of the ballot for an election to represent a Congressional district.

Referred to the Committee on the Judiciary.

By Senator Smith (Mr. President):

Senate Bill 14—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §22-15-25 and §61-3-45b, relating to nonferrous metal sales and transportation to a secondary recycler; providing for definitions; providing for permits for secondary metals recyclers to purchase nonferrous metals; providing for permit requirements for fixed and nonfixed sites; providing that the Superintendent of the West Virginia State Police shall develop applications and permits; providing for a permit fee for secondary metals recyclers; providing that a secondary metals recycler permit to purchase nonferrous metals is valid for two years; providing for a permit for persons or entities to sell or transport nonferrous metals over the highways; providing a fee for a replacement permit for a lost or destroyed original permit; providing for record retention criteria; providing that a seller or transportation permit is valid for two years; providing for denial, revocation, or suspension of a permit for violations of law and for penalties; providing that only secondary metals recyclers can purchase nonferrous metals from persons or entities with a valid permit; providing that secondary metals recyclers shall retain records of all purchases of nonferrous metals; providing for record retention of at least one year; providing for a limit for secondary metals recyclers purchasing nonferrous metals through cash transactions; providing for signage

to be displayed; providing for penalties when a secondary metals recycler violates certain provisions; providing for limitations on selling nonferrous metals; providing for penalties for sellers violating certain provisions relating to selling nonferrous metals; providing for revocation of permits for secondary metals recyclers and sellers violating certain provisions of purchasing or selling nonferrous metals; providing for holds placed on stolen nonferrous metals; providing for law enforcement to issue written notice to a secondary metals recycler relating to stolen nonferrous metals; providing for a 15 calendar day hold for the secondary metals recycler to retain the nonferrous metals as provided in the written notice from law enforcement; providing that law enforcement provide written notice to the secondary metals recycler relating to allegedly stolen nonferrous metals; providing for 30 calendar days for an extended hold of allegedly stolen nonferrous metals by the secondary metals recycler; providing for automatic release of any holds if no order has been received to retain the nonferrous metals by a court; providing for limitations on transporting nonferrous metals on the highways of this state without a valid permit and penalties for violating transportation requirements; providing for revocation of a transportation permit; providing for exemptions from required permits to obtain, transport, or sell nonferrous metals to a secondary metals recycler; providing for preemption of other laws, rules, or regulations by any county or municipality; providing for additional criminal offenses for illegally obtaining nonferrous metals; providing for penalties to property damage when the damage is below \$5,000; providing for penalties for property damage when the damage is greater than or equal to \$5,000; providing for penalties when another person receives a great bodily injury during the course of illegally obtaining nonferrous metals; providing for penalties when illegally obtaining nonferrous metals results in the death of a person; providing for penalties for disruption of communication or electrical services to more than 10 people; providing for revocation of a permit upon conviction for illegally obtaining nonferrous metals; providing immunity from civil liability to the owner of real or personal property for any injury sustained by a person attempting to or obtaining nonferrous metals illegally, or for any injury caused by dangerous conditions to a person attempting to or obtaining nonferrous metals illegally;

providing that no duty of care is expected of an owner of real or personal property to persons attempting to or obtaining nonferrous metals illegally; and providing for rule-making authority.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 15—A Bill to amend and reenact §49-4-605 of the Code of West Virginia, 1931, as amended, relating to termination of parental rights; and requiring the Department of Human Services to file a petition to terminate parental rights when a parent has, on two separate occasions, had their child removed from their care and determined by a court to have subjected that child to abuse or neglect.

Referred to the Committee on the Judiciary.

By Senator Smith (Mr. President):

Senate Bill 16—A Bill to amend and reenact §23-4-15 of the Code of West Virginia, 1931, as amended, relating to 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.

Referred to the Committee on Banking and Insurance; and then to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 17—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-2S-1, §16-2S-2, §16-2S-3, §16-2S-4, §16-2S-5, §16-2S-6, §16-2S-7, §16-2S-8, §16-2S-9, §16-2S-10, and §16-2S-11, relating to enacting the Fetal Heartbeat Act; prohibiting abortions when a fetal heartbeat is detected; providing that the article applies only to intrauterine pregnancies; providing exceptions; making findings; providing for severability; establishing standards, requirements, and procedures; requiring documentation; requiring notice and

acknowledgments; establishing criminal penalties; permitting civil actions; defining terms; and providing for rulemaking.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Smith (Mr. President):

Senate Bill 18—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §7-1-3uu, relating to allowing county commissions to impose an amusement tax.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 19—A Bill to amend and reenact §55-7-22 of the Code of West Virginia, 1931, as amended, relating to use of force, including deadly force, in defense of self, real, and personal property; providing immunity from civil and/or criminal prosecution against persons lawfully using force in defensive actions; when there is no duty to retreat; and providing for the receipt of court costs, fees, and expenses for persons acting to protect self, real, and personal property, another person, or in other defined situations.

Referred to the Committee on the Judiciary.

By Senator Smith (Mr. President):

Senate Bill 20—A Bill to amend and reenact §8-15-8b and §16-4C-24 of the Code of West Virginia, 1931, as amended, relating to volunteer fire departments and emergency medical services units; and providing that any increased costs or expenditures to volunteer fire departments that result from the implementation of a state legislative rule shall be funded respectively by the State Fire Commission and the Commissioner of the Bureau for Public Health.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 21—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §20-2-5m, relating to the assessment of a wildlife impact fee by the Director of the Division of Natural Resources on operators of wind power projects that injure or kill a protected species of animal.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 22—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §36-4-9c, relating to providing for enhanced damages for nonpayment of royalties due from oil, natural gas, or natural gas liquids production under the terms of a lease or other agreement.

Referred to the Committee on Energy, Industry, and Mining.

By Senator Smith (Mr. President):

Senate Bill 23—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §17-3-11; and to amend the code by adding a new article, designated §17-31-1, §17-31-2, §17-31-3, §17-31-4, and §17-31-5, relating generally to enhancing maintenance and repair of the state's roads and highways; creating the Special Road Repair Fund as a subaccount of the State Road Fund; authorizing the commissioner of the Division of Highways to transfer certain funds into the subaccount for certain purposes; creating the Enhanced Road Repair and Maintenance Program; stating legislative findings and purpose of program; requiring Division of Highways county supervisors consult with county commissions and legislators to submit project requests to the Division of Highways; setting forth a funding formula; setting forth requirements concerning bidding, vendors, and contracts with private vendors; specifying uses of Special Road Repair Fund; providing requirements for Commissioner of Highways and districts; requiring rulemaking; and requiring reporting by Division of Highways and Legislative Auditor.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 24—A Bill to amend and reenact §62-12-9 of the Code of West Virginia, 1931, as amended, relating to requiring probationers who have served 10 or more years to participate in a work release program and spend six months in a work release center; and requiring that 70 percent of their earnings be held in an account and provided to them at the successful completion of the six-month period.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 25—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §22-37-1, §22-37-2, §22-37-3, and §22-37-4, relating to creation of the West Virginia Coal Marketing Program; providing for the purpose of the program; creating funding for the program and empowering the Governor to report on the program to the Joint Committee on Government and Finance; providing for rules; and providing for an effective date.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 26—A Bill to amend and reenact §7-18-14 of the Code of West Virginia, 1931, as amended, relating to the proceeds and application of the hotel occupancy tax; providing a legislative finding; and providing that the allocation of the hotel occupancy tax is subject to the sole discretion of the municipality or county commission.

Referred to the Committee on Economic Development; and then to the Committee on Government Organization.

By Senator Chapman:

Senate Bill 27—A Bill to amend and reenact §61-8A-2, §61-8A-3, §61-8A-4, and §61-8A-5 of the Code of West Virginia, 1931,

as amended, relating to clarifying the felony of exhibiting obscene matter to a minor for the purpose of abuse to be clarified to include any depiction of sexually graphic material to a minor for the purpose of seducing a minor.

Referred to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 28—A Bill to amend the Code of West Virginia, 1931, as amended, by adding seven new sections, designated §5-16-7h, §33-15-4y, §33-16-3ii, §33-16-3pp, §33-24-7z, §33-25-8w, and §33-25A-8z, relating to requiring insurance coverage for clinical genetic testing for an inherited gene mutation and evidenced-based cancer imaging; and providing that this testing is not subject to cost-sharing.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Takubo:

Senate Bill 29—A Bill to amend and reenact §30-3-14, §30-3-15, and §31B-13-1301 of the Code of West Virginia, 1931, as amended, relating to authorizing physician assistants to own a business; denying a license or other authorization for physician assistants for referrals where the physician assistant has a proprietary interest; authorizing medical corporations that have physician assistant shareholders; conforming the definition of "physician assistant" to the American Academy of Physician Associates' term for the profession; and designating the profession of physician assistant as a professional service for the purposes of the Uniform Limited Liability Company Act.

Referred to the Committee on Health and Human Resources.

By Senator Woodrum:

Senate Bill 30—A Bill to amend and reenact §5-16-7 of the Code of West Virginia, 1931, as amended; and to amend the code by adding six new sections, designated §9-5-34, §33-15-4y, §33-16-3ss, §33-24-7z, §33-25-8y, and §33-25A-8z, relating to requiring medically necessary care and treatment to address

congenital anomalies associated with cleft lip and cleft palate; setting forth eligibility age; required coverage; exclusions; coverage terms; and effective date.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Oliverio:

Senate Bill 31—A Bill to amend and reenact §15-2B-2, §15-2B-3, §15-2B-5, §15-2B-6, §15-2B-9, and §15-2B-11 of the Code of West Virginia, 1931, as amended, relating to DNA that is maintained for law-enforcement purposes in West Virginia; providing updates for the policy of maintaining DNA; defining terms; requiring DNA collection from all persons convicted of felonies and certain misdemeanors; requiring DNA collection from all persons charged by indictment, or information of any felony offense after a grand jury has returned an indictment, or prosecution by indictment has been waived; adding qualifying offense of domestic battery; specifying testing methods; authorizing emergency, and requiring, legislative rules; specifying expungement in certain circumstances; and providing failure to expunge or reasonably delay expungement will not invalidate an identification, warrant, probable cause to arrest or arrest based upon a database match.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Oliverio:

Senate Bill 32—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §47-18A-1, §47-18A-2, §47-18A-3, §47-18A-4, §47-18A-5, §47-18A-6, §47-18A-7, and §47-18A-8, relating to establishing the Uniform Antitrust Pre-Merger Notification Act; providing an article citation designation; defining terms; requiring pre-notification of a merger of certain businesses to the Attorney General; requiring the Attorney General to keep confidential certain documents and providing exceptions thereto; allowing reciprocity between the Attorney General and certain other state attorneys general for sharing of confidential documents; authorizing the Attorney

General to pursue civil penalties for any person who fails to comply with the provisions of this act; requesting courts to promote uniformity between states when applying and construing this act; and providing that the provisions of this act apply only to those mergers filed on or after the effective date of the act.

Referred to the Committee on the Judiciary.

By Senator Oliverio:

Senate Bill 33—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §5A-3-64, relating to establishing the Public/Private Small Business Enhancement Program to encourage small business development and growth; providing definitions; providing for rule-making authority; providing for exemptions for construction; and providing for a sunset date.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Oliverio:

Senate Bill 34—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §24-2J-1 and §24-2J-2, relating to establishing a community solar pilot program for subscribers to gain credits against their utility bills; providing legislative findings; defining terms; authorizing subscriber-based solar projects that allow solar power production to be granted credit against electric power costs; providing that an authorized project is not deemed as a utility; providing conditions and terms for operation for a facility; providing for regulation of the pilot program by the Public Service Commission; providing conditions for credits; providing requirements for subscriber organizations; and providing Public Service Commission rule-making authority and directives.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Oliverio:

Senate Bill 35—A Bill to amend and reenact §18B-4-5 and §18B-7-5 of the Code of West Virginia, 1931, as amended, relating to permitting current campus police officers in this state to

participate in the Deputy Sheriffs Retirement System; and mandating newly hired campus police officers to participate in the Deputy Sheriffs Retirement System beginning on January 1, 2026.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Oliverio:

Senate Bill 36—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section designated §46A-2-141, relating to defining veterans benefits matters; identifying actions that constitute representation and compensation for representing a person seeking veterans benefits; requiring any such representation comply with federal law; and providing that a violation of this section is an unlawful practice and a violation of West Virginia Consumer Credit and Protection Act.

Referred to the Committee on Military; and then to the Committee on the Judiciary.

By Senator Oliverio:

Senate Bill 37—A Bill to amend and reenact §18A-4-10a of the Code of West Virginia, 1931, as amended, relating to providing persons who first became a member of the Teachers Retirement System on or after July 1, 2015, the opportunity to sell up to 10 of his or her unused days of personal leave back to the county board in exchange for monetary compensation paid on or before June 30.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Oliverio:

Senate Bill 38—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §36-3A-1, §36-3A-2, §36-3A-3, §36-3A-4, §36-3A-5, §36-3A-6, §36-3A-7, §36-3A-8, and §36-3A-9, relating to creating the Uniform Unlawful Restriction in Land Records Act.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senator Oliverio:

Senate Bill 39—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §31A-9-1, §31A-9-2, §31A-9-3, §31A-9-4, §31A-9-5, §31A-9-6, §31A-9-7, §31A-9-8, §31A-9-9, §31A-9-10 §31A-9-11, §31A-9-12, §31A-9-13, §31A-9-14, §31A-9-15, and §31A-9-16, relating to the Uniform Special Deposits Act.

Referred to the Committee on Banking and Insurance; and then to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 40—A Bill to amend and reenact §5-16-7, §9-1-2, and §9-5-12 of the Code of West Virginia, 1931, as amended, relating to allowing for doula reimbursement under the West Virginia Public Employees Insurance Act and Medicaid.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Taylor:

Senate Bill 41—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18A-4-4a, relating to approving overtime pay for teachers.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 42—A Bill to amend and reenact §18A-4-7a of the Code of West Virginia, 1931, as amended, relating to reducing the number of days for which completion of employment in any one school year substitute teachers, except retired teachers and other retired professional educators employed as substitutes, accrue seniority exclusively for the purpose of applying for employment as a permanent, full-time professional employee and for which that number of days or more of employment is prorated and vests as a fraction of the school year.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 43—A Bill to amend and reenact §30-7-15 of the Code of West Virginia, 1931, as amended, relating to updating the requirements for a certified registered nurse anesthetist to administer anesthetics in cooperation with a physician or dentist.

Referred to the Committee on Health and Human Resources.

By Senator Taylor:

Senate Bill 44—A Bill to amend and reenact §49-2-113 of the Code of West Virginia, 1931, as amended, relating to modifying the ratio of children at family child care facilities.

Referred to the Committee on Health and Human Resources.

By Senator Taylor:

Senate Bill 45—A Bill to amend and reenact §31-2A-2 of the Code of West Virginia, 1931, as amended, relating to relieving a railroad company of any liability for injury to any person using a crossing during a parade by a school or any municipality, county, or other public entity that has permission for a parade, provided the railroad company is notified of the time of the parade and a train is stopped during the time of the parade.

Referred to the Committee on the Judiciary.

By Senator Taylor:

Senate Bill 46—A Bill to amend and reenact §8-12-5 of the Code of West Virginia, 1931, as amended, relating to allowing municipalities to complete work previously requested to the Division of Highways, with a provision for payment.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Taylor:

Senate Bill 47—A Bill to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended, relating to providing that the West Virginia Secondary School Activities Commission promulgate legislative rules.

Referred to the Committee on Education.

By Senator Taylor:

Senate Bill 48—A Bill to amend and reenact §61-7-11a of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18A-2-16, relating to creating a mobile training team for the purpose of school safety; providing for regional mobile training officers; empowering the West Virginia Department of Homeland Security to create the program; providing for coordination between school protection officers and the mobile training team; permitting elementary and secondary school teachers and administrators to carry concealed weapons; classifying such persons who carry concealed weapons as school protection officers; providing that any teacher or administrator may become a school protection officer; providing for exceptions; defining public notice for when a school has a school protection officer on location; providing for an incentive in the form of a bonus to be given to school protection officers; and providing that this incentive may be revoked if school protection officers lose their classification.

Referred to the Committee on Education; and then to the Committee on the Judiciary.

By Senator Taylor:

Senate Bill 49—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16-3-4d, relating to prohibiting mandates for vaccines.

Referred to the Committee on Health and Human Resources.

By Senator Taylor:

Senate Bill 50—A Bill to amend and reenact §3-1-29 and §3-1-31 of the Code of West Virginia, 1931, as amended, relating to requiring municipal elections to be held on the same day as statewide elections.

Referred to the Committee on the Judiciary.

By Senator Taylor:

Senate Bill 51—A Bill to amend and reenact §16-2R-3 of the Code of West Virginia, 1931, as amended, relating to removing the rape and incest exception to obtain an abortion in West Virginia.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 52—A Bill to amend and reenact §11-22-1 of the Code of West Virginia, 1931, as amended, relating to exemptions from excise taxes; amending definitions; removing the exemption from excise taxes for certain transfers; adding an exemption for transfers between siblings; removing exemptions for certain gifts; and removing the excise-tax exemption for quitclaim deeds.

Referred to the Committee on Finance.

By Senator Oliverio:

Senate Bill 53—A Bill to amend of the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-1-2a, relating to prohibiting schools from starting an instructional day any earlier than 7:45 a.m.

Referred to the Committee on Education.

By Senator Oliverio:

Senate Bill 54—A Bill to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating to requiring all public schools located within this state to give age-appropriate instruction on the Holocaust.

Referred to the Committee on Education.

By Senator Oliverio:

Senate Bill 55—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §17-31-1, §17-31-2, §17-31-3, §17-31-4, and §17-31-5, relating to requiring the Commissioner of Highways to develop a formula for allocating road funds among districts for the benefit of the counties; making legislative findings; requiring the commissioner to solicit and

consider public comments; requiring the commissioner to include certain factors in the formula; and requiring the commissioner to submit the formula to the Legislature for approval as a legislative rule.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Oliverio:

Senate Bill 56—A Bill to amend and reenact §11-6B-3 and §11-6B-7 of the Code of West Virginia, 1931, as amended, relating to increasing the Homestead Property Tax Exemption for homeowners.

Referred to the Committee on Finance.

By Senator Phillips:

Senate Bill 57—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-29-1, §11-29-2, §11-29-3, §11-29-4, §11-29-5, and §11-29-6, relating to establishing a tax on the production of electricity from wind and solar collection; setting the rate of tax and providing collection procedures; establishing how to distribute those collected taxes to volunteer fire departments through the counties; listing requirements to qualify to receive funds from these collected taxes; providing for enforcement and penalties; listing exemptions; and establishing fines and accumulation of interest on late payment.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Phillips:

Senate Bill 58—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-9-2b, relating to permitting investigators in the State Tax Division to carry concealed weapons.

Referred to the Committee on the Judiciary.

By Senator Phillips:

Senate Bill 59—A Bill to amend and reenact §9-8-5 of the Code of West Virginia, 1931, as amended, relating to requiring a photograph of the user on EBT cards.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Phillips:

Senate Bill 60—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, §11-13NN-6, §11-13NN-7, §11-13NN-8, §11-13NN-9, §11-13NN-10, and §11-13NN-11, relating to establishing a road or highway infrastructure improvement projects or coal production and processing facilities tax credit for taxpayers subject to the tax imposed by West Virginia code; specifying a short title; specifying legislative findings and purpose for new credit; defining terms; specifying the amount of the credit, application of credit, and carry forward of unused credit; requiring filing of application for road or highway infrastructure improvement project credit as condition precedent to claiming credit, specifying procedure for application for certification, contents of application and limitation on maximum amount of credits which can be approved; specifying computation of qualified investment in coal production and processing facilities; allowing transfer of credits to successors; providing for forfeiture of unused tax credits and redetermination of credit allowed; providing penalties for failure to maintain records of qualified property; and establishing an effective date.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Woelfel:

Senate Bill 61—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §5-10-22o and §18-7A-26z, relating to providing a \$1,000 cost-of-living adjustment to certain retirees of the Public Employees Retirement System and the State Teachers Retirement System; and providing

for the pro rata distribution of the cost-of-living adjustment to certain beneficiaries.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Woelfel:

Senate Bill 62—A Bill to amend and reenact §49-1-201, §49-2-101, §49-2-809, §49-2-813, and §49-11-101 of the Code of West Virginia, 1931, as amended, relating to child welfare; defining terms; stating that protective services include both an investigative track and a family assessment track; requiring the Bureau for Social Services to establish a system of differential response and use appropriate screening tools to respond to reports received by centralized intake that complies with relevant law; providing data retention requirements; and amending requirements of the child welfare data dashboard.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Oliverio:

Senate Bill 63—A Bill to amend and reenact §32-4-406 and §32-4-407a of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §32-7-701, §32-7-702, §32-7-703, §32-7-704, §32-7-705, §32-7-706, §32-7-707, §32-7-708, §32-7-709, §32-7-710, §32-7-711, and §32-7-712, relating to authorizing victim restitution and creating a restitution assistance fund for victims of securities violations; providing a short title; providing definitions, creating the Securities Restitution Operating Fund; providing for the manner and procedures for applications for restitution assistance; providing the manner and procedures for the payment of restitution assistance awards; detailing the situations in which restitution is prohibited; providing for subrogation; providing for a lien on recovery and refunds of excessive restitution amounts; providing for the suspension of claims; exempting the restitution awards from attachment or intercept; authorizing the Auditor to promulgate rules regarding the restitution program; providing an effective date; permitting the Auditor to transfer three percent of securities fees collected to the

Securities Restitution Operating Fund; and authorizing the awarding of restitution in an administrative assessment.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Phillips:

Senate Bill 64—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §31A-8H-1, §31A-8H-2, §31A-8H-3, and §31A-8H-4, relating generally to prohibiting financial institutions from discriminating against firearms businesses; specifying civil remedies; providing for attorney's fees and costs for a successful action; providing a statute of limitations on civil actions; providing for potential loss of state business to a financial institution found to have violated this article; and providing for an effective date.

Referred to the Committee on Banking and Insurance; and then to the Committee on the Judiciary.

By Senator Phillips:

Senate Bill 65—A Bill to amend and reenact §33-3-33 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §15A-11-11a, relating to fire department recruitment and retention; creating Fire Service Recruitment and Retention Fund; establishing that the purpose of the fund is to provide grants for recruitment and retention purposes; requiring the State Fire Commission to create a grant program; establishing considerations for awarding grants; providing for rulemaking; requiring State Fire Commission verify eligibility volunteer fire departments with Legislative Auditor; raising policy surcharge to one percent; and allocating disbursements to various funds.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Phillips:

Senate Bill 66—A Bill to amend and reenact §11-13A-3 of the Code of West Virginia, 1931, as amended, relating to providing an

exemption from the state severance tax for coal sold to coal-fired power plants located within the State of West Virginia.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 67—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §17-2-3; and to repeal §7-1-3qq, relating to racing on highways or streets; transferring duties from county commissions to the Department of Transportation; and allowing races on county or municipal roads when the race is sanctioned by the local governing authority and the road is closed to other traffic.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 68—A Bill to amend and reenact §19-25-3, §19-25-4, §19-25-5, and §19-25-6 of the Code of West Virginia, 1931, as amended, relating generally to limiting landowner liability for injuries to, or caused by, persons entering or going upon land for noncommercial recreational purposes, wildlife propagation purposes, military training purposes, law-enforcement training purposes, or homeland defense training purposes; clarifying statutory language in light of *Mallet v. Pickens*, 206 W.Va. 145, 522 S.E.2d 436 (1999); defining terms; and making numerous technical corrections.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 69—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-2S-1, relating to requiring physicians to notify parents when prescribing contraceptives to minors; and providing definitions.

Referred to the Committee on Health and Human Resources.

By Senator Maynard:

Senate Bill 70—A Bill to amend and reenact §3-10-5 of the Code of West Virginia, 1931, as amended, relating to clarifying the responsibility of the Governor to fill a vacancy in the state Legislature; providing a process for the selection of three legally qualified persons to fill a vacancy in the office of state Senator or member of the House of Delegates; allowing for virtual candidate interviews where more than three candidates apply; clarifying the interview process; and providing that a party county chairman appoint a subcommittee to act as vacancy committee where a senate or delegate district is wholly within one county.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 71—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §29-1-8e, relating to the West Virginia Monument and Memorial Protection Act of 2025; prohibiting the removal, renaming, alteration, or relocation of any statue, monument, memorial, nameplate, plaque, school, street, bridge, building, park, preserve, or reserve recognized by the West Virginia State Historic Preservation Office and which is located on public property and has been erected for, named, or dedicated in honor of certain historical, military, labor, civil rights, and Native-American events, figures, and organizations; prohibiting any person from preventing the governmental entity having responsibility for maintaining the items, structures, or areas from taking proper measures to protect, preserve, care for, repair, or restore the items, structures, or areas recognized by the West Virginia State Historic Preservation Office; and authorizing the West Virginia State Historic Preservation Office to grant waivers under certain circumstances.

Referred to the Committee on Government Organization.

By Senator Maynard:

Senate Bill 72—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-22f, relating to requiring public schools to notify parents when dispensing contraceptives to minors; and providing a definition.

Referred to the Committee on Health and Human Resources.

By Senator Woelfel:

Senate Bill 73—A Bill to amend and reenact §37-6-5, §37-6A-1, §37-6A-5, and §55-3A-1 of the Code of West Virginia, 1931, as amended, relating generally to clarifying that tenancy includes persons who reside in a sober living home; providing a definition for "sober living home"; and providing that reasonable attorney's fees shall be awarded for a landlord's willful or bad-faith noncompliance relating to rental security deposits when the tenant resides in a sober living home.

Referred to the Committee on the Judiciary.

By Senator Woelfel:

Senate Bill 74—A Bill to amend and reenact §37-6A-5 and §55-3A-1 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §37-6-5a, relating to residents of recovery residences; creating pilot program for recovery residences located in Cabell County as such residences relate to landlord-tenant law; defining terms; providing that resident of recovery residence may be immediately discharged in certain circumstances; establishing procedures for removing recovery resident; establishing refund process for fees for residency or services paid to recovery residence; requiring return transportation be provided to individual transported to recovery residence from outside state of West Virginia; requiring reporting of certain information to West Virginia Department of Human Services' Bureau for Behavioral Health; requiring West Virginia Department of Human Services' Bureau for Behavioral Health to prepare and submit written report to Joint Committee on Government and Finance and specifying minimum contents; clarifying effect on rights under the West Virginia Fair Housing Act; providing sunset date; requiring award of reasonable attorney's fees against recovery residence in certain instances; and requiring recovery residence file petition for summary relief for wrongful occupation of residential rental property in certain circumstances.

Referred to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 75—A Bill to amend and reenact §29-22A-10d, §29-22A-10e, and §29-22C-27a of the Code of West Virginia, 1931, as amended, relating to the racetrack video lottery changes in distribution of net terminal income; changes in distribution of adjusted gross receipts in the lottery racetrack table games; and restoring moneys previously removed from net terminal income in 2014.

Referred to the Committee on Finance.

By Senator Deeds:

Senate Bill 76—A Bill to amend and reenact §20-18-2 and §20-18-8 of the Code of West Virginia, 1931, as amended, relating to Natural Resource Police Officer Retirement; increasing the accrued benefit of members of the West Virginia Natural Resources Police Officer Retirement System who retire on or after January 1, 2028; and providing for additional funding of the West Virginia Natural Resources Police Officer Retirement System.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Phillips:

Senate Bill 77—A Bill to amend and reenact §11-13A-6a of the Code of West Virginia, 1931, as amended, relating to providing that all coal severance tax shall be provided to the county that produced the coal.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Takubo:

Senate Bill 78—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §11-21-98 and §11-24-45, relating to providing a tax credit against the state corporate net income tax and the state personal income tax for expenditures related to the operation of existing employer-provided or sponsored child care facilities; defining terms; providing for rulemaking; setting the amount of the credit;

providing for limitation of the credit; providing for transferrable credit available to non-profit corporations; and providing for a recapture process.

Referred to the Committee on Finance.

By Senator Oliverio:

Senate Bill 79—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §31-17B-1, §31-17B-2, §31-17B-3, §31-17B-4, §31-17B-5, §31-17B-6, and §31-17B-7, relating to establishing the Uniform Mortgage Modification Act; providing an article citation designation; defining terms; providing the applicability of this article to certain mortgage modifications and providing exceptions thereto; providing that certain existing terms and conditions of a mortgage continue to be in effect when other specified terms are modified without altering the loans secured priority against the property for which the loan is held; requesting courts to promote uniformity between states when applying and construing this act; providing that this act does limit and modify certain provisions of the Global and National Commerce Act and providing an exception thereto; and providing that the provisions of this act apply only to those mortgage modifications made on or after the effective date of the act.

Referred to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 80—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-2-46, relating to requiring a moment of silence at the beginning of each school day; forbidding teachers from making suggestions as to the nature of the reflection that students may engage in during the moment of silence; and providing for the Attorney General to defend the provisions of this section.

Referred to the Committee on Education; and then to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 81—A Bill to amend and reenact §61-5-17a of the Code of West Virginia, 1931, as amended, relating to establishing a criminal offense for knowingly, willfully, and forcibly obstructing or hindering a home incarceration supervisor or a social service worker while they are lawfully acting in their official capacity and the obstructing or hindering causes their death; establishing criminal penalty therefor of imprisonment in a state correctional facility for 15 years to life; and providing definitions.

Referred to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 82—A Bill to amend and reenact §61-2-29 and §61-2-29a of the Code of West Virginia, 1931, as amended, relating to abuse or neglect of incapacitated adults; establishing gross neglect of an incapacitated adult as a felony with penalties to include a fine not exceeding \$3,000 and confinement to the custody of the division of corrections for not less than one nor more than five years; and removing the element of malice in felony charges of certain caregiver actions resulting in death of an incapacitated adult.

Referred to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 83—A Bill to amend and reenact §49-5-101 of the Code of West Virginia, 1931, as amended, relating to adding the Foster Care Ombudsman as a person to have access to records concerning child abuse or neglect allegations or proceedings.

Referred to the Committee on Health and Human Resources.

By Senator Rucker:

Senate Bill 84—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §30-44-1, §30-44-2, §30-44-3, §30-44-4, §30-44-5, §30-44-6, §30-44-7, §30-44-8, §30-44-9, §30-44-10, §30-44-11, §30-44-12, §30-44-13, §30-44-14, §30-44-14a, §30-44-14b, §30-44-15, §30-44-16, and §30-44-17, relating generally to certified professional midwives;

providing for definitions; setting forth the license required to practice; providing requirements for the license; providing for the license renewal and reinstatement; establishing temporary permits; detailing the contents of the license or certificate; providing for continuing education; clarifying the use of titles; providing for the denial, revocation, or suspension of license; listing exceptions; establishing prohibitions and penalties; creating an injunction or other relief against unlawful acts; providing for regulations governing the practice of midwifery; defining established medical tests, legend drug formulary, and medical devices; creating a drugs legend; creating a medical tests legend; providing for midwife responsibilities; providing for confidentiality; and providing for immunity.

Referred to the Committee on Health and Human Resources; and then to the Committee on Government Organization.

By Senator Rucker:

Senate Bill 85—A Bill to amend and reenact §16-2R-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §16-2R-10, relating to prohibiting the use or sale of abortifacients; enacting criminal penalties and private causes of action for supplying abortifacients; and creating severability.

Referred to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 86—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18B-1B-14, relating to creating the Unmatched Medical Graduate Advisory Council; establishing findings and purpose; establishing membership of advisory council; setting forth subjects to be addressed by advisory council in reporting; providing for selection of chair and vice chair; establishing quorum; providing that administrative support be provided by the Higher Education Policy Commission; and requiring reporting of findings and recommendations by December 31, 2025.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 87—A Bill to amend and reenact §16-66-2 of the Code of West Virginia, 1931, as amended, relating to pregnancy help organizations; and providing approved pregnancy help organizations flexibility to receive funding for various costs.

Referred to the Committee on Finance.

By Senator Rucker:

Senate Bill 88—A Bill to amend and reenact §15A-10-15 of the Code of West Virginia, 1931, as amended, relating to the performance of installation of propane gas systems; requiring the Fire Commission to promulgate standards relating to propane gas systems installed in single-family dwellings; and requiring the State Fire Marshal to inspect and certify compliance with the Fire Commission's standards.

Referred to the Committee on Government Organization.

By Senator Rucker:

Senate Bill 89—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5G-14a, relating to creating alternative high-risk population public charter schools; describing students of said schools; and requiring the state board to promulgate a rule for funding.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 90—A Bill to amend and reenact §18-5G-12 of the Code of West Virginia, 1931, as amended, relating to providing greater access to unused buildings for public charter schools; requiring the county board or public entity to allow the charter school sufficient time to establish the school; providing that the facility is not required to hold the building if the charter school application is denied; and allowing the authorizer of the charter

school to release the building in the event the school is unable to open.

Referred to the Committee on Education.

By Senator Rucker:

Senate Bill 91—A Bill to amend and reenact §11A-3-2 of the Code of West Virginia, 1931, as amended, relating to requiring the sheriff to send notices to the owners of record and to each resident or occupant of real property prior to selling the property for which property taxes have not been paid.

Referred to the Committee on Government Organization.

By Senator Rucker:

Senate Bill 92—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-2L-1, §18-2L-2, §18-2L-3, and §18-2L-4, relating to creating the Glucagon for Schools Act; defining terms; allowing prescription for undesignated glucagon in the name of a school district or school; allowing school to maintain a supply of undesignated glucagon; allowing trained school personnel to administer undesignated glucagon if the student's prescribed glucagon is not available on site or has expired; prohibiting licensed health professional with prescribing authority and pharmacist from being held responsible for harm due to the administration of undesignated glucagon in certain instances; declaring school personnel, the school district or school of employment, members of the governing school board, and the chief administrator are not liable in any criminal action or for civil damages as a result of administering undesignated glucagon in certain instances; requiring a school to call local emergency assistance and notify certain others as soon as practicable after the administration of undesignated glucagon; stating that each school should have an easily accessible glucometer on site; allowing all school personnel in schools that have students with diabetes to receive certain training; allowing designated school personnel to be trained to perform tasks necessary to assist a student with diabetes in accordance with his or her diabetes medical management plan; allowing school district to coordinate staff training; allowing school nurses, where available, or certain health care providers to provide technical

assistance, consultation, or both to school personnel; and requiring an information sheet to be provided to any school employee who transports a student for school-sponsored activities.

Referred to the Committee on Health and Human Resources.

By Senator Rucker:

Senate Bill 93—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article designated §16-9H-1, §16-9H-2, §16-9H-3, §16-9H-4, §16-9H-5, §16-9H-6, and §16-9H-7, relating to the creation of an e-cigarette and e-cigarette liquid directory; regulating the distribution and sale of e-cigarettes and e-cigarette liquid; requiring manufacturers to obtain market authorization from the United States Food and Drug Administration prior to the sale of e-cigarettes or e-cigarette liquids; providing manufacturers notice and the opportunity to be heard before removal from the directory; prohibiting the sale of e-cigarettes or e-cigarette liquid not listed on the directory; requiring unannounced compliance checks for retailers and wholesalers of electronic cigarettes; prescribing fines and penalties; requiring foreign manufacturers to designate an agent for service of process; designating the Secretary of State as an agent for service of process for resident manufacturers; and providing enforcement and rule-making authority to the Tax Commissioner and the Alcohol Beverage Control Administration Commissioner.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 94—A Bill to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-2-46, relating to the State Board of Education and required courses of education; courses to include human growth and development related to pregnancy and human development inside the womb; required methods of presenting this instruction and adding a human growth and development curriculum to be known as the Baby Olivia Act; and authorizing the Attorney General to sue for any violation of the Baby Olivia Act.

Referred to the Committee on Education.

By Senator Rucker:

Senate Bill 95—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-5-34, relating to requiring the Department of Health to allow reimbursement for remote ultrasound procedures and remote fetal nonstress tests utilizing established CPT codes for these procedures when the patient is in a residence or other off-site location from the patient's provider and the same standard of care is met.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 96—A Bill to amend and reenact §11-3-9 of the Code of West Virginia, 1931, as amended, relating to exempting from ad valorem property tax all property used for divine worship, including parts of those properties that are used for educational and other charitable purposes.

Referred to the Committee on Finance.

By Senator Rucker:

Senate Bill 97—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-2S-1 §16-2S-2, §16-2S-3, §16-2S-4, §16-2S-5, and §16-2S-6, relating to the creation of the West Virginia Chemical Abortion Prohibition Act; creating the offense; providing no liability to the patient; providing a rule of construction regarding ectopic pregnancy; providing for definitions; creating severability; and providing for disposal of discarded abortion drugs.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 98—A Bill to amend and reenact §17C-5A-3 and §17C-5A-3a of the Code of West Virginia, 1931, as amended, relating generally to the Division of Motor Vehicles' Safety and Treatment Program and Alcohol and Drug Test and Lock Program; adding grievance and appellate procedures and judicial review for

individuals who have participated in the program; authorizing the commissioner to promulgate an emergency rule; prohibiting minimum driving time, minimum mileage, and driving frequency requirements of Division of Motor Vehicles' Alcohol and Drug Test and Lock Program system; prohibiting removal of program participant for failure to meet certain program requirements; and directing the commissioner to reinstate former program participants for failing to meet such requirements, at no cost to the program participant, upon participant's meeting specified criteria.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Clements:

Senate Bill 99—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, and §11-13NN-6, relating to creating the Return to West Virginia Tax Credit Act; providing for a title, findings, and purpose; providing for a nonrefundable credit against state personal income taxes; providing a definition; providing for limitations and eligibility requirements of the credit; authorizing legislative rule; authorizing the Tax Commissioner to create forms and require documentation; providing for effective and expiration dates of the credit; and requiring reporting.

Referred to the Committee on Finance.

By Senator Barrett:

Senate Bill 100—A Bill to amend and reenact §15-2A-21 of the Code of West Virginia, 1931, as amended, relating to using accrued leave to acquire additional credited service toward retirement; clarifying that a leave day equals eight hours' leave; and granting members entering retirement system after July 1, 2015, the option to use leave days to acquire additional service for retirement.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Weld:

Senate Bill 101—A Bill to amend and reenact §61-12-10 of the Code of West Virginia, 1931, as amended, relating to postmortem examinations.

Referred to the Committee on Health and Human Resources.

By Senator Weld:

Senate Bill 102—A Bill to amend and reenact §36-3-5 of the Code of West Virginia, 1931, as amended, relating to modifying the form of deeds.

Referred to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 103—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15-1B-28, relating to exempting certain records from public release.

Referred to the Committee on Military.

By Senator Weld:

Senate Bill 104—A Bill to amend and reenact §11A-1-17 of the Code of West Virginia, 1931, as amended, relating to sheriff's commission for collection of taxes.

Referred to the Committee on Government Organization.

By Senator Weld:

Senate Bill 105—A Bill to amend and reenact §5-10-20 of the Code of West Virginia, 1931, as amended, relating to authorizing sheriffs who are members of the public retirement system to retire upon attaining the age of 62 with eight or more years of service.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Stuart:

Senate Bill 106—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15A-1-9a, relating to authorizing the West Virginia Department of

Homeland Security to assist with border security in the state of Texas.

Referred to the Committee on Finance.

By Senator Tarr:

Senate Bill 107—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §11-12-4b and §36-4-20; and to amend the code by adding a new article, designated §11-12E-1, §11-12E-2, §11-12E-3, and §11-12E-4, relating to real property, tax, and registration requirements associated with carbon offset agreements; providing exceptions; requiring parties to current and new carbon offset agreements to register with the State Tax Department; requiring reports by Division of Forestry and State Tax Department; authorizing disclosure of information between the Tax Commissioner and Division of Forestry; imposing an excise tax on receipts derived from carbon offset agreements; setting forth reporting requirements; defining "managed timberland" to exclude certain timberland subject to a carbon offset agreement; specifying application of West Virginia Tax Procedure and Administration Act and West Virginia Tax Crimes and Penalties Act; authorizing promulgation of rules; providing legislative findings and declarations; providing that any covenant, restriction, condition, easement, contract, lease, deed, agreement, option, or other governing document, which is executed or recorded after the effective date, which effectively prohibits or restricts the development of land and minerals or the harvesting of timber for the purposes of carbon capture, carbon offset, and carbon sequestration is void and unenforceable, unless said covenant, restriction, condition, easement, contract, lease, deed, agreement, option, or other governing document is for an initial maximum term of 20 years or less; providing that options to renew or continue such arrangements beyond the maximum term of 20 years shall be valid only if the consideration is required to be renegotiated to exercise the option and the option is for a maximum of 20 years or less; and providing exceptions.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senator Roberts:

Senate Bill 108—A Bill to amend and reenact §16-3-4, §18-28-2, and §18-28-6 of the Code of West Virginia, 1931, as amended, relating to allowing students in private schools to be immunized on a voluntary basis.

Referred to the Committee on Health and Human Resources.

By Senator Tarr:

Senate Bill 109—A Bill to amend the Code of West Virginia, 1931, as amended by adding a new article, designated §11-18-1, §11-18-2, §11-18-3, and §11-18-4; and to amend the code by adding a new article, designated §15-1L-1, §15-1L-2, §15-1L-3, §15-1L-4, §15-1L-5, §15-1L-6, §15-1L-7, §15-1L-8, and §15-1L-9, relating to creating a program to reward citizens for information on drug trafficking; providing findings and intent; defining terms; creating an excise tax on opioid antagonists and test strips; creating a special revenue account; providing a short title; setting out a purpose; establishing a program for providing rewards for pertinent information; placing the program with the State Police; giving the Secretary of Homeland Security jurisdiction over the program; setting out privacy requirements; providing for exclusions; authorizing funding; requiring an application; exempting the reward from taxation and other legal processes; and providing for rulemaking.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on Finance.

By Senator Tarr:

Senate Bill 110—A Bill to amend and reenact §16-9G-1 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §9-3-7, relating to a Medicaid state plan amendment; providing that the Bureau for Medical Services shall seek a state plan amendment; providing that the state plan amendment provide for cost sharing and/or premiums for certain populations; allowing that the state plan amendment may provide for a demonstration project; and providing for an effective date.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Woelfel:

Senate Bill 111—A Bill to amend and reenact §49-2-906 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §28-5C-3, relating to providing free feminine hygiene products to adult and juvenile females in custody or detention in jails, regional jails, or state correctional facilities, and female juveniles in juvenile detention; defining terms; and making a legislative finding.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Tarr:

Senate Bill 112—A Bill to amend and reenact §3-1-41 and §3-9-19 of the Code of West Virginia, 1931, as amended, relating to expressly prohibiting the acceptance of illegal ballots cast in any election; and providing criminal penalties for intentionally and knowingly accepting an absentee ballot that does not comply with state requirements for absentee voting.

Referred to the Committee on the Judiciary.

By Senator Clements:

Senate Bill 113—A Bill to amend and reenact §30-29-8 of the Code of West Virginia, 1931, as amended, relating to responsibility for reimbursement of training costs of law-enforcement employees who leave original jurisdiction of employment for employment in another law-enforcement agency in this state.

Referred to the Committee on Finance.

By Senator Clements:

Senate Bill 114—A Bill to amend and reenact §17A-4A-2a of the Code of West Virginia, 1931, as amended, relating to mandating lending institutions who conduct five or more transactions annually to utilize the Division of Motor Vehicles electronic lien system to perfect or release security interest in a vehicle.

Referred to the Committee on Transportation and Infrastructure.

By Senator Takubo:

Senate Bill 115—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, §11-13NN-6, §11-13NN-7, §11-13NN-8, and §11-13NN-9, relating to establishing a tax credit for certain physicians who locate in this state to practice; setting forth findings; defining terms; setting forth eligibility for tax credit; creating the tax credit; establishing maximum allowable amount of tax credit; setting forth procedure to claim tax credit; authorizing the Tax Commissioner to promulgate rules; and setting effective date.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Takubo:

Senate Bill 116—A Bill to amend and reenact §9-5-12a of the Code of West Virginia, 1931, as amended, relating to increasing the coverage limit; requiring the Bureau for Medical Services to require its managed care organizations to provide education to Medicaid enrollees regarding the availability of coverage; and requiring reporting.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Takubo:

Senate Bill 117—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §17C-2-10, relating to permitting allopathic and osteopathic physicians to be exempt from specified traffic laws in emergency situations when responding to an emergency call; providing that physicians must still exercise due care for safety; and providing for rulemaking.

Referred to the Committee on Transportation and Infrastructure.

By Senator Takubo:

Senate Bill 118—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-5EE-1, §16-5EE-2, §16-5EE-3, §16-5EE-4, §16-5EE-5, §16-5EE-6, §16-5EE-7, §16-5EE-8, and §16-5EE-9, relating to recruitment of forensic pathologists; setting forth purpose; defining terms; setting forth eligibility criteria; setting forth required loan repayment documents and procedure; designating the Department of Health to administer the program; setting forth award requirements and procedure; creating a fund; requiring rulemaking; and setting forth minimum salary.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Takubo:

Senate Bill 119—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-2L-1, §18-2L-2, §18-2L-3, and §18-2L-4, relating to the Stop the Bleed Act; defining terms; establishing requirements for implementation of the act; and addressing funding.

Referred to the Committee on Education.

By Senator Takubo:

Senate Bill 120—A Bill to amend and reenact §15-2B-4 and §15-2B-6 of the Code of West Virginia, 1931, as amended, relating to designating the Forensic Analysis Laboratory of the Marshall University Forensic Science Center as the back-up provider to manage the DNA databank and database in the event of a statewide declared, public emergency, or natural disaster; designating Forensic Analysis Laboratory of the Marshall University Forensic Science Center as an additional site for the analysis of the DNA samples from unidentified human remains; providing Forensic Analysis Laboratory of the Marshall University Forensic Science Center access to certain databases; and requiring the Chief Medical Examiner, or his or her designee, to collect specified samples for inclusion into the state DNA databank and specifying access to those samples.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Weld:

Senate Bill 121—A Bill to amend and reenact §61-8-9 of the Code of West Virginia, 1931, as amended, relating to indecent exposure of a person's nude penis, vagina, or anus; declaring that indecent exposure requires exposing one's nude penis, vagina, or anus; authorizing a person convicted of third offense indecent exposure for purposes of sexual gratification to be both fined and imprisoned; creating enhanced penalties for second and subsequent violations; creating the criminal offense of indecent exposure in front of minors; removing breast-feeding exemption as unnecessary due to definition clarification; defining terms; and establishing criminal penalties for the new offense.

Referred to the Committee on the Judiciary.

By Senator Clements:

Senate Bill 122—A Bill to amend and reenact §18-9A-2 of the Code of West Virginia, 1931, as amended, relating to the school aid formula; and establishing a minimum net enrollment of 1,200 students for each county.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Clements:

Senate Bill 123—A Bill to amend and reenact §17-3-2 of the Code of West Virginia, 1931, as amended, relating to the use of the State Road Fund for state road purposes.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Barrett:

Senate Bill 124—A Bill to amend and reenact §55-2-6, §55-2-7, and §55-2-11 of the Code of West Virginia, 1931, as amended, relating to limitation of certain actions; and reducing time within which to bring actions to recover on written and oral contracts, certain bonds, and recognizances.

Referred to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 125—A Bill to amend and reenact §3-10-3 of the Code of West Virginia, 1931, as amended, relating to when vacancies in the office of magistrate shall be filled by election or appointment; clarifying that when a vacancy in the office of magistrate creates an unexpired term of more than three years the vacancy shall be filled by election; and clarifying that when a vacancy in the office of magistrate creates an unexpired term of less than three years the vacancy shall be filled by appointment.

Referred to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 126—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §15-5D-1, §15-5D-2, §15-5D-3, §15-5D-4, §15-5D-5, §15-5D-6, §15-5D-7, and §15-5D-8, relating to enacting the West Virginia Volunteer State Defense Guard Act.

Referred to the Committee on Military; and then to the Committee on Finance.

By Senator Tarr:

Senate Bill 127—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §12-3-21, relating to establishing the revocation of authority for spending by an agency in support of a challenge to West Virginia law; and providing for exceptions.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Tarr:

Senate Bill 128—A Bill to amend and reenact §49-4-108 of the Code of West Virginia, 1931, as amended, relating to removing the option for courts to order services at a higher rate than Medicaid.

Referred to the Committee on the Judiciary.

By Senator Tarr:

Senate Bill 129—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-5-34, relating to Medicaid; adding requirement that Medicaid submit certain waivers and plan amendments over \$3 million through the legislative rule-making process; and requiring Medicaid to study and provide reports to the Legislature regarding the costs of the program and recommendations to contain costs.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Tarr:

Senate Bill 130—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-5-34, relating to prioritizing providing medical services to West Virginia Medicaid beneficiaries within West Virginia.

Referred to the Committee on Health and Human Resources.

By Senator Tarr:

Senate Bill 131—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §61-17-1, §61-17-2, §61-17-3, §61-17-4, §61-17-5, §61-17-6, §61-17-7, §61-17-8, and §61-17-9, relating to prohibitions on the illegal entry into or illegal presence in this state by a person who is an alien; enforcement of prohibitions and certain related orders, including immunity from liability and indemnification for enforcement actions; authorizing or requiring under certain circumstances the removal of persons who violate those prohibitions; and creating criminal offenses.

Referred to the Committee on the Judiciary.

By Senator Tarr:

Senate Bill 132—A Bill to amend and reenact §7-22-9 of the Code of West Virginia, 1931, as amended, relating to county economic opportunity development districts; authorizing the Mason County Commission to levy a special district excise tax; authorizing the special district excise tax for the benefit of the

Town of Henderson Economic Opportunity District; setting forth the land area within the special district subject to the special district excise tax; authorizing the commission to create the district and levy the special district excise tax without the approval of the executive director of the development office; authorizing the commission to determine the base district tax, the base tax revenue amount, the gross annual district tax revenue amount and the estimated net annual district tax revenue amount; and requiring the Tax Commissioner to provide the commission with certification of the base tax revenue amount.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

By Senator Tarr:

Senate Bill 133—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §3-1-52, relating to prohibiting ranked choice voting in elections in West Virginia.

Referred to the Committee on the Judiciary.

By Senator Tarr:

Senate Bill 134—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-6-18A, relating to prohibition against public camping; defining terms; prohibiting camping in public places; providing that person's intent established through specified actions; providing that violation of article constitutes a misdemeanor; providing for fine; requiring bus ticket to be offered; providing for community service; addressing preemption; and requiring officer to provide information prior to issuance of citation unless there is an imminent threat to public health or safety.

Referred to the Committee on the Judiciary.

By Senator Tarr:

Senate Bill 135—A Bill to amend and reenact §19-12A-5 of the Code of West Virginia, 1931, as amended, relating to precluding the Department of Agriculture from cancellation of certain leases;

removing language allowing cancellation of any lease which the Department of Agriculture is a party, and the consideration is less than five dollars per acre; and making technical corrections.

Referred to the Committee on Agriculture.

By Senator Weld:

Senate Bill 136—A Bill to amend and reenact §62-12-13 of the Code of West Virginia, 1931, as amended, relating to modifying the parole eligibility for a person serving a sentence for first degree murder.

Referred to the Committee on the Judiciary.

By Senator Hamilton:

Senate Bill 137—A Bill to amend and reenact §3-8-2b of the Code of West Virginia, 1931, as amended, relating to requiring a political action committee to disclose the names and addresses of its contributors to the Secretary of State.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senator Hamilton:

Senate Bill 138—A Bill to amend and reenact §61-5-17 of the Code of West Virginia, 1931, as amended, relating to creating enhanced second and third offenses for fleeing from an officer on foot or in a vehicle; establishing criminal penalties for the new offenses; and declaring that a conviction for fleeing while under the influence of alcohol or drugs is treated as a driving under the influence for licensure purposes.

Referred to the Committee on the Judiciary.

By Senator Hamilton:

Senate Bill 139—A Bill to amend and reenact §3-10-5 of the Code of West Virginia, 1931, as amended, relating to the filling of vacancies in the Legislature; and providing that an individual must reside within the district he or she would represent for one year prior to appointment in order to be eligible to fill a vacancy in the Legislature.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 140—A Bill to amend and reenact §30-1-10 of the Code of West Virginia, 1931, as amended, relating to when excess funds accumulated by boards are to be transferred to the General Revenue Fund of the State Treasury.

Referred to the Committee on Finance.

By Senator Woodrum:

Senate Bill 141—A Bill to amend and reenact §20-7-1b of the Code of West Virginia, 1931, as amended, relating to clarifying that the Director of the Division of Natural Resources has replaced the designation of the "Department of Natural Resources" to enter into written agreements with federal agencies in the state with law-enforcement duties on and in federal lands located within the boundaries of West Virginia to enforce state laws therein.

Referred to the Committee on Natural Resources.

By Senator Woodrum:

Senate Bill 142—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §20-20-1, §20-20-2, §20-20-3, §20-20-4, §20-20-5, §20-20-6, §20-20-7, and §20-20-8, relating to the creation of the Mountain Bike Responsibility Act; stating a legislative purpose; defining terms; and providing for duties of trail system operators, mountain bicyclists, and passengers on aerial passenger tramways.

Referred to the Committee on Natural Resources; and then to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 143—A Bill to amend and reenact §60A-4-416 of the Code of West Virginia, 1931, as amended, relating generally to the Uniform Controlled Substances Act; defining and clarifying the phrases "engaged in the illegal use of a controlled substance with another person", and "seek medical assistance"; and establishing criminal penalties.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 144—A Bill to amend and reenact §21A-2C-1, §21A-2C-2, §21A-2C-3, §21A-2C-4, §21A-2C-5, and §21A-2C-6 of the Code of West Virginia, 1931, as amended, relating to renaming the act the Military Incentive Program and extending this program to all veterans; updating definitions; naming WorkForce West Virginia as the only agency administering this program; and establishing rulemaking.

Referred to the Committee on Military; and then to the Committee on Finance.

By Senator Weld:

Senate Bill 145—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §37-16-1, §37-16-2, §37-16-3, §37-16-4, §37-16-5, §37-16-6, §37-16-7, §37-16-8, and §37-16-9, relating to real property conveyed by land installment agreement; providing definitions; laying out land installment contract requirements; providing for vendor requirements; providing for the condition of forfeiture, notice of default, and right to cure; defining the effect of vendor's default on lien on property; spelling out contrary provisions; defining interest; providing for remedies; and clarifying the Truth in Lending Act.

Referred to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 146—A Bill to amend and reenact §18-3-6 of the Code of West Virginia, 1931, as amended, relating to requiring county boards of education, county superintendents, employees of county boards of education, and the West Virginia Public Employees' Grievance Board to give substantial deference to the State Superintendent's interpretations of school law or State Board of Education rules; and providing exceptions to substantial deference requirement.

Referred to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 147—A Bill to amend and reenact §17C-5-3 of the Code of West Virginia, 1931, as amended, relating to reckless driving; establishing the aggravated felony offense of reckless driving resulting in the death of another; and providing the criminal penalties for the offense.

Referred to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 148—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §24-2-1s, relating to the electrical needs of the premises of the United States armed forces or the West Virginia National Guard; providing that the provision of electricity from a certified high impact industrial business development district to meet the needs of the premises of the United States armed forces or the West Virginia National Guard does not constitute a public service; and providing exemptions from the limitations on power purchase agreements or net metering and interconnections standards as provided in code for a certified high impact industrial business development district which enters into a power purchase agreement with the United States armed forces or the West Virginia National Guard to provide electricity only to meet the needs of its premises.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Economic Development.

By Senator Weld:

Senate Bill 149—A Bill to amend and reenact §18B-10-7 of the Code of West Virginia, 1931, as amended, relating to exempting certain military veterans and their dependents from the payment of tuition and fees.

Referred to the Committee on Military; and then to the Committee on Finance.

By Senator Weld:

Senate Bill 150—A Bill to amend and reenact §61-8-19 of the Code of West Virginia, 1931, as amended, relating to cruelty to

animals; creating and defining the felony offense of cruelty to animals; modifying and clarifying applicability of the section; defining terms; and creating criminal penalties.

Referred to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 151—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-3-27a; and to repeal §19-20-24, relating to police dogs and other public safety animals; creating offenses related to willfully causing physical injury, serious physical injury, or death to public safety animals; providing an exemption; defining terms; and establishing criminal penalties.

Referred to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 152—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §20-2-65, relating to waivers of fees for emergency responders disabled in the line of duty for hunting, trapping, and fishing licenses; establishing procedures and requirements for requesting the waiver; and permitting the promulgation of rules by the Division of Natural Resources.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senator Weld:

Senate Bill 153—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §20-2-63, relating to exempting certain persons from fees for hunting, fishing, and trapping licenses and permits; providing that fees for hunting, trapping, and fishing licenses and permits are waived for certain volunteer firefighters; including eligibility requirements; requiring compliance with all other requirements to obtain license; and granting rule-making authority.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senator Grady:

Senate Bill 154—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-29, relating to prohibiting a public school student from being required to participate in instruction related to sexual orientation and gender identity if a parent, custodian, or guardian of the student objects in writing; requiring each public school to afford the parent, custodian, or guardian of a child subject to instruction with respect to sexual orientation and gender identity advance written notification of such instruction and of their right to exempt the child from participation; prohibiting a public school and the county board employees assigned to the school from knowingly giving false or misleading information to the parent, custodian, or guardian of a student regarding the student's gender identity or intention to transition to a gender that is different than the sex listed on a student's official birth certificate or certificate issued upon adoption if the certificate was issued at or near the time of the student's birth; requiring a public school employee to report a student's request for an accommodation that is intended to affirm the student's gender identity from a person employed by the public school to an administrator employed by the county board and assigned to the school; requiring the administrator to report the student's request to the student's parent, custodian, or guardian; allowing for legal action in certain instances of a violation of section; allowing state board of education to promulgate rules to implement section; and providing that the provisions of this act are severable.

Referred to the Committee on Education; and then to the Committee on the Judiciary.

By Senator Woelfel:

Senate Bill 155—A Bill to amend and reenact §18-5D-6 of the Code of West Virginia, 1931, as amended, relating to establishing the Summer Feeding for All Program; providing findings; directing a county-by-county assessment of non-school day student initiative; addressing food insecurities; empowering county school boards to develop initiatives and programs for feeding students in need during summer and other non-school time periods; providing

county board reporting requirements to the Office of Child Nutrition; and directing the Office of Child Nutrition to collect and distribute information regarding available food resources.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 156—A Bill to amend and reenact the Code of West Virginia, 1931, as amended, adding a new article, designated §33-64-1, relating to cost sharing for diagnostic and supplemental breast examinations; providing definitions; providing that the Commissioner of Insurance may propose legislative rules; providing requirements for insurance and exceptions thereto if the benefit reduces certain federal benefits; and to provide related matters associated with coverage.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 157—A Bill to amend and reenact §17-2A-4b of the Code of West Virginia, 1931, as amended, relating to providing a \$5,000 raise to state road employees.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 158—A Bill to amend and reenact §18-2-1 of the Code of West Virginia, 1931, as amended, relating to modifying eligibility and qualifications to serve as an appointed member of the State Board of Education; prohibiting certain political and other activities; and permitting certain political activities.

Referred to the Committee on Education; and then to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 159—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-3-21,

relating to prohibiting certain medical practices; prohibiting medical providers from performing pelvic, prostate, rectal, and breast exams on an anesthetized or unconscious patient except in specified circumstances; and establishing an effective date.

Referred to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 160—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-2-14, relating to Medicaid coverage for postpartum health care.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 161—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16-1-9h, relating to water quality affecting residents of the state; establishing findings; requiring Department of Health evaluate whether public water sources contain levels of contaminants making them unsafe; providing water filtration equipment or technology to residents whose water is deemed unsafe; and providing for rulemaking.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 162—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §46A-9-1, §46A-9-2, and §46A-9-3, relating to older West Virginians' prescription drug pricing; defining terms; requiring pharmacies in West Virginia to charge senior citizens the lowest national price for prescription drugs; and granting enforcement powers to the Attorney General.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 163—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16-1-8a, relating to including postpartum depression, anxiety, psychosis, and obsessive-compulsive disorders in existing public health programs.

Referred to the Select Committee on Substance Use Disorder and Mental Health.

By Senator Chapman:

Senate Bill 164—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-5EE-1, relating to clarifying parent and legal guardian access to a minor child's medical records.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 165—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §49-2-131, relating to ensuring equal financial support by the state for kinship parents and fictive kin as provided to certified foster parents.

Referred to the Committee on Health and Human Resources.

By Senator Chapman:

Senate Bill 166—A Bill to amend and reenact §49-2-802 and §49-4-601 of the Code of West Virginia, 1931, as amended, relating to requiring that parents named as a respondent in an abuse and neglect case or in an investigation by Child Protective Services are given a copy of their rights that is written in plain, understandable language; and giving authority to ensure receipt of said rights to the prosecutor of the county in which the investigation is taking place.

Referred to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 167—A Bill to amend and reenact §30-1-26, §30-3-13, and §30-3-13a of the Code of West Virginia, 1931, as amended, relating to permitting medical providers outside the state of West Virginia to practice telehealth and telemedicine in West Virginia, as was previously permitted under the COVID-19 state of emergency.

Referred to the Committee on Health and Human Resources.

By Senator Chapman:

Senate Bill 168—A Bill to amend and reenact §37-6-9 of the Code of West Virginia, 1931, as amended, relating to proscribing rent control.

Referred to the Committee on Government Organization.

By Senator Chapman:

Senate Bill 169—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-5-34, relating to correlating the Medicaid personal needs allowance with the state poverty index.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 170—A Bill to amend the Code of West Virginia, 1931, by adding a new article, designated §61-3F-1, §61-3F-2, §61-3F-3, §61-3F-4, §61-3F-5, and §61-3F-6, relating to creating the Stop Non-Consensual Distribution of Intimate Deep Fake Media Act; providing for definitions; explaining manner of violation; providing for construction, safe harbor, and severability; providing for a penalty; and allowing injunctive relief.

Referred to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 171—A Bill to amend and reenact §16-1-19 of the Code of West Virginia, 1931, as amended, relating to requiring all state buildings to have a nursing room so that a mother can either

nurse her baby or pump; requiring that these nursing rooms be separate from a bathroom; and permitting that these rooms can be adjacent to bathrooms.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 172—A Bill to amend and reenact §18-7A-38 of the Code of West Virginia, 1931, as amended, relating to permitting retirees under the state Teachers Retirement System to work as substitute teachers for up to 180 days per academic year without loss of the payment of monthly retirement benefits; adding a legislative finding; changing the allowed period of employment; providing that no additional retirement system contributions will be made by the employer from such employment; and allowing the retirant to choose to contribute to his or her retirement from this employment should the retirant choose to do so.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 173—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16-6-26, relating to requiring hotels and public lodging establishments to provide human trafficking awareness training to employees; mandating annual training; establishing reporting procedures; requiring local board of health approval of training program; establishing penalties; providing that no private cause of action is created; and authorizing rulemaking.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 174—A Bill to amend and reenact §61-8-19 of the Code of West Virginia, 1931, as amended, relating to strengthening the definition of shelter for animals exposed to extreme weather; clarifying the minimum requirements for what constitutes a shelter; and clarifying what does not amount to a shelter.

Referred to the Committee on Agriculture; and then to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 175—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11A-5-1, §11A-5-2, and §11A-5-3, relating to prohibiting counties and municipalities from double-taxing residential rental properties in order to keep rent payments affordable for West Virginia residents.

Referred to the Committee on Government Organization.

By Senator Chapman:

Senate Bill 176—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-7A-1, §16-7A-2, §16-7A-3, and §16-7A-4, relating to food allergen awareness; requiring the Department of Health to provide posters that contain information about food allergens to restaurants, which the restaurants must post; requiring food service employees to understand and be able to explain the allergens potentially in each food item sold by that business; granting rule-making authority; and providing an effective date.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 177—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §30-5A-1, §30-5A-2, and §30-5A-3, relating to creating the Pharmacist Prescribing Authority Act; authorizing pharmacists to prescribe low-risk medications to patients; and listing the limitations of the prescriptions that fall under that authority.

Referred to the Committee on Health and Human Resources; and then to the Committee on Government Organization.

By Senator Chapman:

Senate Bill 178—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated 3-1-8a, relating to imposing a limit of three terms on officials elected to public office in the state.

Referred to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 179—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-8-2a, relating to granting school administrators the ability to refuse to promote a student to the next grade if the child has missed 20 or more days of school.

Referred to the Committee on Education.

By Senator Chapman:

Senate Bill 180—A Bill to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating to teaching and instruction of world languages in public schools.

Referred to the Committee on Education.

By Senator Chapman:

Senate Bill 181—A Bill to amend and reenact §29-21-13a of the Code of West Virginia, 1931, as amended, relating to requiring that payments to attorneys who provide legal services for court-ordered appointments to be reimbursed or denied within 30 days of the submission of the voucher.

Referred to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 182—A Bill to amend and reenact §16-4C-6 and §16-4C-24 of the Code of West Virginia, 1931, as amended, relating to establishing a program for emergency medical services personnel to become certified paramedics; and providing for its funding.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 183—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-21-98,

relating to providing for a deduction of state payments for all medical payments by an individual; and establishing rules.

Referred to the Committee on Finance.

By Senator Chapman:

Senate Bill 184—A Bill to amend and reenact §60A-7-705 of the Code of West Virginia, 1931, as amended, relating to prohibiting pre-conviction forfeiture of someone who is merely accused of a crime.

Referred to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 185—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §19-2-14, relating to requiring a label for any lab grown meat being sold to the general public in this state.

Referred to the Committee on Agriculture.

By Senator Grady:

Senate Bill 186—A Bill to amend and reenact §59-1-16 of the Code of West Virginia, 1931, as amended, relating to modifying the fee and mileage rate paid to witnesses in the State of West Virginia to match the United States Federal Court system.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Grady:

Senate Bill 187—A Bill to amend and reenact §18A-4-10a of the Code of West Virginia, 1931, as amended, relating to bonuses for unused days of personal leave for school personnel, including professional and service employees.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 188—A Bill to amend and reenact §61-2-4 of the Code of West Virginia, 1931, as amended, relating to increasing the penalty for voluntary manslaughter.

Referred to the Committee on the Judiciary.

By Senator Deeds:

Senate Bill 189—A Bill to amend and reenact §57-3-3 of the Code of West Virginia, 1931, as amended, relating to the testimony of spouses in a criminal case.

Referred to the Committee on the Judiciary.

By Senator Deeds:

Senate Bill 190—A Bill to amend and reenact §7-14D-2 of the Code of West Virginia, 1931, as amended, relating to increasing the retirement benefit multiplier of the Deputy Sheriff Retirement System Act from two and one-half percent to three percent of the member's final average salary multiplied by the member's years of credited service.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 191—A Bill to amend and reenact §15-2-33 and of the Code of West Virginia, 1931, as amended, relating to changing the awards and benefits to dependents of State Police officers who must take disability retirement to better match the awards and benefits of the dependents of State Police retirants who serve 20 years without disability retirement.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 192—A Bill to amend and reenact §5-10-20 of the Code of West Virginia, 1931, as amended, relating to authorizing sheriffs who are members of the public retirement system to retire upon attaining the age of 62 with eight or more years of service.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 193—A Bill to amend and reenact §7-14-17c of the Code of West Virginia, 1931, as amended, relating to clarifying the amount of a deputy sheriff's annual monetary payment for years of service.

Referred to the Committee on Government Organization.

By Senator Deeds:

Senate Bill 194—A Bill to amend and reenact §61-2-3 of the Code of West Virginia, 1931, as amended, relating to criminal penalties for murder in the second degree; and parole eligibility for the crime of murder in the second degree.

Referred to the Committee on the Judiciary.

By Senator Deeds:

Senate Bill 195—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §17B-3-14, relating to providing reports on mental or physical disabilities, or disorders, to the Division of Motor Vehicles to determine an individual's medical competency to retain their driver's license; and providing that this section shall be known as McKayla, Miranda, and Philip's Law.

Referred to the Committee on the Judiciary.

By Senator Deeds:

Senate Bill 196—A Bill to amend and reenact §60A-4-401, §60A-4-409, §60A-4-414, and §60A-4-416, relating to controlled substances violations; increasing sentences for certain controlled substances offenses; making certain offenses ineligible for suspension or probation, or alternative sentencing; making possession of Schedule I and II narcotics and methamphetamine a felony; expressing legislative intent; authorizing reduction from felony to misdemeanor under certain circumstances; declaring that minimum period of 10 years' incarceration for the offense of drug delivery death; requiring inert substances mixed with controlled substances to be considered a controlled substance for purposes of weight measurement; setting forth method for measurement where

more than one controlled substance is in a mixture; and modifying sentences for certain offenses.

Referred to the Committee on the Judiciary.

By Senator Grady:

Senate Bill 197—A Bill to amend and reenact §18A-3-2a of the Code of West Virginia, 1931, as amended, relating to limiting persons required to pass appropriate West Virginia Board of Education-approved basic skills and subject matter tests in the area for which licensure is being sought as a condition for the issuance of a professional teaching certificate.

Referred to the Committee on Education.

By Senator Grady:

Senate Bill 198—A Bill to amend and reenact the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-8C-12, relating to establishing the criminal offenses of creating, producing, distributing, or possessing with intent to distribute artificial intelligence-created visual depictions of child pornography when no actual minor is depicted; setting forth findings; defining terms; clarifying that the visual depiction of a minor need not be of an actual person; and establishing criminal penalties.

Referred to the Committee on the Judiciary.

By Senator Grady:

Senate Bill 199—A Bill to amend and reenact §18A-5-1 of the Code of West Virginia, 1931, as amended, relating to elementary behavior intervention and safety; clarifying that nothing herein may be construed to conflict with certain federal laws; and specifying requirements applicable to when a grade kindergarten through six teacher in an elementary setting determines that the behavior of a student is violent, threatening, or intimidating toward staff or peers, or creates an unsafe learning environment, or impedes on other students' ability to learn in a safe environment.

Referred to the Committee on Education.

By Senator Tarr:

Senate Bill 200—A Bill to amend and reenact §61-7-4 of the Code of West Virginia 1931, as amended, relating to clarity regarding placing limitations on a concealed carry permit; excluding an individual from being charged with a crime in certain circumstances; and adding a severability clause.

Referred to the Committee on the Judiciary.

By Senator Tarr:

Senate Bill 201—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-2-9b, relating to prohibiting a school district, a public charter school, the West Virginia Board of Education, the West Virginia Department of Education, or any employee of the aforementioned entities, within the scope of his or her employment, from requiring or otherwise compelling a student, teacher, administrator, or other employee to affirm, adopt, or adhere to certain specified concepts; limiting prohibitions; providing that complaints may be filed pursuant to current state board policy; requiring reports of substantiated complaints to the Legislative Oversight Commission on Education Accountability annually; and allowing the state board to promulgate rules.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Tarr:

Senate Bill 202—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-8B-5a, relating to establishing the crime of sexual assault in the fourth degree; prohibiting school personnel from subjecting a minor student to sexually explicit or oriented discussion, gender persuasion, reading or viewing material as a condition of academic advancement, including any requirement of permission from an individual student, parent or guardian that is not the exact same for the minor's classmates; and establishing penalties for violation.

Referred to the Committee on the Judiciary.

By Senator Tarr:

Senate Bill 203—A Bill to amend the Code of West Virginia, as amended, by adding a new article, designated §16-64A-1, §16-64A-2, §16-64A-3, and §16-64A-4; and to repeal §16-64-1, §16-64-2, §16-64-3, §16-64-4, §16-64-5, §16-64-6, §16-64-7, §16-64-8, §16-64-9, and §16-64-10, relating to syringe exchange services programs; defining terms; making syringe exchange service programs unlawful; setting date for closure of existing programs; permitting harm reduction services to continue to operate provided no syringe services are provided; allowing for an administrative timeframe for referral; requiring the imposition of fees for noncompliance; and permitting injunctive relief.

Referred to the Committee on Health and Human Resources.

By Senator Tarr:

Senate Bill 204—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-5EE-1, §16-5EE-2, §16-5EE-3, and §16-5EE-4, relating to opioid treatment programs; defining terms; making opioid treatment programs unlawful; allowing for an administrative time frame for referral; requiring the imposition of fees for noncompliance; and permitting injunctive relief.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on Health and Human Resources.

By Senator Tarr:

Senate Bill 205—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §12-10-1 and §12-10-2, relating to prompt payment of legitimate, uncontested invoices by state agencies; providing that registered and qualified vendors shall be entitled to prompt payment upon presentation to a state agency of a legitimate, uncontested invoice; providing the rate of interest and manner of calculation; determining the date an invoice is considered received by a state agency; outlining rights of state agencies to receive updated invoices with interest prior to payment; requiring state agencies to explain and calculate interest on the payment claim at the time it is

submitted to the State Auditor; providing the timeline in which state agencies shall process payments; providing the timeline in which state agencies shall process payments for other agencies; providing for the definition of a state agency; and providing for exceptions.

Referred to the Committee on Finance.

By Senator Tarr:

Senate Bill 206—A Bill to amend and reenact §19-12A-5 of the Code of West Virginia, 1931, as amended, relating to precluding the Department of Agriculture from canceling certain leases; removing language allowing cancellation of any lease which the Department of Agriculture is a party and the consideration is less than five dollars per acre; and making technical corrections.

Referred to the Committee on Agriculture.

By Senator Tarr:

Senate Bill 207—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-8D-4b, relating to providing a definition of drag shows; prohibiting funding from governmental entities for drag shows; prohibiting minors from being involved in or attending drag shows; and providing for penalties associated with violations of these provisions.

Referred to the Committee on the Judiciary.

By Senator Tarr:

Senate Bill 208—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5B-2P-1, §5B-2P-2, §5B-2P-3, §5B-2P-4, §5B-2P-5, §5B-2P-6, §5B-2P-7, §5B-2P-8, §5B-2P-9, §5B-2P-10, §5B-2P-11, §5B-2P-12, and §5B-2P-13, relating to creation of the Mountain Homes Act; setting out a short title; setting out legislative findings; defining terms; authorizing rulemaking; providing an effective date; providing for a sunset date; creating the Mountain Homes Fund; providing for the purposes of the fund; providing for administration of the fund; providing for recordkeeping; requiring reporting to the Joint

Committee on Government and Finance and the Governor; setting out required elements for the report; exempting certain materials from the Freedom of Information Act; establishing criteria for eligibility for use of funds; requiring an application for use of funds; setting out elements necessary to be included on the application; providing for exclusions from use of funds; providing for application approval; establishing evaluation standards and criteria; providing for a final agreement; setting out terms of the agreement; allowing for an extension of time; requiring adjacent properties to be subject to additional approval; providing for administration of the act; setting out powers and duties of the Department of Economic Development; and providing for a criminal penalty for a false statement.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

By Senator Tarr:

Senate Bill 209—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-52, relating to safety in public schools; creating the West Virginia Guardian Program; setting out purpose of the program; allowing county school boards to contract for participation in the program; defining terms; setting out the authority of independent contractors participating in the program; providing for requirements for participation; providing exclusions from participation; setting forth a limitation of liability; providing the exemptions from purchasing requirements; and providing for exclusions from state benefit programs.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Woelfel:

Senate Bill 210—A Bill to amend and reenact §3-9-10 of the Code of West Virginia, 1931, as amended, relating to criminal offenses of preventing or obstructing election activities; specifying that listed offenses may be committed by force, or by intimidating language, or physical acts; establishing offense of preventing or attempting to prevent election officer, election worker, or other

person assisting in holding election, counting votes, or certifying and returning election results from discharging duties; establishing offense of preventing or attempting to prevent election being held; establishing offense of obstructing or attempting to obstruct holding of election; establishing offense of preventing or attempting to prevent a voter from attending election or freely exercising right of suffrage; establishing offense of preventing or attempting to prevent election official or election worker from entering or exiting polling place; establishing criminal penalties for listed offenses; and eliminating offense of refusal to assist in preventing intimidation, disorder, or violence at poll.

Referred to the Committee on the Judiciary.

By Senator Woelfel:

Senate Bill 211—A Bill to amend and reenact §7-1-3ff of the Code of West Virginia, 1931, as amended, relating to the procedure for citations issued by the county litter control officer.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senator Woelfel:

Senate Bill 212—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §61-12B-1, §61-12B-2, §61-12B-3, §61-12B-4, and §61-12B-5, relating to critical incident reporting; creating a Critical Incident Review Team; setting forth duties of the Critical Incident Review Team; requiring reporting of the Critical Incident Review Team; setting forth date of report; providing Critical Incident Review Team with access to information; and setting forth confidentiality.

Referred to the Committee on Health and Human Resources.

By Senator Tarr:

Senate Bill 213—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §12-3-21, relating to establishing the revocation of authority for spending by an agency in support of a challenge to West Virginia law.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Woelfel:

Senate Bill 214—A Bill to amend and reenact §18-8-4 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-8A-5, relating to creating a homeless education coordinator in counties designated by the state board as an urban county.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Woelfel:

Senate Bill 215—A Bill to amend and reenact §30-30-30 of the Code of West Virginia, 1931, as amended, relating to registration as service worker for the Bureau for Children and Families of the Department of Human Services.

Referred to the Committee on Health and Human Resources.

By Senator Woelfel:

Senate Bill 216—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18B-4-11, relating to requiring state intuitions of higher education, to the extent feasible, to provide to their students without charge and in a manner that protects student confidentiality transportation to and from a local hospital for a trained health care provider to administer a sexual assault forensic medical examination kit where a student seeks support after experiencing sexual violence.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Woelfel:

Senate Bill 217—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-21-26, relating to authorizing a child or child care tax credit.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Woelfel:

Senate Bill 218—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-21-27, relating to expenses associated with child care.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Woelfel:

Senate Bill 219—A Bill to amend and reenact §60A-4-401 of the Code of West Virginia, 1931, as amended, relating to amending the penalty of simple possession of marijuana from a misdemeanor crime to a civil violation; and amending the penalties from those of a misdemeanor crime to a civil violation.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on the Judiciary.

By Senator Woelfel:

Senate Bill 220—A Bill to amend and reenact §18-2-41 of the Code of West Virginia, 1931, as amended, relating to requiring in grades three through six at least annual age-appropriate instruction in child sexual abuse prevention; requiring in grades three through six at least annual instruction in personal safety and assault prevention; providing exception; requiring annual notice to parent or guardian at least one week prior to personal safety and assault prevention instruction; and requiring in grades seven through 12 at least annual age-appropriate instruction in dating violence prevention and sexual violence prevention.

Referred to the Committee on Education; and then to the Committee on the Judiciary.

By Senator Woelfel:

Senate Bill 221—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-21-26, relating to authorizing a child or child care tax credit.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Woelfel:

Senate Bill 222—A Bill to amend and reenact §61-2-13 of the Code of West Virginia, 1931, as amended, relating to the offenses of extortion and attempted extortion; including threats to publish images of a person's intimate body parts as a means of committing extortion or attempted extortion; defining the phrase "anything of value, or other consideration" to include certain defined sexual acts and defining images of intimate body parts; and setting forth criminal penalties.

Referred to the Committee on the Judiciary.

By Senator Smith (Mr. President):

Senate Bill 223—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §7-1-3uu, relating to authorizing county commissions to impose a health and safety fee for tourism and recreational activities within the county; listing applicable activities and how fee to be calculated thereon; providing that fee may only be collected once on any seasonal or annual pass purchased for activities to which fee is applicable; establishing that fee may not be collected or imposed on activities within municipalities that have levied an amusement tax; establishing who owes fee, collection, and remittance to county; requiring counties who impose fee to notify the State Fire Marshal and the Office of Emergency Medical Services; authorizing counties to promulgate administrative procedures for collection of fee; providing that the sheriff is the county's agent for collection of fee; requiring moneys collected for fee be kept in a separate account; establishing requirements for use of proceeds from fee; establishing waiver process for alternative use of proceeds; and providing rule-making authority.

Referred to the Committee on Government Organization.

By Senator Woodrum:

Senate Bill 224—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §20-3-4a, relating to authorizing the Director of the Division of Forestry and the Director of the Division of Natural Resources to contract for the management of state-owned and -leased forests and wooded

lands for purposes of preventing forest fires; providing for procedures and requirements to enter into land management contract; establishing competitive bidding process; providing for proceeds from contracts to be paid to Treasurer and credited to the appropriate division for certain purposes; and authorizing either director to directly award a contract under certain circumstances when necessary for an economic development project.

Referred to the Committee on Natural Resources.

By Senator Woodrum:

Senate Bill 225—A Bill to amend and reenact §15-10-5 of the Code of West Virginia, 1931, as amended, relating to expanding the powers of law-enforcement officers of the National Park Service, which shall include traffic- or parking-related offenses.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 226—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §3-1-52, relating to prohibiting ranked choice voting in elections in West Virginia.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 227—A Bill to amend the Code of West Virginia, 1931, as amended, by adding 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, and §22-37-8, relating to authorizing the Division of Forestry to administer a carbon exchange program; outlining the scope of the carbon exchange program; and providing program requirements for the carbon exchange.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senator Woodrum:

Senate Bill 228—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §17C-26-1,

§17C-26-2, §17C-26-3, §17C-26-4, §17C-26-5, and §17C-26-6, relating to the regulation of driving in the left lane on four-lane interstate highways; providing for purpose and intent; providing for definitions; creating the prohibition; providing for penalties; creating enforcement; and providing for an effective date.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 229—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §49-12-1, §49-12-2, §49-12-3, §49-12-4, and §49-12-5, relating to protecting the rights and welfare of children conceived as the result of sexual assault; protecting the survivors of sexual assault from repeated interactions with the perpetrators; providing definitions; providing for termination of parental rights for perpetrators whose abuse resulted in the conception of a child; requiring continued child support from the perpetrator unless waived by the survivor; providing authority to establish procedures; and providing services to the survivors and children affected by sexual assault.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 230—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-6-26, relating to DNA collection; defining terms; providing for penalties; and providing for enforcement.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 231—A Bill to amend and reenact §30-1-10 of the Code of West Virginia, 1931, as amended, relating to when funds accumulated by boards may be transferred to the General Revenue Fund of the State Treasury; establishing method of calculating excess amount in board's special fund; and limiting amount of money that may be transferred in a fiscal year.

Referred to the Committee on Finance.

By Senator Woodrum:

Senate Bill 232—A Bill to repeal §19-1-4b of the Code of West Virginia, 1931, as amended, relating to the repeal of the authority of the Agriculture Commissioner to increase certain fees by rules or regulations.

Referred to the Committee on Agriculture.

By Senator Woodrum:

Senate Bill 233—A Bill to amend and reenact §17A-10-3c of the Code of West Virginia, 1931, as amended, relating to providing a rebate of \$100 for the registration of hybrid vehicles.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Woodrum:

Senate Bill 234—A Bill to amend and reenact §8-12-18 of the Code of West Virginia, 1931, as amended, relating to increasing the value at which municipal property must be sold through public auction; and allowing for the negotiated sale of real property to adjacent property owners.

Referred to the Committee on Government Organization.

By Senator Woodrum:

Senate Bill 235—A Bill to amend and reenact §3-2-11 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Motor Vehicles to provide images of persons issued any identification or license to the Secretary of State for voter identification purposes.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 236—A Bill to amend and reenact §7-5B-1 of the Code of West Virginia, 1931, as amended, relating to distribution of funds to counties with excess levy or dedicated fee.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Woodrum:

Senate Bill 237—A Bill to amend and reenact §20-7-1b of the Code of West Virginia, 1931, as amended, relating to requiring the Director of the Division of Natural Resources to enter into written agreements with federal agencies in the state with law-enforcement duties on and in federal lands located within the boundaries of West Virginia to enforce state laws therein; establishing the position of special natural resources police officers; establishing authority and limitations thereon of special natural resources police officers; and setting forth necessary qualifications of the special natural resources police officers.

Referred to the Committee on Natural Resources.

By Senator Woodrum:

Senate Bill 238—A Bill to amend and reenact §15A-8-2 and §15A-8-3 of the Code of West Virginia, 1931, as amended, relating to the composition of the West Virginia Regional Jail and Correctional Facility Authority Board; and scheduled meetings.

Referred to the Committee on Government Organization.

By Senator Woodrum:

Senate Bill 239—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §62-11A-1b, relating to establishing the Second Look Sentencing Act; and providing a procedure for modification of a prison sentence when a person has served at least 10 years of a sentence.

Referred to the Committee on the Judiciary.

By Senator Hamilton:

Senate Bill 240—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-8B-6, relating to creating the crimes of sexual extortion and aggravated sexual extortion; defining terms; establishing elements of the crimes of sexual extortion and aggravated sexual extortion; and establishing criminal penalties.

Referred to the Committee on the Judiciary.

By Senator Hamilton:

Senate Bill 241—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-1C-5b, relating to exempting high tunnels and greenhouses, whether heated or unheated, from personal property taxation; and providing an enacting date.

Referred to the Committee on Agriculture; and then to the Committee on Finance.

By Senator Hamilton:

Senate Bill 242—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §19-40-1, §19-40-2, §19-40-3, §19-40-4, §19-40-5, §19-40-6, §19-40-7, §19-40-8, §19-40-9, and §19-40-10, relating to creation of the Equipment 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.

Referred to the Committee on Agriculture; and then to the Committee on the Judiciary.

By Senator Hamilton:

Senate Bill 243—A Bill to amend and reenact §16-4D-1, §16-4D-2, §16-4D-3, and §16-4D-4 of the Code of West Virginia, 1931, as amended, relating to automated external defibrillator devices; stating findings; revising definitions; modifying automated external defibrillator registration requirements; eliminating requirement to designate medical director; and clarifying limitation on liability.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senator Grady:

Senate Bill 244—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-67-1, §16-67-2, §16-67-3, §16-67-4, §16-67-5, and §16-67-6, relating to

the Women's Bill of Rights; providing short title; setting forth purpose; establishing application of act; defining terms; allowing for language substitution; establishing certain single sex environments are not discriminatory; creating parameters for certain data collection; and allowing severability.

Referred to the Committee on the Judiciary.

By Senator Grady:

Senate Bill 245—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18B-22-1, §18B-22-2, §18B-22-3, and §18B-22-4, relating to creating the Hunger-Free Campus Act; providing for a short title; establishing the Hunger-Free Grant Program; providing for a legislative purpose; providing qualifications for a campus to be designated as hunger-free campus; requiring, subject to the availability of funding, Chancellor of the Higher Education Policy Commission to allocate grant funding to each institution designated as a hunger-free campus; and requiring a report to the Governor and Legislature no later than two years after the establishment of the program.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Stuart:

Senate Bill 246—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-7-18, relating to the creation of the Violent Crime Prevention Act; and requiring law enforcement to submit ballistics data to the National Integrated Ballistic Information Network for alleged use of firearm in connection with charges for certain crimes.

Referred to the Committee on the Judiciary.

By Senator Stuart:

Senate Bill 247—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-67-1, §16-67-2, §16-67-3, §16-67-4, §16-67-5, §16-67-6, and §16-67-7, relating to the creation of the Substance Abuse Intervention Act; providing for a short title; providing for involuntary treatment for

a substance use disorder and setting forth the rights of a patient; establishing criteria for involuntary treatment; creating a petition for 60-day and 360-day involuntary treatment and a guarantee for costs; providing for proceedings for involuntary treatment; describing the duties of court and disposition; setting forth a 72-hour emergency involuntary treatment; describing the failure to attend examination, setting forth a summons, and describing transportation to hospital or psychiatric facility; and providing that this bill shall be known as "Joel's Law".

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on the Judiciary.

By Senator Stuart:

Senate Bill 248—A Bill to amend and reenact §16-54-3 and §16-54-8 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §16-54-8a, relating to the availability of prescription non-opioid medications; and requiring the Department of Health to make information available to the public about the availability of such treatments.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Roberts:

Senate Bill 249—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §9-8-2a and §9-8-2b, relating to expanding the current mandatory employment and training requirements necessary to receive Supplemental Nutrition Assistance Program benefits; defining and developing exemptions; clarifying the secretary's duties when there is a lack of funding or inability to provide employment and training; identifying when assignments to the employment and training program may not be suspended; evaluating the current voluntary employment and training program requirements necessary to receive Supplemental Nutrition Assistance Program benefits; requiring the department to define and develop reporting systems; and reporting on and measuring expectations of the employment and training program.

Referred to the Committee on the Workforce; and then to the Committee on Finance.

By Senator Roberts:

Senate Bill 250—A Bill to amend and reenact §16-3-4 of the Code of West Virginia, 1931, as amended, relating to creating a religious exemption for school attendance vaccines requirements.

Referred to the Committee on Health and Human Resources.

By Senator Roberts:

Senate Bill 251—A Bill to amend and reenact §18-5-4 of the Code of West Virginia, 1931, as amended, relating to requiring each county board of education to ensure that all of its meetings are open to the public through in-person attendance and that the audio and video of its meetings are broadcast live to the public through an internet link on its website; requiring each county board to ensure that the audio and video is recorded and that the recording is also available through a link on its website; allowing meeting to continue if the live broadcast experiences a technical interruption in which the stream is discontinued or digitally interrupted; providing exception for executive session; allowing each county board to make and enforce reasonable rules for attendance and presentation at any meeting where there is not room enough for all members of the public who wish to attend; requiring the county board, if providing opportunity for the public to address the school board at a meeting, to ensure that any person expressing an interest in speaking has the opportunity in compliance with adopted procedures; requiring that speakers are treated equally; requiring that a draft of the minutes of each public board meeting include a record of the votes cast by each board member on all substantive matters and be posted to the website within two business days; establishing the duration in which the approved minutes shall remain on the website; and removing the option for a county board to join the National School Board Association.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Grady:

Senate Bill 252—A Bill to amend and reenact §9-5-20 of the Code of West Virginia, 1931, as amended, relating to Medicaid coverage for blood pressure monitoring devices to be offered to certain persons who have been diagnosed with hypertension; requiring benefits be provided; and requiring reimbursement for related costs.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Grady:

Senate Bill 253—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-67-1, §16-67-2, §16-67-3, §16-67-4, and §16-67-5, relating to a chronic weight management task force; stating purpose of task force; setting forth task force composition; setting forth task force duties; setting forth termination date; setting forth reporting; stating Secretary of Department of Health has discretion to provide administrative support for task force; and requiring specified administrative agencies to cooperate with task force.

Referred to the Committee on Health and Human Resources.

By Senator Grady:

Senate Bill 254—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-8C-2a, relating to the filming of minors engaged in sexually explicit conduct; creating a new criminal offense of manipulating a photograph, image, video clip, movie, or similar recording containing sexually explicit conduct by the insertion thereof of a visual image of an actual minor so as to create the appearance that it is a minor engaged in the sexually explicit conduct; defining terms; clarifying that the offense is separate and distinct from any other offense set forth in the code; and establishing criminal penalties.

Referred to the Committee on the Judiciary.

By Senator Grady:

Senate Bill 255—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-2-25f,

relating to allowing students to participate in non-school athletic activities.

Referred to the Committee on Education.

By Senator Grady:

Senate Bill 256—A Bill to amend and reenact §18-5-1a and §18-5-4 of the Code of West Virginia, 1931, as amended, relating to county boards of education members; increasing the number of annual training hours for county board members; modifying the subjects on which county board members must be trained; authorizing the state board to require board members to complete additional training upon request from the state superintendent; adding ex officio members to the county board member training standards review committee; requiring the state superintendent to make an annual report to the Legislative Oversight Commission on Education Accountability relating to county board member training; increasing compensation for attending meetings; reducing the number of meetings board members may be compensated to attend; and prohibiting county board members from receiving compensation if training requirements are not met.

Referred to the Committee on Education.

By Senator Grady:

Senate Bill 257—A Bill to amend and reenact §37-13A-1 of the Code of West Virginia, 1931, as amended, relating to protecting landowners who allow others to access cemeteries from their private property or roadway; and ensuring that those persons who damage private property are solely responsible for any costs of repair associated therein.

Referred to the Committee on the Judiciary.

By Senator Grady:

Senate Bill 258—A Bill to amend and reenact §5-16-13 of the Code of West Virginia, 1931, as amended, relating to allowing a person who first becomes a member of the Teachers Retirement System on or after July 1, 2015, to apply his or her accrued annual and sick leave, on the basis of one day's retirement service credit

for each one-day of accrued annual and sick leave, toward an increase in his or her retirement benefits with those days constituting additional credited service in computation of the benefits under the Teachers Retirement System.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Stuart:

Senate Bill 259—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §47-23-5, relating to licensing the sale of charitable raffles and boards to benefit volunteer fire departments in this state; explaining the legislative purpose; setting forth the licensure requirement; providing the agency to issue licenses; providing for the designation of proceeds from the sale of charitable raffle boards and games; clarifying the county option; authorizing the state to contract with distributors to effectuate sales of charitable raffle boards and games; and providing for enforceability.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 260—A Bill to amend and reenact §3-1-3, §3-1-34, and §3-2-2 of the Code of West Virginia, 1931, as amended, relating to residency requirements for people entitled to vote and people eligible to register to vote; requiring that a person be a legal resident of the state, county, or municipality in which he or she offers to vote; requiring that a person be a legal resident of the state or county in which he or she applies to register to vote; defining the term "legal resident"; and requiring a state or federal photo identification in order to vote.

Referred to the Committee on the Judiciary.

By Senator Taylor:

Senate Bill 261—A Bill to amend and reenact §18-9D-1, §18-9D-2, §18-9D-3, §18-9D-4, §18-9D-4a, §18-9D-4b, §18-9D-4c, §18-9D-4d, §18-9D-6, §18-9D-7, §18-9D-8, §18-9D-9, §18-9D-

10, §18-9D-12, §18-9D-13, §18-9D-14, §18-9D-15, §18-9D-16, §18-9D-17, §18-9D-20, and §18-9D-21 of the Code of West Virginia, 1931, as amended, relating to changing the name of the School Building Authority to the School Maintenance Authority.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 262—A Bill to amend and reenact §33-16-3g and §33-24-7b of the Code of West Virginia, 1931, as amended; and to amend the code by adding six new sections, designated §5-16-7h, §33-15-4y, §33-16-3pp, §33-24-7z, §33-25-8w, and §33-25A-8z, relating to insurance coverage for annual breast cancer screening.

Referred to the Committee on Banking and Insurance; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 263—A Bill to amend and reenact §17A-6-6, §19-2C-5b, §19-23-8, §21-1-6, §21-5-5c, §21-14-6, §21-16-7, §29-3B-4, §29-3C-4, §29-3D-6, §30-1-24, §30-5-9, §30-5-11a, §30-6-8, §30-6-17, §30-20-8a, §30-32-10a, §30-36-10, §31-17A-5, §32A-2-8, §33-13C-3, and §33-13C-4 of the Code of West Virginia, 1931, as amended, relating generally to the use of criminal records as disqualification from initial licensure or other authorization to practice a profession or occupation; prohibiting licensing authorities from disqualifying an applicant from initial licensure because of a prior criminal conviction that remains unreversed unless that conviction is for a crime that directly and specifically relates to the activity requiring licensure such that granting the applicant licensure would pose a direct and substantial risk to the public because the applicant has not been rehabilitated; providing factors for a licensing authority to determine whether a criminal conviction directly and specifically relates to a profession or occupation; clarifying that a licensing authority may not disqualify an applicant from initial licensure because of a prior criminal conviction if certain criteria are met; prohibiting consideration of good moral character or crimes of moral turpitude as a basis for disqualifying applicant for initial licensure; authorizing an

individual with a criminal record who has not previously held a license from the licensing authority to petition the authority for a determination of whether the individual's criminal record will disqualify the individual from obtaining a license; clarifying that these requirements do not apply to discipline of licensees or reinstatement of a license following discipline; prohibiting a licensing authority from considering, or from requiring, an individual to disclose an arrest not followed by conviction in an application for initial licensure or determination of qualification for license; and requiring licensing authorities to update licensure forms, relevant public-facing documents, and website.

Referred to the Committee on the Workforce; and then to the Committee on the Judiciary.

By Senator Stuart:

Senate Bill 264—A Bill to amend and reenact §61-2-2 of the Code of West Virginia, 1931, as amended; to amend the code by adding eleven new sections, designated §61-2-2a, §61-2-2b, §61-2-2c, §61-2-2d, §61-2-2e, §61-2-2f, §61-2-2g §62-7-4, §62-7-5, §62-7-6, and §62-7-6a; and to repeal §61-11-2 and §62-3-15 of said code, relating to permitting the death penalty for first degree murder for the crime of intentional killing of a law-enforcement officer or first responder in the line of duty; providing for procedures, standards, and findings applicable to imposition thereof in certain instances, including aggravating and mitigating circumstances; sentencing; providing automatic review of the death penalty by the Supreme Court of Appeals; providing for forensic DNA testing of biological material in death penalty cases; providing for execution of the death sentence by any legally acceptable means, including lethal injection or firing squad; providing for delivery of sentence of death to officer retaining custody of person so sentenced; providing for transmission of indictment, order of conviction, sentence, and judgment entered thereon to the warden of the state correctional facility; transferring of person sentenced to death to the state correctional facility; execution; providing presence of certain persons be requested for the execution; providing for certification that sentence of death has been executed; and providing for disposition of the body.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 265—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §49-12-1, relating to transferring child welfare enforcement responsibilities to the West Virginia State Police; transferring employees, funds, and property of the Department of Health and Human Resources to the West Virginia State Police; providing that transferred employees remain in the Civil Service System, continue to participate in Public Employees Retirement System Insurance, and continue to be covered by the Public Employees Insurance Act; and requiring rulemaking.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 266—A Bill to amend and reenact §11-6A-5a of the Code of West Virginia, 1931, as amended, relating to pollution control facilities tax treatment; clarifying that wind power projects are not pollution control facilities for purposes of this article; and providing that wind power projects be taxed as real property.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 267—A Bill to amend and reenact §17E-1-12 of the Code of West Virginia, 1931, as amended, relating to permitting holders of commercial driver's licenses that have been downgraded solely as a result of their medical certification becoming expired or invalid to restore their commercial driver's license upon presentation of a valid current medical certification.

Referred to the Committee on Transportation and Infrastructure.

By Senator Maynard:

Senate Bill 268—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-22f, relating to requiring public schools to notify parents when dispensing contraceptives to minors; and providing a definition.

Referred to the Committee on Health and Human Resources.

By Senator Martin:

Senate Bill 269—A Bill to amend and reenact §16-1-4 and §16-1-9a of the Code of West Virginia, 1931, as amended, relating to the regulation of public water systems; and providing that the Secretary of the Department of Health may not require public water systems or businesses to have backflow preventers.

Referred to the Committee on Government Organization.

By Senator Martin:

Senate Bill 270—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-7-10a, relating to declaring the sale, repair, maintenance, and manufacture of firearms, ammunition, and related accessories and components to be essential businesses and services for the purposes of safety and security in times of declared emergency or any other statutorily authorized responses to disaster, war, acts of terrorism, riot or civil disorder, or other emergencies; prohibiting specific governmental regulation of firearms, ammunition, components or accessories of any kind or nature, or their use or possession; extending the expiration date of concealed license during emergencies; creating an action for damages, injunctive relief, declaratory relief, or other appropriate redress for the unlawful seizure or confiscation of firearms or related accessories and components; and providing for civil damages.

Referred to the Committee on the Judiciary.

By Senator Martin:

Senate Bill 271—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §22-35-1, §22-35-2, §22-35-3, §22-35-4, and §22-35-5, relating generally to

creating the Natural Resources Anti-Commandeering Act; stating legislative findings; prohibiting agencies of this state and political subdivisions or employees thereof from knowingly and willingly participating in the enforcement of any federal act, law, order, rule, or regulation relating to coal, oil, gas, timber, or other extractive resources which do not exist under the laws of this state; prohibiting assets or funds of the state from being used in activity assisting enforcement of any federal act, law, order, rule, or regulation relating to coal, oil, gas, timber, or other extractive resources which do not exist under the laws of this state; providing penalties therefor; and providing for severability.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on the Judiciary.

By Senator Martin:

Senate Bill 272—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §31A-8H-1, §31A-8H-2, §31A-8H-3, and §31A-8H-4, relating to unlawful discriminatory practices by a financial institution or government entity against manufacturers, retailers, distributors, shooting ranges, or trade associations that support or are engaged in the lawful commerce of firearms, firearms accessories, or ammunition products; authorizing a declaratory judgment action to be brought by the Attorney General in the name of the state; and providing for an award of monetary damages and costs and other remedies against these violators.

Referred to the Committee on Banking and Insurance; and then to the Committee on the Judiciary.

By Senator Martin:

Senate Bill 273—A Bill to amend and reenact §24-3-2 of the Code of West Virginia, 1931, as amended, relating to preventing public water and sewer utilities from prohibiting a customer from constructing, installing, or maintaining a connection or other infrastructure necessary for the customer to connect to the public utility to receive service if certain requirements are met; and specifying requirements and involvement of the Public Service Commission.

Referred to the Committee on the Judiciary.

By Senator Martin:

Senate Bill 274—A Bill to amend and reenact §17C-13-6 of the Code of West Virginia, 1931, as amended, relating to prohibiting public entities, including state, county, and municipal buildings and facilities, places of public accommodation, and commercial facilities from installing or maintaining a parking meter in an accessible parking space bearing the international symbol of access.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Oliverio:

Senate Bill 275—A Bill to amend and reenact §18A-2-5 of the Code of West Virginia, 1931, as amended, relating to removing the requirement for cooks or custodians employed by public schools in this state to have a high school diploma or equivalent.

Referred to the Committee on Education.

By Senator Azinger:

Senate Bill 276—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-8A-2a, relating to making it a criminal offense for a person to engage in an adult cabaret performance where it may be viewed by a minor.

Referred to the Committee on the Judiciary.

By Senator Azinger:

Senate Bill 277—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-2-46, relating to the teaching of divisive acts and critical race theory in West Virginia schools; providing definitions; prohibiting public schools and charter schools from teaching or training students to believe certain divisive concepts; allowing a teacher to be dismissed or not re-employed for teaching or training students to believe certain divisive concepts; providing certain construction; providing for promulgation of rules; providing for codification; and providing an effective date.

Referred to the Committee on Education.

By Senator Azinger:

Senate Bill 278—A Bill to amend and reenact §61-8A-1 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-5-29, relating to the prohibition of obscene materials in or within 2,500 feet of West Virginia schools; and defining criminal penalties for obscene materials in or within 2,500 feet of West Virginia schools.

Referred to the Committee on the Judiciary.

By Senator Azinger:

Senate Bill 279—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-2S-1, §16-2S-2, §16-2S-3, §16-2S-4, §16-2S-5, §16-2S-6, and §16-2S-7, relating to prohibiting gender transition surgeries, treatments, and therapies to minors; establishing penalties for practitioners in violation of regulations; safeguarding the mental and physical health of minors; prohibiting political subdivisions from enacting conflicting policies; creating whistleblower protection; and prohibiting taxpayer subsidization of gender transition treatments.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Azinger:

Senate Bill 280—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-36-1, relating to the display of the official motto of the United States in public elementary and secondary schools and in institutions of higher education.

Referred to the Committee on Education.

By Senator Tarr:

Senate Bill 281—A Bill to amend and reenact §11-1C-2 of the Code of West Virginia, 1931, as amended; to amend the code by adding two new sections, designated §11-12-4b and §36-4-20; and to amend the code by adding a new article, designated §11-12E-1, §11-12E-2, §11-12E-3, and §11-12E-4, relating to real property,

tax, and registration requirements associated with carbon offset agreements; defining terms; providing exceptions; requiring parties to current and new carbon offset agreements to register with the State Tax Department; requiring reports by Division of Forestry and State Tax Department; authorizing disclosure of information between the Tax Commissioner and Division of Forestry; imposing an excise tax on receipts derived from carbon offset agreements; setting forth reporting requirements; defining "managed timberland" to exclude certain timberland subject to a carbon offset agreement; specifying application of West Virginia Tax Procedure and Administration Act and West Virginia Tax Crimes and Penalties Act; authorizing promulgation of rules; providing legislative findings and declarations; providing that any covenant, restriction, condition, easement, contract, lease, deed, agreement, option, or other governing document, which is executed or recorded after the effective date, which effectively prohibits or restricts the development of land and minerals or the harvesting of timber for the purposes of carbon capture, carbon offset, and carbon sequestration is void and unenforceable, unless said covenant, restriction, condition, easement, contract, lease, deed, agreement, option, or other governing document is for an initial maximum term of 20 years or less; providing that options to renew or continue such arrangements beyond the maximum term of 20 years shall be valid only if the consideration is required to be renegotiated to exercise the option and the option is for a maximum of 20 years or less; and providing exceptions.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senator Grady:

Senate Bill 282—A Bill to amend and reenact §18A-2-3 of the Code of West Virginia, 1931, as amended, relating to changing the expiration date for certain provisions that pertain to allowing a person receiving retirement benefits under the Teachers Retirement System to accept employment as a critical needs substitute teacher for an unlimited number of days each fiscal year if certain conditions are satisfied.

Referred to the Committee on Education.

By Senator Grady:

Senate Bill 283—A Bill to amend and reenact §18-2-7c of the Code of West Virginia, 1931, as amended, relating to expanding the grade levels that the course of study in personal finance can be completed in for the purpose of counting toward satisfying the personal finance course requirement for high school graduation.

Referred to the Committee on Education.

By Senator Grady:

Senate Bill 284—A Bill to amend and reenact §18-5-1a and §18-5-4 of the Code of West Virginia, 1931, as amended, relating to adding to topics required to be covered by the county board of education member orientation; requiring that any county board of education member who is unable to attend the initial orientation training for good cause complete a make-up orientation training within 30 days of being sworn in; requiring any appointed member to attend and complete a make-up orientation training within 30 days of being sworn in; increasing annual hours of training required of county board of education members; modifying topics required to be covered by training; allowing the State Board of Education to require a county board of education member to attend additional training under certain conditions; creating an exception to the requirement that a county board of education member satisfy the annual training requirement before January 1; adding certain non-voting ex officio members to the County Board Member Training Standards Review Committee; requiring the State Superintendent of Schools to report to the Legislative Oversight Commission on Education Accountability certain county board of education related information; and setting the county board of education member compensation rate at \$260 per meeting attended unless the board votes to approve a lower rate.

Referred to the Committee on Education.

By Senator Woelfel:

Senate Bill 285—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-52, relating to the creation of the West Virginia Guardian Program; setting out purpose of the program; allowing county school boards

to contract with certain persons to provide safety services as independent contractors; defining terms; setting out the authority of independent contractors participating in the program; providing requirements for participation of a person in the program; providing exclusions from participation of a person in the program; setting forth a limitation of liability; providing exemptions from purchasing requirements; and excluding independent contractor from participation in state benefit programs.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 286—A Bill to amend and reenact §16-29-1 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §16-29-3, relating to providing copies of health care records to patients; providing that no release, authorization, nor any form of permission from or by the minor child shall be required or requested as a prerequisite for the parent or legal guardian to obtain the medical records; and providing criteria when a parent is not permitted to access the health records of the minor child.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Azinger:

Senate Bill 287—A Bill to amend and reenact §61-8-5, §61-14-1, §61-14-6, §61-14-8, and §61-14-9 of the Code of West Virginia, 1931, as amended, relating to increasing protection for minor victims of the crime of human trafficking; and modifying terms.

Referred to the Committee on the Judiciary.

By Senator Tarr:

Senate Bill 288—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §62-15C-1, §62-15C-2, §62-15C-3, §62-15C-4, and §62-15C-5, relating to limiting the liability of employers in cases where convictions for

certain crimes are expunged; requiring creation of a database record showing offenses were expunged; requiring courts to cross-reference database for expungements; providing that an employer is not liable to furnish health insurance or health care costs to persons whose records are expunged for drug addiction-related offenses or drug addiction-related diseases; and providing exceptions.

Referred to the Committee on the Judiciary.

By Senator Rose:

Senate Bill 289—A Bill to amend and reenact §16-3-4 of the Code of West Virginia, 1931, as amended, relating to exemptions for compulsory immunization requirements; removing reporting requirements; revising medical exemption process; eliminating State Immunization Officer; permitting religious exemption to mandatory vaccination requirements; permitting philosophical exemption to mandatory vaccination requirements; and permitting injunctive relief for violations of this section.

Referred to the Committee on Health and Human Resources.

By Senator Woelfel:

Senate Bill 290—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §20-2-4a, relating to the rehabilitation of wildlife by authorized persons; providing for the issuance of a wildlife rehabilitator permit; authorizing rulemaking; establishing requirements for a wildlife rehabilitator permit; authorizing care for orphaned, injured, or ill wildlife by wildlife rehabilitators; authorizing care for orphaned, injured, or ill wildlife by licensed veterinarians, humane societies, and animal control agencies; authorizing transport by individuals of orphaned, injured, or ill wildlife to authorized caregivers; setting restrictions on care provided to wildlife; providing for treatment of non-releasable wildlife; and providing for removal of wildlife improperly cared for by a wildlife rehabilitator.

Referred to the Committee on Natural Resources.

By Senator Chapman:

Senate Bill 291—A Bill to amend and reenact §30-5-22 of the Code of West Virginia, 1931, relating to registration of pharmacies; and extending time frame for pharmacies to register from annually to biennially.

Referred to the Committee on Health and Human Resources.

By Senator Chapman:

Senate Bill 292—A Bill to amend and reenact §5-16-7, §9-1-2, and §9-5-12 of the Code of West Virginia, 1931, as amended, relating to allowing doula coverage; requiring that the Public Employees Insurance Agency cover doula services; defining terms; establishing time frames for service; permitting Commissioner of Health to issue statewide standing recommendation regarding benefit of doula services; increasing reimbursement under Medicaid program for birth and delivery services; requiring minimum visits for prenatal and postpartum services; establishing a rate for prenatal and postpartum services; requiring the Department of Human Services to file a state plan amendment to cover doula services; defining the coverage timeframe and billing protocols; and setting a deadline for the filing of the state plan amendment.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Azinger:

Senate Bill 293—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-8-33, relating to prohibiting the publishing or distribution of material harmful to minors on the Internet.

Referred to the Committee on the Judiciary.

By Senator Azinger:

Senate Bill 294—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §5A-4-7, relating to the replacement of the statue of the Honorable Robert C. Byrd with a statue of George Washington, Abraham Lincoln,

James Madison, and Arthur I. Boreman, one each, placed in a corner of the rotunda of the Capitol.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 295—A Bill to amend and reenact §11-1A-10 and §19-19-2 of the Code of West Virginia, 1931, as amended, relating to clarifying that solar farms are not agricultural operations or in the business of farming for purposes of agricultural production and taxation; and clarifying the definition of "agricultural operation".

Referred to the Committee on Agriculture; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 296—A Bill to amend the Code of West Virginia, 1931, as amended, by adding seven new sections, designated §5-16-7h, §9-5-34, §33-15-4y, §33-16-4ww, §33-24-7xx, §33-25-8w, and §33-25A-8xx, relating to requiring the Public Employees Insurance Agency, the Bureau for Medical Services, and various insurance companies to provide coverage for non-stress fetal tests, including an ultrasound; including coverage for tests performed remotely in a residence; and providing reimbursement by the Public Employees Insurance Agency, the Bureau for Medical Services, and the health insurer for the covered service.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 297—A Bill to amend the Code of West Virginia, 1931, as amended, by adding seven new sections, designated §5-16-7h, §9-5-32, §33-15-4y, §33-16-3ii, §33-24-7z, §33-25-8w, and §33-25A-8z, relating to requiring coverage for certain conditions; requiring coverage treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections; requiring coverage for treatment of pediatric acute onset neuropsychiatric syndrome; requiring a prior authorization to be

obtained; and requiring that a physician demonstrate that all other treatments have been exhausted.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Clements:

Senate Bill 298—A Bill to amend and reenact §17A-1-1, §17A-3-15, §17A-10-1, §17A-10-3, §17B-1-1, §17B-2-7b, and §17C-15-44 of the Code of West Virginia, 1931, as amended; and to amend the code by adding five new sections, designated §11-5-16, §17A-3-14j, §17C-1-71, §17C-14-16, and §17C-16-10, relating to roadable aircraft; specifying taxation of roadable aircraft, defining terms; requiring special registration plates for roadable aircraft and establishing annual fee per plate; regulating display of registration plates; classifying roadable aircraft for purpose of registration and establishing registration fee; correcting citation cross references; exempting roadable aircraft operators from motorcycle examination, licensing, and endorsement requirements; clarifying that a roadable aircraft is considered a motor vehicle if it is operated on a highway for purposes of traffic regulations and laws of the road; prohibiting roadable aircraft from taking off from or landing on any highway except if landing due to an emergency; exempting persons with a valid driver's license who are operating or riding in a fully enclosed roadable aircraft from the motorcycle helmet requirement; exempting roadable aircraft from the vehicle inspection requirement under certain circumstances; imposing duties on the Division of Motor Vehicles related to roadable aircraft; and authorizing rulemaking by the Division of Motor Vehicles related to roadable aircraft.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Rose:

Senate Bill 299—A Bill to amend and reenact §30-3-20 and §30-14-17 of the Code of West Virginia, 1931, as amended; and to amend the code by adding two new sections, designated §30-3E-20 and §30-7-15f, relating to prohibiting certain medical practices; defining terms; removing an exemption to prohibited practices;

providing for an effective date; providing that violations of the article are considered unprofessional conduct subject to discipline; providing for various forms of relief for violations of this article; providing for an exemption from the requirement for a certificate of merit; providing for the Attorney General to bring an enforcement action; permitting intervention in proceedings; and applying the prohibited practices to physician assistants and advanced practice registered nurses.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Oliverio:

Senate Joint Resolution 1—Proposing an amendment to the Constitution of the State of West Virginia, amending article IX thereof, by adding a new section, designated section 14, relating to permitting the Legislature to redraw and/or combine counties every 100 years as it deems fit; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Roberts:

Senate Joint Resolution 2—Proposing an amendment to the Constitution of the State of West Virginia, amending section 47, article VI thereof, relating to authorizing the incorporation of religious denominations; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Woelfel:

Senate Joint Resolution 3—Proposing an amendment to the Constitution of the State of West Virginia, amending article IV thereof, by adding thereto a new section, designated section 13, relating to the possession, manufacture, and sale of cannabis by

adults 21 years of age or older; expungement of criminal records as it pertains to cannabis convictions; numbering and designating the proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Tarr:

Senate Joint Resolution 4—Proposing an amendment to the Constitution of the State of West Virginia, amending section 22, article III thereof, relating to the right to keep and bear arms; prohibiting restriction of this amendment by state or local government; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Chapman:

Senate Joint Resolution 5—Proposing an amendment to the Constitution of the State of West Virginia by amending article VI, section 18, relating to establishing that the Legislature assemble bi-annually; that session commence on the second Wednesday in each odd-numbered year; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

Senator Martin offered the following resolution:

Senate Concurrent Resolution 3—Requesting the Division of Highways name bridge numbers 17.079/00-111.91 NB (17A246) and 17.079/00-111.91 SB (17A247), locally known as Brown's Creek Bridge Northbound and Southbound, carrying Interstate 79 over Brown's Creek in Harrison County, the "U. S. Army Warrant Officer Joseph Rose III Memorial Bridge".

Which, under the rules, lies over one day.

Senator Martin offered the following resolution:

Senate Concurrent Resolution 4—Amending the Joint Rules of the Senate and House of Delegates.

At the request of Senator Martin, unanimous consent being granted, the resolution was taken up for immediate consideration and reference to a committee dispensed with.

The question being on the adoption of the resolution, the same was put and prevailed.

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

Senator Smith (Mr. President) offered the following resolution:

Senate Resolution 4—Recognizing the public service of Frances Jones on the occasion of Mineral County Day at the Legislature.

Which, under the rules, lies over one day.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the adoption of

Senate Concurrent Resolution 4, Amending Joint Rules of Senate and House of Delegates.

The Senate proceeded to the thirteenth order of business.

Senator Smith (Mr. President) announced appointment of the standing and select committees of the Senate for this eighty-seventh Legislature and, at the request of Senator Martin, and by unanimous consent, the complete list was ordered printed in the Journal as follows:

STANDING AND SELECT COMMITTEES OF THE SENATE
2025

AGRICULTURE

Senators Hart (*Chair*), Thorne (*Vice Chair*), Deeds, Hamilton, Queen, Rose, Rucker, Tarr, and Woelfel.

BANKING AND INSURANCE

Senators Azinger (*Chair*), Morris (*Vice Chair*), Barrett, Boley, Chapman, Charnock, Fuller, Oliverio, and Garcia.

CONFIRMATIONS

Senators Boley (*Chair*), Charnock (*Vice Chair*), Azinger, Barrett, Rose, Taylor, Weld, and Woelfel.

ECONOMIC DEVELOPMENT

Senators Jeffries (*Chair*), Morris (*Vice Chair*), Barrett, Boley, Charnock, Clements, Hamilton, Hart, Helton, Oliverio, Phillips, Thorne, Weld, Woodrum, and Woelfel.

EDUCATION

Senators Grady (*Chair*), Clements (*Vice Chair*), Azinger, Bartlett, Boley, Deeds, Fuller, Hart, Morris, Oliverio, Roberts, Stuart, Tarr, Taylor, and Garcia.

ENERGY, INDUSTRY, AND MINING

Senators Rose (*Chair*), Queen (*Vice Chair*), Azinger, Boley, Charnock, Fuller, Hart, Helton, Jeffries, Phillips, Stuart, Taylor, and Garcia.

ENROLLED BILLS

Senators Woodrum (*Chair*), Fuller (*Vice Chair*), Jeffries, Maynard, Roberts, and Woelfel.

FINANCE

Senators Barrett (*Chair*), Roberts (*Vice Chair*), Boley, Clements, Grady, Jeffries, Hamilton, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Takubo, Thorne, Woodrum, and Woelfel.

GOVERNMENT ORGANIZATION

Senators Rucker (*Chair*), Woodrum (*Vice Chair*), Barrett, Chapman, Charnock, Hamilton, Helton, Jeffries, Maynard, Phillips, Rose, Thorne, Willis, and Woelfel.

HEALTH AND HUMAN RESOURCES

Senators Chapman (*Chair*), Deeds (*Vice Chair*), Azinger, Bartlett, Grady, Martin, Maynard, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Taylor, Willis, and Garcia.

INTERSTATE COOPERATION

Senators Oliverio (*Chair*), Helton (*Vice Chair*), Bartlett, Queen, Taylor, Willis, and Garcia.

JUDICIARY

Senators Stuart (*Chair*), Willis (*Vice Chair*), Azinger, Bartlett, Chapman, Charnock, Deeds, Fuller, Hart, Helton, Martin, Rose, Rucker, Tarr, Taylor, Weld, and Garcia.

MILITARY

Senators Weld (*Chair*), Fuller (*Vice Chair*), Bartlett, Clements, Deeds, Grady, Tarr, Taylor, Willis, and Woelfel.

NATURAL RESOURCES

Senators Hamilton (*Chair*), Deeds (*Vice Chair*), Hart, Jeffries, Morris, Queen, Rose, Rucker, Tarr, Woodrum, and Garcia.

PENSIONS

Senators Oliverio (*Chair*), Bartlett (*Vice Chair*), Barrett, Clements, Hamilton, Takubo, Tarr, Thorne, Willis, and Woelfel.

RULES

Senators Smith (*Chair*), Martin (*Vice Chair*), Barrett, Chapman, Grady, Maynard, Rucker, Stuart, Taylor, and Woelfel.

TRANSPORTATION AND INFRASTRUCTURE

Senators Maynard (*Chair*), Taylor (*Vice Chair*), Clements, Hart, Helton, Jeffries, Morris, Oliverio, Rucker, Stuart, and Garcia.

WORKFORCE

Senators Roberts (*Chair*), Woodrum (*Vice Chair*), Deeds, Fuller, Hamilton, Queen, Rose, Tarr, Thorne, Weld, and Woelfel.

SELECT COMMITTEE ON SUBSTANCE USE

DISORDER AND MENTAL HEALTH

Senators Helton (*Chair*), Weld (*Vice Chair*), Deeds, Fuller, Takubo, and Woelfel.

The President then announced the appointment of Senator Martin, of the County of Lewis, as the majority leader of the Senate;

Senator Woelfel, of the County of Cabell, as the minority leader of the Senate;

Senator Taylor, of the County of Taylor, as the majority whip of the Senate;

Senator Garcia, of the County of Marion, as the assistant minority leader of the Senate;

And,

Senator Boley, of the County of Pleasants, as President *pro Tempore* of the Senate.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 12:40 p.m., the Senate recessed until 6:55 p.m. today.

The Senate reconvened at 6:50 p.m.

The hour of 7 p.m. having arrived, that being the time set for the joint assembly to hear the address of His Excellency, the Governor, the Senate recessed until five minutes after adjournment of the joint assembly. Members of the Senate then repaired in a body to the hall of the House of Delegates.

(NOTE: For formal procedure in the joint assembly, see the Journal of the House of Delegates for this day. For the State of the State address of His Excellency, the Governor, the Honorable Patrick Morrissey, see the Appendix to the Journal of the Senate, page 2986.)

The joint assembly having been dissolved, at 8:12 p.m., the Senate returned to its chamber and resumed its regular session.

At the request of Senator Martin, unanimous consent being granted, the Senate returned to the third order of business.

Executive Communications

Senator Smith (Mr. President) presented the following communication from His Excellency, the Governor, submitting the executive budget and annual budget bill, which was received and read by the Clerk:



Patrick Morrisey
Governor of West Virginia

February 12, 2025

EXECUTIVE MESSAGE NO. 1
FIRST REGULAR SESSION

The Honorable Randy Smith
West Virginia Senate
State Capitol
Charleston, WV 25305

Dear President Smith:

I herewith submit, pursuant to the Constitution of the State of West Virginia, a budget and budget bill for the fiscal year beginning July 1, 2025.

Sincerely,

A handwritten signature in blue ink, reading "Patrick Morrisey".

Patrick Morrisey
Governor

PM/hq

Subsequently, Senator Smith (Mr. President) laid before the Senate the aforementioned annual budget bill,

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 300—A Bill making appropriations of public money out of the Treasury in accordance with section 51, article VI of the Constitution.

Which was read by its title and referred to the Committee on Finance.

The Senate proceeded to the thirteenth order of business.

Senator Smith (Mr. President) announced the removal of Senator Rucker from the Committee on Natural Resources.

On motion of Senator Martin, at 8:14 p.m., the Senate adjourned until tomorrow, Thursday, February 13, 2025, at 11 a.m.

THURSDAY, FEBRUARY 13, 2025

The Senate met at 11:05 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Pastor Nate Nickerson, Harmony Baptist Church, Westernport, Maryland.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Joey Garcia, a senator from the thirteenth district.

Pending the reading of the Journal of Wednesday, February 12, 2025,

At the request of Senator Phillips, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Clerk presented the following communication from a state agency as required by the provisions of law:

Legislative Rule-Making Review Committee (§29A-3-12)

The Senate then proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

[CLERK'S NOTE: Senate Bill 301 through Senate Bill 422 are recommended for introduction by the Legislative Rule-Making Review Committee and sponsored by Senator Woodrum, Co-Chair.]

By Senator Woodrum:

Senate Bill 301—A Bill to amend and reenact §64-2-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Administration to promulgate a legislative rule relating to general administration of records management and preservation.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 302—A Bill to amend and reenact §64-2-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Administration to promulgate a legislative rule relating to retention and disposal scheduling.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 303—A Bill to amend and reenact §64-2-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Administration to promulgate a legislative rule relating to the management of records maintained by the Records Center.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 304—A Bill to amend and reenact §64-2-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Administration to promulgate a legislative rule relating to exemptions from management services provided by the Fleet Management Division.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 305—A Bill to amend and reenact §64-2-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Administration to promulgate a legislative rule relating to financial services reporting.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 306—A Bill to amend and reenact §64-2-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Information Services and Communications Division to promulgate a legislative rule relating to plan of operation.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 307—A Bill to amend and reenact §64-2-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Information Services and Communications Divisions to promulgate a legislative rule relating to telecommunications payments by spending units.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 308—A Bill to amend and reenact §64-2-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Office of Technology to promulgate a legislative rule relating to the plan of operation.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 309—A Bill to amend and reenact §64-2-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Office of Technology to promulgate a legislative rule relating to telecommunications payments made by state spending units.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 310—A Bill to amend and reenact §64-2-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Public Defender Services to promulgate a legislative rule relating to the payment of fees and reimbursement of expenses of court-appointed attorneys.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 311—A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to hazardous waste management system.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 312—A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to ambient air quality standards.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 313—A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to standards of performance for new stationary sources.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 314—A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to the control of air pollution from hazardous waste treatment, storage, and disposal facilities.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 315—A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to emission standards for hazardous air pollutants.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 316—A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to requirements governing water quality standards.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 317—A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to underground injection control.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 318—A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a

legislative rule relating to water pollution control permit fee schedules.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 319—A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health to promulgate a legislative rule relating to public water systems.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 320—A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health to promulgate a legislative rule relating to statewide trauma and emergency care system.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 321—A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health to promulgate a legislative rule relating to fatality and mortality review team.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 322—A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health to promulgate a legislative rule relating to vital statistics.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 323—A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing

the Department of Health to promulgate a legislative rule relating to emergency medical services.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 324—A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health to promulgate a legislative rule relating to the Primary Care Support Program.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 325—A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health to promulgate a legislative rule relating to the general provisions of the Medical Cannabis Program.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 326—A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health to promulgate a legislative rule relating to growers and processors of the Medical Cannabis Program.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 327—A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health to promulgate a legislative rule relating to laboratories of the Medical Cannabis Program.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 328—A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health to promulgate a legislative rule relating to dispensaries of the Medical Cannabis Program.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 329—A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health to promulgate a legislative rule relating to the Safe Harbor Letter for the Medical Cannabis Program.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 330—A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health to promulgate a legislative rule relating to critical access hospitals.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 331—A Bill to amend and reenact §64-5A-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Human Services to promulgate a legislative rule relating to the Recovery Residence Certification and Accreditation Program.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 332—A Bill to amend and reenact §64-5A-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Human Services to promulgate a legislative rule relating to the pilot program for drug screening of applicants for cash assistance.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 333—A Bill to amend and reenact §64-5B-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Office of Inspector General to promulgate a legislative rule relating to hospital licensure.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 334—A Bill to amend and reenact §64-5B-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Office of Inspector General to promulgate a legislative rule relating to Behavioral Health Centers Licensure.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 335—A Bill to amend and reenact §64-6-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Governor's Committee on Crime, Delinquency, and Correction to promulgate a legislative rule relating to the protocol for law-enforcement response to child abuse and neglect.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 336—A Bill to amend and reenact §64-6-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Governor's Committee on Crime, Delinquency, and Correction to promulgate a legislative rule relating to sexual assault forensic examinations.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 337—A Bill to amend and reenact §64-6-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Protective Services to promulgate a legislative rule relating to ranks and duties of officers within the membership of the division.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 338—A Bill to amend and reenact §64-6-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Emergency Response Commission to promulgate a legislative rule relating to the Emergency Planning Grant Program.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 339—A Bill to amend and reenact §64-6-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Police to promulgate a legislative rule relating to cadet selection.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 340—A Bill to amend and reenact §64-6-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Police to promulgate a legislative rule relating to West Virginia State Police Career Progression System.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 341—A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Alcohol Beverage Control Commissioner to promulgate a legislative rule relating to private club licensing.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 342—A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Alcohol Beverage Control Commissioner to promulgate a legislative rule relating to the sale of wine and hard cider.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 343—A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Alcohol Beverage Control Commissioner to promulgate a legislative rule relating to tobacco products in vending machines.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 344—A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Alcohol Beverage Control Commissioner to promulgate a legislative rule relating to distilleries, mini-distilleries, and micro-distilleries.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 345—A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Alcohol Beverage Control Commissioner to promulgate a legislative rule relating to retail enforcement of select plant-based derivatives and derivative products, including hemp and kratom.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 346—A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Alcohol Beverage Control Commissioner to promulgate a legislative rule relating to nonintoxicating beer licensing and operations procedures.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 347—A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Insurance Commissioner to promulgate a legislative rule relating to Medicare Supplement Insurance.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 348—A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Lottery Commission to promulgate a legislative rule relating to West Virginia Lottery Sports Wagering Rule.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 349—A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Tax Department to promulgate a legislative rule relating to payment of taxes by electronic funds transfer.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 350—A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Tax Department to promulgate a legislative rule relating to alternative resolution of tax disputes.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 351—A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Tax Department to promulgate a legislative rule relating to consumers sales and service tax and use tax - drugs, durable medical goods, mobility enhancing equipment and prosthetic devices per se exemption; motor vehicles per se exemption.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 352—A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Tax Department to promulgate a legislative rule relating to the exchange of information pursuant to written agreement.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 353—A Bill to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Highways to promulgate a legislative rule relating to construction and reconstruction of state roads.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 354—A Bill to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Highways to promulgate a legislative rule relating to the use of state rights-of-way and adjacent areas.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 355—A Bill to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Highways to promulgate a legislative rule relating to the transportation of hazardous wastes upon the roads and highways.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 356—A Bill to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Highways to promulgate a legislative rule relating to small wireless facilities on Division of Highways rights-of-way.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 357—A Bill to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating to 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.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 358—A Bill to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule

relating to disclosure of information from the files of the Division of Motor Vehicles.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 359—A Bill to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to handicapped placards.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 360—A Bill to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to the Safety and Treatment Program.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 361—A Bill to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to State Vehicle Title, Registration and Relicensing Project of 2018.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 362—A Bill to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Parkways Authority to promulgate a legislative rule relating to supporting electronic toll collection and enforcement.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 363—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing

the Department of Agriculture to promulgate a legislative rule relating to state aid for fairs and festivals.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 364—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to the inspection of meat and poultry.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 365—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to licensing and other fees.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 366—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to West Virginia manufacture-grade milk.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 367—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to employment reference and inquiries and background checks.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 368—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing

the Department of Agriculture to promulgate a legislative rule relating to West Virginia fish processing.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 369—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to select plant-based derivatives and select plant-based derivative products.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 370—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to the Rural Rehabilitation Program.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 371—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Agriculture to promulgate a legislative rule relating to raw milk.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 372—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Architects to promulgate a legislative rule relating to registration of architects.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 373—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing

the Board of Architects to promulgate a legislative rule relating to fees for registration of architects.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 374—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Auditor to promulgate a legislative rule relating to the Local Government Purchasing Card Program.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 375—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Auditor to promulgate a legislative rule relating to private trust companies.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 376—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Barbers and Cosmetologists to promulgate a legislative rule relating to the operation of barber, cosmetology, nail technology, aesthetic, hair styling, and waxing salons and schools.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 377—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Barbers and Cosmetologists to promulgate a legislative rule relating to the schedule of fees.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 378—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing

the Board of Barbers and Cosmetologists to promulgate a legislative rule relating to the schedule of fines.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 379—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Chiropractic Examiners to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 380—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Dentistry to promulgate a legislative rule relating to continuing education requirements.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 381—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Dentistry to promulgate a legislative rule relating to mobile dental facilities and portable dental units.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 382—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Election Commission to promulgate a legislative rule relating to the regulation of campaign finance.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 383—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to 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.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 384—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Massage Therapy Licensure Board to promulgate a legislative rule relating to general provisions.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 385—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Medicine to promulgate a legislative rule relating to waiver of initial licensing fees for certain initial licensure applicants.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 386—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Occupational Therapy to promulgate a legislative rule relating to fees for services rendered by the board.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 387—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Occupational Therapy to promulgate a legislative rule relating to competency standards for advanced practice by occupational therapists and occupational therapy assistants.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 388—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Occupational Therapy to promulgate a legislative rule

relating to request for waiver of licensing fees for certain individuals.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 389—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Occupational Therapy to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 390—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Occupational Therapy to promulgate a legislative rule relating to telehealth practice requirements and definitions.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 391—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Osteopathic Medicine to promulgate a legislative rule relating to a waiver of initial licensing fees for certain initial licensure applicants.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 392—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to licensure and practice of pharmacy.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 393—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing

the Board of Pharmacy to promulgate a legislative rule relating to the Uniform Controlled Substances Act.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 394—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to regulations governing pharmacy permits.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 395—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to the application of waiver of initial licensing fees for certain individuals.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 396—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Examiners of Psychologists to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations and application for waiver of initial licensing fees for certain individuals.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 397—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to requirements for licensure and certification.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 398—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to renewal of licensure or certification.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 399—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to requirements for registration and renewal of appraisal management companies.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 400—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Real Estate Commission to promulgate a legislative rule relating to licensing real estate brokers, associate brokers, and salespersons and the conduct of brokerage business.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 401—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Real Estate Commission to promulgate a legislative rule relating to the application of waiver of initial licensing fees for certain individuals.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 402—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Real Estate Commission to promulgate a legislative rule

relating to consideration of prior criminal convictions in initial license eligibility determination.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 403—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Registered Nurses to promulgate a legislative rule relating to requirements for registration and licensure and conduct constituting professional misconduct.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 404—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Respiratory Care to promulgate a legislative rule relating to criteria for licensure.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 405—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Respiratory Care to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 406—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Respiratory Care to promulgate a legislative rule relating to telehealth practice requirements and definitions.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 407—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing

the Board of Sanitarians to promulgate a legislative rule relating to the practice of public health sanitation.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 408—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Examiners for Speech-Language Pathology and Audiology to promulgate a legislative rule relating to speech-language pathology and audiology assistants.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 409—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Hope Scholarship Board to promulgate a legislative rule relating to the Hope Scholarship Program.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 410—A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Conservation Committee to promulgate a legislative rule relating to State Conservation Committee grant program.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 411—A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Office Miners' Health, Safety, and Training to promulgate a legislative rule relating to the certification, recertification, and training of EMT-Miners and the certification of EMT-M instructors.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 412—A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to transporting and selling wildlife parts and pelts.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 413—A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to boating.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 414—A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to special boating.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 415—A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to public use of campgrounds in West Virginia State Parks and State Forests and campsites in State Rail Trails under the Division of Natural Resources.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 416—A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to special projects and grants for West Virginia State Parks, State Forests, and State Rail Trails under the Division of Natural Resources.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 417—A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to prohibitions when hunting and trapping.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 418—A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to general hunting.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 419—A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to special waterfowl hunting.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 420—A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to special fishing.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 421—A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to catching and selling baitfish.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 422—A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to falconry.

Referred to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 423—A Bill to amend and reenact §4-1-2, §5B-2-3b, and §5B-2-16 of the Code of West Virginia, 1931, as amended, relating to requiring that all appropriations that exceed \$1 million to any private business entity must be brought as a stand-alone bill to both the House of Delegates and the Senate; prohibiting either the House of Delegates or the Senate or both the House of Delegates and the Senate from authorizing a series of appropriations of less than \$1 million that combine to exceed \$1 million to a single private business entity; setting a limit of \$10 million on the annual balance of the Economic Development Promotion and Closing Fund; and setting a limit of \$100 million on the annual budget of the Entrepreneurship and Innovation Investment Fund.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 424—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-9b; to amend said code by adding thereto a new section, designated §18-5-29; to amend said code by adding thereto a new article, designated §18B-1G-1, §18B-1G-2, §18B-1G-3, §18B-1G-4, and §18B-1G-5; and to amend said code by adding thereto two new sections, designated §18B-14-5 and §18B-14-6, all relating to Restoring Sanity Act; relating to nondiscrimination; prohibiting a school district, a public charter school, the West Virginia Board of Education, the West Virginia Department of Education, or any employee of the aforementioned entities from providing instruction in, requiring instruction in, making part of a course, or requiring a statement or affirmation by any employee of certain specified concepts; prohibiting a state institution of higher education or any

of its employees from requiring a student or employee to take instruction in, or include in the curriculum of any required course, or require a statement or affirmation by any student or employee that certain specified concepts are factual and accurate or must be held as a belief of the student or employee; defining terms; recognizing that state institutions of higher education have an obligation to prohibit discrimination and have an obligation to protect the right to free speech and expression; clarifying what is not prohibited; establishing public elementary and secondary school complaint and appeal procedures for alleged violations and complaint reporting procedures; requiring each campus to report to the Higher Education Policy Commission or the Council for Community and Technical College Education, a description of any violations; requiring certain information on the complaints filed and reported violations to be reported to the Legislative Oversight Commission on Education Accountability; providing that neither county board or public charter school employees are required to use a student's preferred pronoun when referring to the student if the preferred pronoun is not consistent with the student's biological sex, civilly liable for using a pronoun that is consistent with the biological sex of the student to whom the teacher or employee is referring, or subject to an adverse employment action for not using a student's preferred pronoun if the student's preferred pronoun is inconsistent with the student's biological sex; providing that neither a county board or public charter school is civilly liable if a county board or public charter school employee refers to a student using a pronoun that is inconsistent with the biological sex of the student to whom the employee is referring; prohibiting state institutions of higher education from establishing, sustaining, supporting, or staffing a diversity, equity, and inclusion officer or office; stating what prohibition does not cover or affect; stating what the diversity, equity, and inclusion office and diversity, equity, and inclusion officer does not include; requiring a state institution of higher education to file and certify with the Joint Committee on Education a report of the steps taken by the academic institution of higher education and its staff, administration, and faculty to comply; prohibiting state institutions of higher education from expending certain moneys until a report is filed with the Joint Committee on Education by July 1; requiring reallocation of certain moneys that would have been expended on prohibited diversity, equity, and inclusion offices and officers to merit scholarships for lower-

income and middle-income students, first generation college students, or to reduce tuition and mandatory fees for resident students; stating effective date; declaring the policy of the state that the administrations of state institutions of higher education, and their administrative units, be officially neutral with regard to certain widely contested opinions in the state regarding certain issues; defining "diversity training"; prohibiting a diversity statement from ever being required or solicited in certain instances; and prohibiting state institutions of higher education from giving preferential consideration to an applicant, student, staff member, or faculty member due to certain opinions expressed or actions taken.

Referred to the Committee on Education; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 425—A Bill to amend and reenact §3-1-16, §3-1-17, §3-4A-11a, §3-5-4, §3-5-7, §3-5-13, §3-5-13a, §3-10-3, §3-12-3, §3-12-6, §3-12-10, §3-12-11, §3-12-12, §3-12-14, §50-1-1, §50-1-6, §51-1-1, and §51-2A-5 of the Code of West Virginia, 1931, as amended; and to repeal §3-5-6a, §3-5-6b, §3-5-6c, §3-5-6d, and §3-5-6e, relating to removing requirement for non-partisan elections of judicial officers; removing requirement for non-partisan elections of Supreme Court Justices, Intermediate Court of Appeals judges, circuit court judges, family court judges, and magistrates; revising requirements for certificate of announcement of candidates; modifying ballots to remove non-partisan references for judicial officials; removing requirement for separate non-partisan ballot for judicial officers; modifying the West Virginia Supreme Court of Appeals Financing Program; modifying the amounts eligible for candidates in contested elections; and modifying the process for filling of magistrate vacancies.

Referred to the Committee on the Judiciary.

By Senator Taylor:

Senate Bill 426—A Bill to amend and reenact §5-16-1, §5-16-2, §5-16-3, §5-16-4, §5-16-5, §5-16-7, §5-16-7a, §5-16-7c, §5-16-7d, §5-16-8, §5-16-9, §5-16-10, §5-16-11, §5-16-12, §5-16-12a, §5-16-13, §5-16-15, §5-16-16, §5-16-17, §5-16-18, and §5-16-24 of the Code of West Virginia, 1931, as amended; to amend the code

by adding a new article, designated §5-16A-1, §5-16A-2, §5-16A-3, §5-16A-4, §5-16A-5, §5-16A-6, §5-16A-7, §5-16A-8, §5-16A-9, §5-16A-10, §5-16A-11, §5-16A-12, §5-16A-13, §5-16A-14, §5-16A-15, §5-16A-16, §5-16A-17, §5-16A-18, §5-16A-19, and §5-16A-20; and to repeal §5-16-7e, relating generally to the Public Employees Insurance Agency; providing for dissolution of the Public Employees Insurance Agency; converting state agency to employer-owned mutual insurance company; setting forth a short title; defining terms; clarifying the duties of the director; providing for private carriers to insure public employees; providing for employees of the agency to be exempt from provisions of civil service coverage; providing for personnel provisions for employees laid off in first year of operation; providing for retraining benefits for laid-off employees; providing for transfer of certain Public Employees Insurance Agency functions, rights, responsibilities, employees and assets to the Insurance Commissioner and the Public Employees Insurance Council; providing certain civil remedies to commission, mutual company and private carriers; providing for transfer of authority over certain funds to the Insurance Commissioner; providing for capital and surplus requirements of employers' mutual insurance company; providing for election of a board of directors of employers' mutual insurance company; providing for governance and organization of the new mutual insurance company; providing for establishment of claims index to assist insurers; providing for establishment and administration of certain funds and accounts in the State Treasury; providing for adverse risk assignment plan; providing, upon meeting of certain criteria, for issuance of proclamation by the Governor; providing for preferential placement of any employee laid off after transfer of functions; providing certain retraining and other benefits; providing for novation of policies to new employers mutual insurance company; providing for requirements of a basic policy of public employees insurance; providing for setting of insurance rates; providing for collection of premiums; providing for transfer of rules to be applicable to the public employees insurance market; providing for transfer of certain assets to new mutual insurance company; providing for selection of finance board members by Governor; providing for a Public Employees Insurance Council; making technical corrections throughout;

providing internal effective dates; providing for civil administrative and criminal penalties; and making conforming changes throughout.

Referred to the Committee on Banking and Insurance; and then to the Committee on Finance.

By Senator Phillips:

Senate Bill 427—A Bill to amend and reenact §21-6-5, §21-6-8, and §21-6-10 of the Code of West Virginia, 1931, as amended; and to repeal §21-6-3, §21-6-4, and §21-6-8a, relating to eliminating requirement that 14 or 15 year old obtain a work permit; establishing that employer seeking to hire a child 14 or older receive an age certificate from the commission prior to employing the child; providing commissioner the authority to issue age certificates for children ages 14 and over; and providing penalties for a person that issues an age certificate in violation of the article.

Referred to the Committee on the Workforce.

By Senator Phillips:

Senate Bill 428—A Bill to amend and reenact §61-2-2 of the Code of West Virginia, 1931, as amended; to amend the code by adding eleven new sections, designated §61-2-2a, §61-2-2b, §61-2-2c, §61-2-2d, §61-2-2e, §61-2-2f, §61-2-2g, §62-7-4, §62-7-5, §62-7-6, and §62-7-6a; and to repeal §61-11-2f and §62-3-15, relating to the Patrolman Cassie Marie Johnson Memorial Act and the death penalty for first degree murder; providing for procedures, standards, and findings applicable to imposition thereof in certain instances including aggravating and mitigating circumstances; sentencing; providing automatic review of the death penalty by the Supreme Court of Appeals; providing for forensic deoxyribonucleic acid (DNA) testing of biological material in death penalty cases; providing for execution of the death sentence by lethal injection; providing for delivery of sentence of death to officer retaining custody of person so sentenced; providing for transmission of indictment, order of conviction, sentence, and judgment entered thereon to the warden of the state correctional facility; transferring of person sentenced to death to the state

correctional facility; execution; providing presence of certain persons be requested for the execution; providing for certification that sentence of death has been executed; and providing for disposition of the body.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 429—A Bill to amend and reenact §20-2-28 and §20-2B-7 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §11-13NN-1, §11-13NN-2, and §11-13NN-3, relating to tax credit offered to veterans who have been honorably discharged from the military for the cost of their lifetime hunting, trapping, and fishing license; defining "eligible veteran"; establishing amount of credit; setting procedures to claim credit; requiring that disabled veterans obtain a hunting, trapping, and fishing license; and requiring proposal of appropriate legislative rule.

Referred to the Committee on Military; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 430—A Bill to amend the Code of West Virginia, 1931, as amended, by adding six new sections, designated §5-16-7h, §33-15-4y, §33-16-3ii, §33-24-7z, §33-25-8w, and §33-25A-8z, relating to cost-sharing requirements for breast examinations; defining terms; prohibiting cost-sharing requirements; permitting existing utilization review; addressing health saving account ineligibility; and permitting rulemaking.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Azinger:

Senate Bill 431—A Bill amend and reenact §61-8-9, §61-8-27, §61-8A-1, §61-9-1, §61-9-3, §61-9-4, §61-9-5, §61-9-6, §61-9-8, §61-9-9, and §61-9-10 of the Code of West Virginia, 1931, as amended, relating generally to protecting minors from exposure to

indecent displays of a sexually explicit nature, including but not limited to, transvestite and/or transgender exposure in performances or displays to minors.

Referred to the Committee on the Judiciary.

By Senator Stuart:

Senate Bill 432—A Bill to amend and reenact §18-1-1 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-5-52, relating to requiring county boards of education to adopt policies intended to limit the use of personal cell phones and other electronic communications devices during instruction periods except for medical, educational, and emergency purposes; defining "electronic communications devices"; and reorganizing existing definitions.

Referred to the Committee on Education.

By Senator Chapman:

Senate Bill 433—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §33-64-1, §33-64-2, §33-64-3, §33-64-4, §33-64-5, §33-64-6, and §33-64-7, relating to dental health care service plans; providing for transparency of expenditures of patient premiums; requiring carriers to file annual reports; authorizing methods of payment; authorizing third-party network contracts; requiring annual rebates in the form of premium reductions if funds spent for patient care is less than a certain percentage of premium funds; and providing for legislative and emergency rulemaking.

Referred to the Committee on Banking and Insurance.

By Senator Grady:

Senate Bill 434—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-43, relating to creating Alyssa's Law; requiring each public school building to be equipped with at least one panic alarm for use in a school security emergency; and requiring the panic alarm to be directly linked to local law-enforcement agencies designated as first responders to the school's campus.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Weld:

Senate Bill 435—A Bill to amend and reenact §4-12-1, §4-12-2, §4-12-3, §4-12-4, §4-12-5, and §4-12-6 of the Code of West Virginia, 1931, as amended, relating to updating the West Virginia Law Institute.

Referred to the Committee on the Judiciary.

By Senator Smith (Mr. President):

Senate Bill 436—A Bill to amend and reenact §32-4-406 of the Code of West Virginia, 1931, as amended, relating to increasing the amount paid by the Auditor into the special operating fund for the securities from 20 percent to 30 percent of all fees collected by the Auditor under certain provisions of the code.

Referred to the Committee on Finance.

By Senator Rose:

Senate Bill 437—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §22-37-1, §22-37-2, §22-37-3, and §22-37-4, relating to creating the West Virginia Coal Marketing Program; providing for the purpose of the program; creating funding for the program; requiring the Governor to report on the program to the Joint Committee on Government and Finance; providing for rules; and providing for an effective date.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Rose:

Senate Bill 438—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §5D-1-24, relating to establishing the West Virginia Intrastate Energy Use Act; designating which environmental regulation of coal, oil, and natural gas extracted and used within West Virginia is exclusively regulated by the West Virginia Department of Environmental

Protection; legislative authority; and providing definitions related to these energy sources.

Referred to the Committee on the Judiciary.

By Senator Rose:

Senate Bill 439—A Bill to amend and reenact §11-6A-5a of the Code of West Virginia, 1931, as amended, relating to pollution control facilities tax treatment; clarifying that wind power projects are not pollution control facilities for certain purposes; and providing that wind power projects be taxed as real property.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Helton:

Senate Bill 440—A Bill to amend and reenact §3-5-6a, §3-5-6b, §3-5-6c, §3-5-6d, §3-5-6e, §3-5-13, and §3-5-13a of the Code of West Virginia, 1931, as amended, relating to elections; clarifying the article title; requiring judicial candidates to partisan file; requiring judicial candidates run in both the primary and general election; providing an effective date; clarifying the form and contents of ballots for judicial candidates; and clarifying the order of offices and candidates on the ballot.

Referred to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 441—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new chapter, designated §11C-1-1, §11C-1-2, §11C-2-1, §11C-2-2, §11C-2-3, §11C-2-4, §11C-2-5, §11C-2-6, §11C-2-7, §11C-2-8, and §11C-3-1, relating to establishing a digital currency backed by gold held within the West Virginia Bullion Depository.

Referred to the Committee on Banking and Insurance; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 442—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-36-1,

§18-36-2, §18-36-3, §18-36-4, and §18-36-5, relating to the creation of the West Virginia Released Time Education Act; providing for a title; creating definitions; providing for released time excusal policies; providing credit for released time courses; and providing for remedies.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Tarr:

Senate Bill 443—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-32-11a, relating to authorizing the West Virginia Board of Examiners for Speech-Language Pathology and Audiology to conduct criminal background checks on applicants seeking initial licenses; requiring applicants seeking initial license to submit to national and state criminal record background check as condition of eligibility for license; mandating such applicants to submit fingerprints and authorize board, West Virginia State Police, and Federal Bureau of Investigation to use records submitted to screen applicants; prohibiting release of background check results; providing for exceptions; establishing background check records are not public records; obligating applicants to complete background check after application for license; requiring applicants to pay costs of fingerprinting and background check; and authorizing rulemaking and emergency rulemaking.

Referred to the Committee on Government Organization.

By Senator Tarr:

Senate Bill 444—A Bill to amend and reenact §60A-4-401, §60A-4-407, and §60A-4-407a of the Code of West Virginia, 1931, as amended, relating to controlled substances; creating mandatory three-year sentence for possession of Schedule I or II substances, except cannabis; providing exceptions for persons incidentally exposed to the substances or who are forced to possess the substances; conditional discharge for first offense; and release with non-extraditable warrant.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Tarr:

Senate Bill 445—A Bill to amend and reenact §61-6-19 of the Code of West Virginia, 1931, as amended, relating to requiring legislators and staff who hold a current concealed carry permit to register with the Capitol Police an intent to carry concealed firearms within the Capitol buildings.

Referred to the Committee on the Judiciary.

By Senator Tarr:

Senate Bill 446—A Bill to amend and reenact §31A-8-12, §31A-8A-5, §31A-8D-4, and §31C-10-2 of the Code of West Virginia, 1931, as amended, relating to banking; precluding establishment of a branch bank or the acquisition or merger of a bank or a credit union by a bank or credit union unless they are insured by the Federal Deposit Insurance Corporation.

Referred to the Committee on Banking and Insurance.

By Senators Takubo and Oliverio:

Senate Bill 447—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §33-64-1, relating to requiring health benefit plan coverage; creating the Oral Health and Cancer Rights Act; requiring coverage for medically necessary dental procedures that result from cancer treatment; explaining scope of procedures covered as a result of certain cancer treatments; requiring use of specific billing identifier; and setting an effective date.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Phillips:

Senate Bill 448—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, §11-13NN-6, §11-13NN-7, §11-13NN-8, §11-13NN-9, §11-13NN-10, and §11-13NN-11, relating to establishing a road or highway

infrastructure improvement project or coal production and processing facilities tax credit for taxpayers subject to the tax imposed by West Virginia Code; specifying a short title; specifying legislative findings and purpose for new credit; defining terms; specifying the amount of the credit, application of credit, and carry forward of unused credit; requiring filing of application for road or highway infrastructure improvement project credit as condition precedent to claiming credit, specifying procedure for application for certification, contents of application and limitation on maximum amount of credits which can be approved; specifying computation of qualified investment in coal production and processing facilities; allowing transfer of credits to successors; providing for forfeiture of unused tax credits and redetermination of credit allowed; providing penalties for failure to maintain records of qualified property; and establishing an effective date.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Tarr:

Senate Bill 449—A Bill to amend and reenact §61-7-11a of the Code of West Virginia, 1931, as amended; and by adding a new section, designated §18-2-46; relating to permitting compressed air and rimfire shooting teams in public schools.

Referred to the Committee on Education.

By Senator Tarr:

Senate Bill 450—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-52, relating to safety in public schools; creating the West Virginia Guardian Program; setting out purpose of the program; allowing county school boards to contract for participation in the program; defining terms; setting out the authority of independent contractors participating in the program; providing requirements for participation; providing exclusions from participation; setting forth a limitation of liability; providing exemptions from purchasing requirements; and providing for exclusions from state benefit programs.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Tarr:

Senate Bill 451—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §5-10-22o, relating to providing an enhanced retirement benefit for certain retirees under the West Virginia Public Employees Retirement Act.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 452—A Bill to amend and reenact §5B-1-1, §5B-1-2, §5B-2-1, §5B-2-2, §5B-2-3, §5B-2-3b, §5B-2-4, §5B-2-4a, §5B-2-5, §5B-2-6, §5B-2-6a, §5B-2-9a, §5B-2-10, §5B-2-14, §5B-2-16, §5B-2-17, §5B-2-18, §5B-2-19, §5B-2-20, §5B-2I-2, §5B-2I-4, §5F-1-2; §5F-1-3a, §5F-1-6, §5F-2-1, §5F-3-2, §10-5-2, §15-1A-1, §15A-1-3, §15A-1-9, §29-1-1, §29-1-1a, §29-1-2, §29-1-3, §29-1-4, §29-1-6, §29-1-7, §29-1-8, §29-1-8c, §29-1-8d, §29-1-9, §29-1-10, §29-1-11, §29-1-12, §29-1-13, §29-1-14, §29-1-15, §31G-1A-1, §31G-1A-5, §31G-1A-6, and §31G-1A-7 of the Code of West Virginia, 1931, as amended; and to repeal §12-1A-9, relating to merging and reorganizing of the executive branch, including specifying the effective dates of the reorganization; specifying that starting on July 1, 2025, new hires and anyone who moves positions within the Department of Commerce shall be in the classified exempt service system and all employees shall be exempt from the state grievance procedures; redesignating the Department of Economic Development as the Division of Economic Development under the Department of Commerce; correcting titles of the Division of Economic Development and Department of Commerce in several sections of code; specifying that starting on July 1, 2025, new hires and anyone who moves positions within the Division of Economic Development shall be in the classified exempt service system and all employees shall be exempt from the state grievance procedures; providing authority for the Governor to appoint the Adjutant General of the West Virginia National Guard to serve as Secretary of the West Virginia

Department of Homeland Security; specifying that starting on July 1, 2025, new hires and anyone who moves positions within the Department of Homeland Security, except the employees of the West Virginia State Police, shall be in the classified exempt service system and all employees, except the employees of the West Virginia State Police, shall be exempt from the state grievance procedures; correcting titles of affected departments and divisions based on the redesignations; abolishing the Department of Arts, Culture, and History and reorganizing its sections and commissions under the Department of Tourism; specifying the authority of the Secretary of the Department of Tourism over these sections and commissions; specifying that starting on July 1, 2025, new hires and anyone who moves positions within the Department of Tourism shall be in the classified exempt service system and all employees shall be exempt from the state grievance procedures; governing and providing for the Secretary of the Department of Tourism authority to appoint certain directors; substituting the title of Secretary of the Department of Tourism for the Secretary of the Department of Arts, Culture, and History in several sections of code; granting Secretary of Tourism authority to approve or repeal certain rules promulgated under this code; specifying that starting on July 1, 2025, new hires and employee that moves positions within the sections and commissions shall be in the classified exempt service system and all employees shall be exempt from the state grievance procedures; granting the Secretary of the Department of Tourism discretion to allow a person to serve in multiple positions or professions under certain circumstances; removing certain specific qualifications for persons appointed as directors of the various sections listed in a certain section in this code; and technical cleanup of amended and reenacted sections.

Referred to the Committee on Government Organization.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 453—A Bill to amend and reenact §9-5-19, §16-2D-1, §16-2D-2, §16-2D-4, §16-2D-5, §16-2D-16a, §16-29B-1, §16-29B-3, §16-29B-8, §16-29B-25, §16-29B-26, §16-29B-28, §33-15B-5, and §51-11-4 of the Code of West Virginia, 1931, as

amended; and to repeal §16-2D-3, §16-2D-6, §16-2D-7, §16-2D-8, §16-2D-9, §16-2D-10, §16-2D-11, §16-2D-12, §16-2D-13, §16-2D-14, §16-2D-15, §16-2D-16, §16-2D-17, §16-2D-18, §16-2D-19, §16-2D-20, §16-29A-20, §16-29B-2, §16-29B-5, §16-29B-5a, §16-29B-12, §16-29B-13, §16-29B-14, §16-29B-15, §16-29B-24, §16-29B-30, §16-29B-31, §16B-13-12, §16B-21-3, and §49-2-124, relating to the termination of the West Virginia Health Care Authority; providing the termination of the authority's certificate of need program; providing the termination of the authority's cooperative agreement review process; providing definitions; establishing when the secretary shall propose a repeal; clarifying the transfer of the authority's remaining powers, assets, records, and employees to the Secretary of the Department of Health; clarifying the money to be transferred to the general revenue fund; and establishing exemptions.

Referred to the Committee on Health and Human Resources.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 454—A Bill to amend and reenact §11-24-3 of the Code of West Virginia, 1931, as amended, relating to bringing terms not defined in the Corporation Net Income Tax Act into conformity with the meaning of those terms for federal income tax purposes; and specifying effective dates.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 455—A Bill to amend and reenact §11-21-9 of the Code of West Virginia, 1931, as amended, relating to updating the meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act; and specifying effective dates.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 456—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5-32-1, §5-32-2, §5-32-3, §5-32-4, §5-32-5, §5-32-6, §5-32-7, and §5-32-8, relating to clarifying definitions of sex, male, and female in state law; and providing for related protections for single-sex spaces.

Referred to the Committee on the Judiciary.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 457—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-2-46, relating to the limitation of cell phones in classrooms; providing exceptions; and requiring the State Board of Education to promulgate legislative rules to implement this section.

Referred to the Committee on Education.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 458—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-1-27, relating to the establishment of universal professional and occupational licensing, registration, and certification.

Referred to the Committee on Government Organization.

By Senator Thorne:

Senate Bill 459—A Bill to amend and reenact §7-12-3, §7-12-3a, and §7-12-4 of the Code of West Virginia, 1931, as amended, relating to requiring that members of county and municipal development authorities are West Virginia residents with at least five years of West Virginia residency immediately preceding the appointment; and requiring that such members are residents of the county or municipality in which the development authority to which they are appointed is situated.

Referred to the Committee on Government Organization.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 460—A Bill to amend and reenact §16-3-4 of the Code of West Virginia, 1931, as amended, relating to vaccinations; providing religious and philosophical exemptions to the immunization of school children; clarifying the procedure for exemption; requiring schools create and maintain a report on the number of exempt school children; and clarifying the duties of state health officer and Commissioner of Bureau for Public Health.

Referred to the Committee on Health and Human Resources.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 461—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5A-13-1, §5A-13-2, §5A-13-3, §5A-13-4, §5A-13-5, and §5A-13-6, relating to the creation of the One Stop Shop Permitting Program in West Virginia including providing for the creation of a Permitting Dashboard to operate as a "one-stop-shop" for obtaining and renewing qualifying permits; identifying the offices, departments, divisions, and agencies that shall participate in the One Stop Shop Permitting Program; creating a refund requirement for late processing of a permit; maintaining the option to file applications for permits until January 1, 2027; and empowering the secretary of administration to promulgate rules to implement this program including rules related to deadlines and fees for expedited processing of applications.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Takubo:

Senate Bill 462—A Bill to amend and reenact §30-28-3 of the Code of West Virginia, 1931, as amended; to amend said code by adding a new section, designated §30-28-4a; and to repeal §30-28-15, relating to the Board of Occupational Therapy; defining terms; permitting the Board of Occupational Therapy to require criminal history record checks; requiring rulemaking; and repealing code related to special volunteer licenses and immunity.

Referred to the Committee on Government Organization.

By Senator Deeds:

Senate Bill 463—A Bill to amend and reenact §60A-4-401 and §60A-4-407 of the Code of West Virginia, 1931, as amended; and to amend said code by adding two new sections, designated §60A-4-407b and §60A-4-407c, relating to possession of controlled substances; repealing certain requirements for the sentence enhancement for crimes involving fentanyl; creating a separate offense for simple possession of a controlled substance classified in Schedule I or II which is a narcotic drug or which is methamphetamine; requiring that the new offense is triable only in circuit court; creating a procedure for disposition of the new offense; creating a second or subsequent offense for simple possession of a controlled substance classified in Schedule I or II which is a narcotic drug or which is methamphetamine; creating a procedure for reduction of certain felony convictions to misdemeanor conditions; authorizing the courts to impose conditions for reduction of a felony conviction to a misdemeanor conviction; and creating criminal penalties.

Referred to the Committee on the Judiciary.

Senator Jeffries offered the following resolution:

Senate Concurrent Resolution 5—Requesting the Division of Highways name bridge number 20A754, Latitude 38.413431, Longitude -81.796431, locally known as the Cross Lanes Overpass, carrying WV Route 622 over Interstate 64 in Kanawha County, the "U. S. Marine Corps Sergeant Robert Milford Payne Memorial Bridge".

Which, under the rules, lies over one day.

Senator Chapman offered the following resolution:

Senate Resolution 5—Designating February 14, 2025, as National Organ Donor Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 3, US Army Warrant Officer Joseph Rose III Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Resolution 4, Recognizing public service of Frances Jones on Mineral County Day at Legislature.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Taylor, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senators Woelfel and Garcia.

Thereafter, at the request of Senator Woodrum, and by unanimous consent, the remarks by Senators Woelfel and Garcia were ordered printed in the Appendix to the Journal.

The Senate proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on February 12, 2025:

Senate Bill 3: Senator Woodrum;

Senate Bill 5: Senator Clements;

Senate Bill 6: Senators Clements and Morris;

Senate Bill 7: Senator Clements;

Senate Bill 8: Senator Woodrum;

Senate Bill 17: Senator Taylor;

Senate Bill 18: Senators Taylor and Woodrum;

Senate Bill 19: Senator Woodrum;

Senate Bill 20: Senator Woodrum;

Senate Bill 25: Senator Taylor;

Senate Bill 26: Senator Taylor;

Senate Bill 36: Senator Clements;

Senate Bill 43: Senator Rose;

Senate Bill 78: Senator Clements;

Senate Bill 94: Senator Taylor;

Senate Bill 97: Senators Taylor and Rose;

Senate Bill 108: Senator Taylor;

Senate Bill 158: Senator Taylor;

Senate Bill 196: Senator Taylor;

Senate Bill 209: Senator Chapman;

Senate Bill 228: Senator Clements;

Senate Bill 258: Senator Clements;

Senate Bill 266: Senator Rose;

Senate Bill 285: Senator Chapman;

Senate Bill 286: Senator Rose;

Senate Bill 294: Senators Roberts and Rose;

Senate Joint Resolution 2: Senator Rose;

And,

Senate Joint Resolution 4: Senator Rose.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 11:24 a.m., the Senate adjourned until tomorrow, Friday, February 14, 2025, at 10 a.m.

FRIDAY, FEBRUARY 14, 2025

The Senate met at 10:01 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Honorable Vince S. Deeds, a senator from the tenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Christopher A. Rose, a senator from the second district.

Pending the reading of the Journal of Thursday, February 13, 2025,

At the request of Senator Deeds, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

Senator Taylor called attention to today being the birthday of Kirsten Reese, Legislative Page Program participant, and on behalf of the Senate extended felicitations and good wishes to Kirsten Reese, with Senator Taylor leading the members in singing "Happy Birthday".

The Senate proceeded to the fourth order of business.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 460, Relating to vaccine requirements.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 460 (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §16-3-4 of the Code of West Virginia, 1931, as amended, relating to exemptions for compulsory immunization requirements; providing specific duties for the state health officer; removing reporting requirements; revising medical exemption process; eliminating state immunization officer; permitting religious exemption to mandatory vaccination requirements; permitting philosophical exemption to mandatory vaccination requirements; prohibiting entities from excluding participation in extracurricular activities based upon exercising an exemption; prohibiting entities from excluding attendance at school-based events based upon exercising an exemption; permitting a civil action for violations of this section; and setting forth public policy supporting exemptions.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills and joint resolutions were introduced, read by their titles, and referred to the appropriate committees:

By Senators Morris, Deeds, Fuller, and Hamilton:

Senate Bill 464—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated as §17A-3-14j, relating to the issuance of special plates to recipients of the distinguished Medal of Valor.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Rose:

Senate Bill 465—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article designated §12-4C-1, §12-4C-2, §12-4C-3, §12-4C-4, and §12-4C-5, relating to investments by the state; providing a short title; providing definitions; clarifying investment opportunities for the Board of Treasury and state retirement fund; and establishing rules.

Referred to the Committee on Banking and Insurance; and then to the Committee on Finance.

By Senator Willis:

Senate Bill 466—A Bill to amend and reenact §16-3-4 of the Code of West Virginia, 1931, as amended, relating to immunizations; establishing voluntary vaccinations and eliminating certain compulsory immunization requirements; eliminating vaccine mandates for all citizens of West Virginia; providing immunization information upon request by parents of newborns; providing that all vaccinations for West Virginia citizens be voluntary; and establishing that vaccinations are not required as a condition of school enrollment, attendance, or employment.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 467—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §49-12-101, §49-12-102, §49-12-103, and §49-12-104, relating to clothing and necessity allowance; setting forth the requirements to obtain funding from the Bureau for Social Services for approved

necessities, an adequate wardrobe, and any supplementary clothing assistance; and setting forth the amount and form of payment.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Rose:

Senate Bill 468—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15-1B-1a, relating to the West Virginia National Guard; and requiring an official declaration of war or an action to call forth the state militia by the United States Congress before members of the West Virginia National Guard may be released from state control to participate in active-duty combat.

Referred to the Committee on Military; and then to the Committee on the Judiciary.

By Senators Rose and Thorne:

Senate Bill 469—A Bill to amend and reenact §61-7-3, §61-7-6, and §61-7-7 of the Code of West Virginia, 1931, as amended, relating to allowing those persons 18 to 20 years old to be able to carry a concealed deadly weapon without a permit, as is presently allowed for those persons 21 years and older.

Referred to the Committee on the Judiciary.

By Senators Rose and Thorne:

Senate Bill 470—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-2-25f, relating to allowing students, coaching staff, and athletic trainers to participate in non-school athletic activities.

Referred to the Committee on Education.

By Senators Rose and Thorne:

Senate Bill 471—A Bill amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-9H-1, §18-9H-2, §18-9H-3, §18-9H-4, and §18-9H-5, relating to the revision of the school funding formula to be student-based; and ensuring equal accessibility to funds for school maintenance and consolidation.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 472—A Bill to amend and reenact §49-2-809, §49-5-101, and §49-11-101 of the Code of West Virginia, 1931, as amended; and adding a new article, designated §61-12B-1, §61-12B-2, §61-12B-3, §61-12B-4, §61-12B-5, §61-12B-6, and §61-12B-7, relating to child welfare; amending abuse and neglect reporting; permitting the Foster Care Ombudsman to have access to information related to proceedings involving child abuse or neglect, or both, including information related to the identity of the person reporting or making a complaint of child abuse or neglect; providing the public shall have access to reports of child abuse or neglect, or both, in conformity with the Critical Incident Review Team's reporting; adding additional terms to the child welfare dashboard; providing for effective date; creating the Critical Incident Review Team; setting forth purpose; defining terms; setting forth responsibilities of the Critical Incident Review Team; requiring reporting; providing the Critical Incident Review Team access to information; and providing for confidentiality.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Tarr:

Senate Bill 473—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §55-7-33, relating to damages for medical monitoring; establishing requirements for an order for payment of medical monitoring expenses; and providing that an increased risk of disease is not a compensable basis for damages in any civil action.

Referred to the Committee on the Judiciary.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 474—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new articles, designated §5-33-1, §5-33-2, §5-33-3, §18B-1G-1, §18B-1G-2, §18B-1G-3, §18B-1G-4, §18B-1G-5, and four new sections, designated §18-2-9b, §18-5-29, §18B-14-5, §18B-14-6, relating to the elimination of

diversity, equity, and inclusion programs, trainings, activities, offices, and officers from the executive branch, primary and secondary schools, and institutions of higher education of the state.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Stuart:

Senate Bill 475—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-7-18, relating to the creation of the Violent Crime Prevention Act; requiring ballistic data be submitted to the National Integrated Ballistic Information Network for alleged use of a firearm in connection with charges for certain crimes; and providing a time frame for law enforcement to submit the data.

Referred to the Committee on the Judiciary.

By Senators Phillips, Hart, Queen, and Tarr:

Senate Bill 476—A Bill to amend and reenact §31-15A-17c of the Code of West Virginia, 1931, as amended, relating to permissible expenditures by the Water Development Authority from the Infrastructure Fund; modifying the upper limit of funds which may be transferred to sub account; raising the cap on total project costs for certain facilities for use of Critical Needs and Failing Systems Sub Account funding; and allowing the authority to grant infrastructure grant money from the Critical Needs and Failing Systems Sub Account to certain projects for the upgrading of a water facility or wastewater facility to reduce maintenance costs, operations costs, or waterline leakages.

Referred to the Committee on Finance.

By Senator Woelfel:

Senate Bill 477—A Bill to amend and reenact §18-2-25c of the Code of West Virginia, 1931, as amended, relating to requiring an ambulance at any middle school or high school football game under the control, supervision, and regulation of the West Virginia Secondary School Activities Commission.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Woelfel:

Senate Bill 478—A Bill to repeal §18-2-25e of the Code of West Virginia, 1931, as amended, relating to repealing athletic eligibility of transfer students.

Referred to the Committee on Education.

By Senator Woodrum:

Senate Bill 479—A Bill to amend and reenact §6B-2-2, §6B-3-2, and §6B-3-5 of the Code of West Virginia, 1931, as amended, relating to disclosure forms, statements, and reports of the Ethics Commission; requiring disclosure forms, statements, and reports to be prescribed by procedural rule and made available on the commission website; requiring certain information be included on lobbyist registration form; and requiring reports of expenditures over \$5,000 in grassroots campaigns specify media outlet.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Woodrum:

Senate Bill 480—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18A-2-3a, relating to allowing licensed substitute and full-time teachers to serve as parent volunteers without an additional background check.

Referred to the Committee on Education.

By Senators Woodrum and Oliverio:

Senate Bill 481—A Bill to amend and reenact §61-7-11a of the Code of West Virginia, 1931, as amended, relating to allowing off duty law-enforcement officers to carry concealed weapons in public schools and at public school events.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 482—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §30-44-1, §30-44-2, §30-44-3, §30-44-4, §30-44-5, §30-44-6, §30-44-7, §30-

44-8, §30-44-9, §30-44-10, §30-44-11, §30-44-12, and §30-44-13, relating to creating the Certified Professional Midwife Licensing and Regulation Act.

Referred to the Committee on Government Organization.

By Senators Woodrum and Oliverio:

Senate Bill 483—A Bill to amend and reenact §3-8-7 of the Code of West Virginia, 1931, as amended, relating to increasing the civil penalties for failure to file required campaign finance reports, or filing grossly incomplete or grossly inaccurate campaign finance reports, from \$10 per day to a maximum of \$500 for the first violation, and \$1,000 per report for each subsequent violation; requiring notice to be provided to any political committees violating the filing requirements prior to assessing any civil fines; giving the Secretary of State authority to grant additional time for compliance not to exceed an additional 14 days; authorizing the Secretary of State to negotiate and enter into settlement agreements for payment of the civil penalty, including but not limited to, entering into an installment payment plan; and requiring the Secretary of State to refer any civil penalties that remain outstanding for a period greater than 30 days to a debt collection agency or similar other responsible agent for collection.

Referred to the Committee on Government Organization.

By Senators Woodrum and Oliverio:

Senate Bill 484—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §3-8-12a, relating to disclosures and penalties associated with the use of synthetic media and artificial intelligence.

Referred to the Committee on the Judiciary.

By Senators Woodrum and Oliverio:

Senate Bill 485—A Bill to amend and reenact §5A-3-1 of the Code of West Virginia, 1931, as amended, relating to the Purchasing Division; and exempting the Secretary of State from the competitive bidding process for specific purchases of securing, facilitating, or supporting critical election infrastructure.

Referred to the Committee on Government Organization.

By Senators Woodrum and Oliverio:

Senate Bill 486—A Bill to amend and reenact §3-1-3 of the Code of West Virginia, 1931, as amended, relating to clarifying the eligibility requirements to vote in West Virginia elections.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 487—A Bill to amend and reenact §3-2-25 of the Code of West Virginia, 1931, as amended, relating to systematic purging program and additional systematic confirmation procedure for the removal of ineligible voters from active voter rolls; removing obsolete reference to combined voter registration and licensing fund; decreasing the period of voting inactivity from four to two years; and providing an internal effective date.

Referred to the Committee on Government Organization.

By Senators Woodrum and Oliverio:

Senate Bill 488—A Bill to amend and reenact §3-9-9 of the Code of West Virginia, 1931, as amended, relating to clarifying the definition of "electioneering" communications to include buttons, hats, pins, and other campaign paraphernalia, as well as express calls to vote for or against a ballot question; exempting from the definition of "electioneering" educational materials about a ballot question that do not expressly advocate for or against a ballot question; allowing voters to use cellular phones within the electioneering prohibition zone for personal use including a list of candidates or ballot questions the voter intends to support as long as the voter does not engage in electioneering within the prohibited zone; prohibiting taking photos of videos within the prohibited zone or inside the polling place except for the purpose of capturing potential violations of law; and permitting precinct election officials to enforce election laws and maintain law and order inside the prohibited zone, and seek assistance from any law-enforcement officer for that purpose.

Referred to the Committee on the Judiciary.

By Senators Woodrum and Oliverio:

Senate Bill 489—A Bill to amend §3-1-50 of the Code of West Virginia, 1931, as amended, relating to prescribing administrative procedures and ultimate disposition of election law violation complaints and investigations thereof by the Secretary of State.

Referred to the Committee on the Judiciary.

By Senators Woodrum and Oliverio:

Senate Bill 490—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §3-1-52, relating to prohibiting ranked-choice voting in elections in West Virginia.

Referred to the Committee on the Judiciary.

By Senators Woodrum and Oliverio:

Senate Bill 491—A Bill to amend and reenact §3-8-2 of the Code of West Virginia, 1931, as amended, relating to expanding the time frame for certain independent expenditure reporting requirements from 15 to 30 days; reducing the spending threshold for reporting independent expenditures made for any statewide, legislative, or multicounty judicial candidate from \$5,000 to \$1,000; reducing the spending threshold in the aggregate for independent expenditures from \$10,000 to \$2,500; and requiring both written and spoken disclaimers on certain digital communications.

Referred to the Committee on Government Organization.

By Senators Woodrum and Oliverio:

Senate Bill 492—A Bill to amend and reenact §3-8-4a of the Code of West Virginia, 1931, as amended, relating to elections; and removing outdated provisions governing political committees terminated within three years of the effective date of the amendments made to this section during the regular session of the Legislature, 2002.

Referred to the Committee on Government Organization.

By Senator Woodrum:

Senate Bill 493—A Bill to amend §3-8-5c of the Code of West Virginia, 1931, as amended, relating to removing the amount limitations on contributions to all political committees beginning July 1, 2025.

Referred to the Committee on Government Organization.

By Senators Woodrum and Oliverio:

Senate Bill 494—A Bill to amend §3-8-2b of the Code of West Virginia, 1931, as amended, relating to expanding the time frame for certain electioneering communication reporting requirements from 15 to 30 days; reducing the spending threshold for reporting electioneering communications in a calendar year; and requiring both written and spoken disclaimers on certain digital communications.

Referred to the Committee on Government Organization.

By Senators Woodrum and Oliverio:

Senate Bill 495—A Bill to amend and reenact §3-8-4 of the Code of West Virginia, 1931, as amended, relating to requiring contact information for the chair of a political committee; and adding to the statement of organization an acknowledgment of legal compliance with campaign finance reporting requirements.

Referred to the Committee on Government Organization.

By Senators Thorne and Rucker:

Senate Bill 496—A Bill to amend and reenact §30-37-2 of the Code of West Virginia, 1931, as amended, relating to massage therapists; and clarifying the definition of "massage therapy".

Referred to the Committee on Government Organization.

By Senator Chapman:

Senate Bill 497—A Bill to amend and reenact §33-6-37 of the Code of West Virginia, 1931, as amended, relating to cancellation of homeowners insurance; and prohibiting cancellation of homeowners insurance for an isolated incident.

Referred to the Committee on Banking and Insurance.

By Senator Chapman:

Senate Bill 498—A Bill to amend the Code of West Virginia, 1931, as amended, by adding four new sections, designated §29-22-9b, §29-22-9c, §29-22-9d, and §29-22-9e, relating to authorizing the Lottery Commission to create new lottery tickets to fund specific purposes, such as the support of fire departments, emergency medical services, schools, and roads.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel:

Senate Bill 499—A Bill to amend and reenact §18B-12-2, §18B-12-3, and §18B-12-4 of the Code of West Virginia, 1931, as amended; and to repeal §18B-12-10, relating to agreements for institutions of higher education with private corporations established to benefit institutions of higher education; providing legislative findings and purposes; authorizing institutions of higher education to contract with one or more private corporations authorized to conduct operational, economic, fiscal, and educational development activities and services related to intercollegiate athletics; limiting the voting corporate directors of private corporations who have entered into agreements to conduct operational, economic, fiscal, and educational development activities and services related to intercollegiate athletics on behalf of an institution of higher education; authorizing institutions of higher education to transfer real and personal property to qualifying private corporations; clarifying that the activities of private corporations who have entered into agreements to conduct operational, economic, fiscal, and educational development activities and services related to intercollegiate athletics are exempt from state requirements and procedures; and authorizing private corporations who have entered into agreements to conduct operational, economic, fiscal, and educational development activities and services related to intercollegiate athletics to undertake activities authorized by the West Virginia Nonprofit Corporation Act.

Referred to the Committee on Education.

By Senator Chapman:

Senate Bill 500—A Bill to amend and reenact §8-15-7a of the Code of West Virginia, 1931, as amended, relating to transferring audit authority for volunteer fire companies to the Legislative Auditor.

Referred to the Committee on Government Organization.

By Senator Tarr:

Senate Bill 501—A Bill to amend and reenact §31-17-8 of the Code of West Virginia, 1931, as amended, relating to modifying the type of writing required to be maintained by a licensee regarding fees or points.

Referred to the Committee on Banking and Insurance.

By Senator Rucker:

Senate Bill 502—A Bill to amend and reenact §7-1-3 of the Code of West Virginia, 1931, as amended, relating to county commissions; and clarifying the authority of counties to regulate floodplains under the National Flood Insurance Program regulations.

Referred to the Committee on Government Organization.

By Senator Helton:

Senate Bill 503—A Bill to amend and reenact §6-3-1 of the Code of West Virginia, 1931, as amended, relating to appointment of more than one chief deputy by the sheriff.

Referred to the Committee on the Judiciary.

By Senator Helton:

Senate Bill 504—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-6-18a, relating to prohibiting public camping; defining terms; prohibiting camping in public places; providing that person's intent established through specified actions; providing that violation of article constitutes a misdemeanor; providing for fine; requiring bus ticket to be offered; providing for community service; addressing preemption; and requiring officer to provide information prior to

issuance of citation unless there is an imminent threat to public health or safety.

Referred to the Committee on the Judiciary.

By Senators Martin and Smith (Mr. President):

Senate Bill 505—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §24-2J-1, §24-2J-2, §24-2J-3, §24-2J-4, and §24-2J-5, relating to energy; proposing legislative findings; providing definitions; requiring bulk-power system reliability factor into determining rates; establishing a legal standard; and providing commission directives.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Government Organization.

By Senators Rose and Thorne:

Senate Joint Resolution 6—Proposing an amendment to the Constitution of West Virginia, amending article X thereof, by adding thereto a new section, designated section 1a, relating to the elimination of the taxation of business inventory; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senators Rose and Thorne:

Senate Joint Resolution 7—Proposing an amendment to the Constitution of the State of West Virginia, article XII, section 2, relating to legislative review and approval of education policies; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

Senator Deeds offered the following resolution:

Senate Concurrent Resolution 6—Requesting the Division of Highways name bridge number 10-077/00-062.66 (10A205), (37.98938, -81.33126), locally known as Skitter Creek Bridge, carrying Interstate 77 over Skitter Creek/Coal Haul Road in Fayette County, the "U. S. Army Major Jerome Lee Workman Memorial Bridge".

Which, under the rules, lies over one day.

Senator Stuart offered the following resolution:

Senate Concurrent Resolution 7—Requesting the Division of Highways name a 2.9 mile portion of Riverside Drive between 5th Avenue and 4th Avenue in front of Madison Middle School on West Virginia Route 20 beginning on WV 20 at 38 4' 24" N -81 49'34".50 W and ending at 38 4' 22". 71 N, -81 49'34". 59 W, in Boone County, the "Cohen Wade Craddock Memorial Road".

Which, under the rules, lies over one day.

Senators Phillips and Tarr offered the following resolution:

Senate Concurrent Resolution 8—Requesting the Division of Highways name bridge number 55-956/00-000.01 (NB) (55A240), (37.75117, -81.67505) locally known as Flatrock Street Bridge, carrying Other 956 over HUFF CREEK in Wyoming County, the "U. S. Army Sergeant Dennis Charles Hurley Memorial Bridge".

Which, under the rules, lies over one day.

Senators Oliverio, Fuller, Taylor, and Weld offered the following resolution:

Senate Concurrent Resolution 9—Requesting the Division of Highways name bridge number 12-028/07-012.02 () (12A094), (39.12160, -79.21598) locally known as WEIMER BRIDGE, carrying CR 028/07 over NORTH FORK LUNICE CREEK in Grant County, the "Becker Brothers – Eugene and Kermit Becker Memorial Bridge".

Which, under the rules, lies over one day.

Senator Stuart offered the following resolution:

Senate Concurrent Resolution 10—Requesting the Division of Highways name bridge number 22-037/00-004.35 (22A167), (38.10346, -82.17775) locally known as U.S. Army TEC5 Donald "Tiny" Lucas Memorial Bridge, carrying CR 037 over EAST FK OF 14 MI. CK in Lincoln County, as the "Donald Lucas & Ronald Lucas Memorial Bridge".

Which, under the rules, lies over one day.

Senator Stuart offered the following resolution:

Senate Concurrent Resolution 11—Requesting the Division of Highways name a bridge bearing the bridge number 20-077/01-004.44 (20A822), (38.17354, -81.5636) locally known as FIELDS CREEK BR NO. 4.44, carrying CR 77/01 over FIELDS CREEK in Kanawha County in the community of Winifrede in Kanawha County, the "Charlie Lee Jordan Memorial Bridge".

Which, under the rules, lies over one day.

Senators Hamilton, Deeds, Garcia, Hart, Jeffries, Morris, Queen, Rose, Rucker, Tarr, and Woodrum offered the following resolution:

Senate Resolution 6—Commemorating the 75th anniversary of the Sport Fish Restoration Program as part of the American system of conservation funding.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 5, US Marine Corps Sergeant Robert Milford Payne Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Resolution 5, Designating February 14, 2025, as National Organ Donor Day at Legislature.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Chapman, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

At the request of Senator Takubo, and by unanimous consent, the Senate returned to the second order of business and the introduction of guests.

The Senate proceeded to the thirteenth order of business.

Senator Smith (Mr. President) announced the replacement of Senator Weld as Vice Chair of the Select Committee on Substance Use Disorder and Mental Health with Senator Fuller.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on February 13, 2025:

Senate Bill 6: Senator Rucker;

Senate Bill 8: Senators Helton and Rucker;

Senate Bill 10: Senators Thorne and Hamilton;

Senate Bill 17: Senator Helton;

Senate Bill 18: Senator Hamilton;

Senate Bill 20: Senator Hamilton;

Senate Bill 21: Senator Rucker;

Senate Bill 27: Senator Thorne;

Senate Bill 29: Senators Deeds and Chapman;

Senate Bill 37: Senator Grady;

Senate Bill 43: Senator Taylor;

Senate Bill 89: Senator Grady;

Senate Bill 90: Senator Taylor;

Senate Bill 100: Senator Rucker;

Senate Bill 122: Senator Grady;

Senate Bill 154: Senator Tarr;

Senate Bill 155: Senator Grady;

Senate Bill 239: Senator Rucker;

Senate Bill 242: Senator Thorne;

Senate Bill 244: Senator Thorne;

Senate Bill 251: Senator Thorne;

Senate Bill 275: Senator Thorne;

Senate Bill 278: Senator Thorne;

Senate Bill 280: Senator Taylor;

Senate Bill 294: Senator Taylor;

Senate Bill 424: Senators Helton, Bartlett, and Fuller;

Senate Bill 428: Senators Bartlett and Hamilton;

Senate Bill 429: Senators Chapman and Bartlett;

Senate Bill 431: Senator Bartlett;

Senate Bill 432: Senators Helton, Bartlett, and Hamilton;

Senate Bill 434: Senators Bartlett and Fuller;

Senate Bill 440: Senator Fuller;

Senate Bill 444: Senator Helton;

Senate Bill 445: Senators Helton and Bartlett;

Senate Bill 449: Senators Grady and Bartlett;

Senate Bill 450: Senator Grady;

Senate Bill 459: Senator Helton;

Senate Bill 463: Senators Bartlett and Fuller;

Senate Concurrent Resolution 5: Senator Bartlett;

And,

Senate Resolution 4: Senator Taylor.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 10:23 a.m., the Senate adjourned until Monday, February 17, 2025, at 11 a.m.

MONDAY, FEBRUARY 17, 2025

The Senate met at 11:02 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Honorable Amy N. Grady, a senator from the fourth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Tom Willis, a senator from the fifteenth district.

Pending the reading of the Journal of Friday, February 14, 2025,

At the request of Senator Clements, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

At the request of Senator Martin, and by unanimous consent, the provisions of Rule 54 of the Rules of the Senate, relating to persons entitled to the privileges of the floor, were suspended in order to grant Sophia Phillips, daughter of the Honorable Rupie Phillips, a senator from the seventh district, privileges of the floor for the day.

The Senate proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. House Bill 2024—A Bill to amend and reenact §11-21-9 of the Code of West Virginia, 1931, as amended, relating to updating the meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act; and specifying effective dates.

At the request of Senator Martin, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Martin, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Boley—2.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 2024 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Boley—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 2024) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Boley—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 2024) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. House Bill 2025—A Bill to amend and reenact §11-24-3 of the Code of West Virginia, 1931, as amended, relating to bringing terms not defined in the Corporation Net Income Tax Act into conformity with the meaning of those terms for federal income tax purposes; and specifying effective dates.

At the request of Senator Martin, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Martin, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Boley—2.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 2025 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris,

Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Boley—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 2025) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Boley—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 2025) takes effect from passage.

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

The Senate proceeded to the fourth order of business.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 454, Updating terms in Corporation Net Income Tax Act.

And,

Senate Bill 455, Updating meaning certain terms used in WV Personal Income Tax Act.

And reports the same back with the recommendation that they each do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bills (S. B. 454 and 455) contained in the foregoing report from the Committee on Finance were then referred to the Committee on Rules.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills and joint resolution were introduced, read by their titles, and referred to the appropriate committees:

By Senators Tarr, Barrett, and Grady:

Senate Bill 506—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18A-4-2d, relating to enhanced pay for teachers; setting out legislative findings; defining terms; providing for market pay enhancement for teacher salaries in certain circumstances; providing for certification to State Auditor; setting out distribution of funds; requiring reporting; making funds subject to personal income tax; providing funds are in excess of minimum salary schedule; making enhancement not subject to state grievance process; and providing for rulemaking.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Thorne:

Senate Bill 507—A Bill to amend and reenact §61-8A-3 of the Code of West Virginia, 1931, as amended; and to amend the code

by adding a new section, designated §61-8A-6, relating to prohibiting drag shows from being performed in front of minors; and prohibiting drag shows in public places, such as schools and libraries.

Referred to the Committee on the Judiciary.

By Senator Deeds:

Senate Bill 508—A Bill to amend and reenact §27-5-1, §27-5-1b, §27-5-2, and §27-5-4 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §27-5-2b, and a new article, designated §27-5A-1, §27-5A-2, and §27-5A-3, relating generally to the creation of mental hygiene regions by the Supreme Court of Appeals; clarifying that mental hygiene evaluations and proceedings may be conducted by video technology; removing licensed professional counselors and licensed independent social workers as approved examiners for mental hygiene evaluations; creating a temporary observation release for mental hygiene respondents; clarifying that chief medical officer releases requiring approval of circuit court only apply to forensic patients; requiring hearings for any commitment period of longer than 90 days and prohibiting any person from being civilly committed to longer than 120 days without a hearing to determine whether the individual continues to meet commitment criteria; removing obsolete language regarding transcripts of proceedings to circuit court of county of residence; restructuring the mental hygiene commissioner system by authorizing new mental hygiene regions and full-time mental hygiene commissioners employed by the Supreme Court of Appeals; authorizing mental hygiene proceedings and evaluations by video and requiring facilities to provide technology that meets Supreme Court of Appeals specifications; authorizing statewide coverage for mental hygiene evaluations and permitting a mental hygiene commissioner to exclude evaluator testimony based on the West Virginia Rules of Evidence; and requiring each Certified Community Mental Health Center to ensure that at least one examiner is available to provide uniform and continuous coverage in each region, including afterhours, weekends, and holidays.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 509—A Bill to amend and reenact §61-8D-3 and §61-8D-4 of the Code of West Virginia, 1931, as amended, relating to modifying the criminal penalties imposed on a parent, guardian, custodian, or person in a position of trust in relation to a child for child abuse resulting in bodily injury, serious bodily injury, and child neglect resulting in bodily injury, serious bodily injury, and child abuse or child neglect creating risk of injury; providing that a prior conviction under this section subjects a person to increased penalties; and providing a definition for a prior conviction.

Referred to the Committee on the Judiciary.

By Senators Rose and Martin:

Senate Bill 510—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §24-9-1, §24-9-2, §24-9-3, and §24-9-4, relating to providing for the creation of the Stable Energy Rates Protection Act.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Government Organization.

By Senators Rucker, Azinger, Barrett, Chapman, Grady, Martin, Maynard, Rose, Takubo, Taylor, and Weld:

Senate Joint Resolution 8—Proposing an amendment to the Constitution of the State of West Virginia, amending section one, article IV thereof, relating to the right to vote in elections held in West Virginia; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

Senators Martin and Queen offered the following resolution:

Senate Resolution 7—Recognizing the 153rd anniversary of Glenville State University.

Which, under the rules, lies over one day.

Senator Morris offered the following resolution:

Senate Resolution 8—Designating February 18, 2025, as West Virginia Banker's Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 6, US Army Major Jerome Lee Workman Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 7, Cohen Wade Craddock Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 8, US Army E6 Dennis Charles Hurley Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 9, Becker Brothers, Eugene and Kermit Becker Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 10, Donald Lucas & Ronald Lucas Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 11, Charlie Lee Jordan Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Resolution 6, Commemorating 75th anniversary of Sport Fish Restoration Program.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Hamilton, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 460, Relating to vaccine requirements.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Phillips.

At the request of Senator Phillips, unanimous consent being granted, the Senate then stood in observance of a moment of silence in recognition of this past weekend's flooding victims in Southern West Virginia.

At the request of Senator Rucker, and by unanimous consent, the Senate returned to the eleventh order of business and the introduction of guests.

The Senate proceeded to the thirteenth order of business.

Senator Smith (Mr. President) announced the removal of Senator Stuart from the Committee on Health and Human Resources.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on February 14, 2025:

Senate Bill 7: Senator Woelfel;

Senate Bill 17: Senator Thorne;

Senate Bill 18: Senators Thorne and Woelfel;

Senate Bill 19: Senators Deeds and Thorne;

Senate Bill 20: Senator Morris;

Senate Bill 21: Senator Thorne;

Senate Bill 22: Senator Woelfel;

Senate Bill 29: Senator Morris;

Senate Bill 35: Senator Woelfel;

Senate Bill 41: Senator Woelfel;

Senate Bill 49: Senator Thorne;

Senate Bill 53: Senator Woelfel;

Senate Bill 58: Senator Thorne;

Senate Bill 69: Senator Thorne;

Senate Bill 72: Senators Thorne and Helton;

Senate Bill 76: Senator Woelfel;

Senate Bill 80: Senator Thorne;

Senate Bill 82: Senator Woelfel;
Senate Bill 83: Senator Woelfel;
Senate Bill 89: Senator Helton;
Senate Bill 90: Senator Helton;
Senate Bill 94: Senator Helton;
Senate Bill 97: Senators Thorne and Helton;
Senate Bill 101: Senator Woelfel;
Senate Bill 106: Senator Thorne;
Senate Bill 116: Senator Woelfel;
Senate Bill 118: Senator Woelfel;
Senate Bill 119: Senator Woelfel;
Senate Bill 120: Senator Woelfel;
Senate Bill 121: Senator Woelfel;
Senate Bill 134: Senator Helton;
Senate Bill 136: Senator Helton;
Senate Bill 137: Senator Woelfel;
Senate Bill 139: Senator Woelfel;
Senate Bill 154: Senators Thorne and Helton;
Senate Bill 172: Senator Helton;
Senate Bill 175: Senator Thorne;
Senate Bill 186: Senator Woelfel;
Senate Bill 189: Senator Woelfel;

Senate Bill 190: Senator Woelfel;

Senate Bill 199: Senator Thorne;

Senate Bill 204: Senator Helton;

Senate Bill 245: Senator Woelfel;

Senate Bill 260: Senator Rose;

Senate Bill 264: Senator Thorne;

Senate Bill 266: Senator Thorne;

Senate Bill 270: Senators Rose and Thorne;

Senate Bill 271: Senators Rose and Thorne;

Senate Bill 275: Senator Rose;

Senate Bill 280: Senator Thorne;

Senate Bill 286: Senator Thorne;

Senate Bill 295: Senator Rose;

Senate Bill 432: Senator Thorne;

Senate Bill 439: Senator Thorne;

Senate Bill 440: Senator Rose;

Senate Bill 445: Senator Thorne;

Senate Bill 447: Senator Helton;

Senate Bill 464: Senators Helton, Weld, Woelfel, and Chapman;

Senate Bill 466: Senator Bartlett;

Senate Bill 467: Senators Woelfel and Bartlett;

Senate Bill 472: Senator Woelfel;

Senate Bill 473: Senator Weld;

Senate Bill 475: Senator Deeds;

Senate Bill 476: Senator Morris;

Senate Bill 477: Senator Deeds;

Senate Bill 481: Senators Deeds, Weld, and Woelfel;

Senate Bill 505: Senator Rose;

Senate Joint Resolution 4: Senator Thorne;

Senate Joint Resolution 6: Senator Taylor;

Senate Joint Resolution 7: Senator Taylor;

And,

Senate Resolution 6: Senator Woelfel.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 11:27 a.m., the Senate adjourned until tomorrow, Tuesday, February 18, 2025, at 11 a.m.

TUESDAY, FEBRUARY 18, 2025

The Senate met at 11:03 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Pastor Paul Coon, Coal Fork United Methodist Church, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Patricia Puertas Rucker, a senator from the sixteenth district.

Pending the reading of the Journal of Monday, February 17, 2025,

At the request of Senator Thorne, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

At the request of Senator Martin, and by unanimous consent, the provisions of Rule 54 of the Rules of the Senate, relating to persons entitled to the privileges of the floor, were suspended in order to grant representatives from Glenville State University privileges of the floor for the day.

The Senate proceeded to the fourth order of business.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 38, Uniform Unlawful Restriction in Land Records Act.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 138, Enhancing penalties for fleeing officer.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 138 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §61-5-17 and §61-11-18 of the Code of West Virginia, 1931, as amended, relating to creating offenses for second, and third or subsequent offenses of fleeing from an officer; establishing criminal penalties for the new offenses; extending the period for which prior convictions may be used; specifying that the new offenses are qualifying offenses for recidivist sentencing enhancement purposes; and declaring that a conviction for fleeing in vehicle while under the influence of alcohol or drugs is treated as a driving under the influence for licensure purposes.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 139, Requiring one-year residency within district or county to fill vacancy in Legislature.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 139 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §3-10-5 of the Code of West Virginia, 1931, as amended, relating to the filling of vacancies in the Legislature; requiring that county and district

political parties submitting a list of legally qualified persons to the Governor to fill a vacancy in the Legislature follow the process established by the state executive committee of that political party; and providing that an individual must reside within the district he or she would represent for one year prior to appointment in order to be eligible to fill a vacancy in the Legislature.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Roberts, from the Committee on the Workforce, submitted the following report, which was received:

Your Committee on the Workforce has had under consideration

Senate Bill 249, Expanding employment and training requirements necessary for SNAP benefits.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Rollan A. Roberts,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 269, Modifying requirements for public water systems or businesses having backflow preventers.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 269 (originating in the Committee on Government Organization)—A Bill to amend and reenact §16-1-4 and §16-1-9a of the Code of West Virginia, 1931, as amended, relating to the regulation of public water systems; creating two classifications of backflow prevention assemblies; providing that the Secretary of the Department of Health may not require low-hazard backflow prevention assemblies to be inspected more frequently than once in three years; and providing that high-hazard backflow prevention assemblies shall be inspected annually.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Senate Bill 439, Creating Wind Power Taxation Clarification Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 439 (originating in the Committee on Energy, Industry, and Mining)—A Bill to repeal §11-6A-5a of the Code of West Virginia, 1931, as amended, relating to taxation of wind power projects.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Christopher A. Rose,
Chair.

The bill (Com. Sub. for S. B. 439), under the original double committee reference, was then referred to the Committee on Finance.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills and joint resolution were introduced, read by their titles, and referred to the appropriate committees:

By Senator Smith (Mr. President):

Senate Bill 511—A Bill to amend and reenact §32-2-202, §32-3-304a, §32-3-305, and §32-4-406 of the Code of West Virginia, 1931, as amended, relating to fee changes in the Uniform Securities Act.

Referred to the Committee on Banking and Insurance; and then to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 512—A Bill to amend and reenact §32-2-202 of the Code of West Virginia, 1931, as amended, relating to registration for broker-dealers and agents; and increasing the registration fee of an agent.

Referred to the Committee on Banking and Insurance; and then to the Committee on Finance.

By Senator Weld:

Senate Bill 513—A Bill to amend and reenact §29-22A-10 and §29-22A-10b of the Code of West Virginia, 1931, as amended, relating to the racetrack video lottery and the distributions of video lottery net terminal and excess net terminal income to municipalities.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senators Woelfel and Garcia:

Senate Bill 514—A Bill to amend and reenact §3-11-2 and §3-11-4 of the Code of West Virginia, 1931, as amended, relating to requiring full text of proposed constitutional amendments be included on official ballots to be voted at the election at which such amendments are submitted to the voters of the state.

Referred to the Committee on the Judiciary.

By Senator Helton:

Senate Bill 515—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §27-5A-1, §27-5A-2, §27-5A-3, §27-5A-4, §27-5A-5, and §27-5A-6, relating to involuntary hospitalization for substance use disorder; setting forth criteria for treatment; setting forth process for initiation of proceedings; setting forth who may file a petition; setting forth contents of petition; setting forth court proceedings; setting forth time frames; requiring examination; permitting emergency involuntary treatment; permitting summons to be issued if individual fails to attend examination; addressing transportation; and addressing payment for transportation.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on the Judiciary.

By Senator Morris:

Senate Bill 516—A Bill to amend and reenact §18-9A-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-9A-13, relating to providing extra state aid to school districts for students enrolled in extremely remote schools; defining "extremely remote school"; stating purpose; prohibiting a county board from closing an extremely remote school; requiring county board submission of certain documentation; establishing reporting requirements; and allowing a waiver from any requirement to be submitted.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 517—A Bill to amend and reenact §16-1-6 of the Code of West Virginia, 1931, as amended, relating to the Commissioner of the Bureau for Public Health; requiring medical professionals to report to the Bureau for Public Health all injuries and side effects from vaccines and produce an annual report for the Legislature; requiring medical professionals that deliver vaccines to receive educational materials from the Bureau for Public Health about negative side effects from vaccines and to be formally trained every five years; and requiring the commissioner to make available a mechanism for individuals, including parents, to report adverse impact from vaccines.

Referred to the Committee on Health and Human Resources.

By Senator Weld:

Senate Bill 518—A Bill to amend and reenact §11-21-3, §11-21-4g, §11-21-18, §11-21-30, §11-21-40, §11-21-51, §11-21-71a, and §44D-1-108, of the Code of West Virginia, 1931, as amended, relating to the personal income tax; and exempting non-grantor trusts administered in this state from the personal income tax.

Referred to the Committee on Finance.

By Senator Taylor:

Senate Bill 519—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designed §61-6-18a, relating to the prohibition against camping in public areas without consent; defining terms; providing that camping in public places without the effective consent of the officer or agency having the legal duty or authority to manage the public place is a misdemeanor; providing for criminal penalties upon conviction thereof; providing for the issuance of a warning citation for a first offense; providing that person's intent may be established through specified actions; providing for community service; providing that state or local law, rules, or ordinances prohibiting camping in public areas meeting certain requirements are not preempted by

this section; and requiring officer to provide information prior to issuance of citation unless there is an imminent threat to public health or safety.

Referred to the Committee on the Judiciary.

By Senator Willis:

Senate Bill 520—A Bill to amend the Code of West Virginia, 1931, as amended, by adding three new sections, designated §5-5-7, §15-2-5a, and §18A-4-5e, relating to mandating executive branch agencies, State Police, and county boards of education develop and report an area market rate salary adjustment policy; stating findings; directing state agencies, State Police, and county boards of education develop and report an area market rate salary adjustment policy by certain date; establishing mandatory terms to be included in policy; and providing that no private cause of action or right to grievance arises from operation of the policy.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Willis:

Senate Bill 521—A Bill to amend and reenact §3-1-16, §3-1-17, §3-4A-11a, §3-5-6a, §3-5-6b, §3-5-6c, §3-5-6d, §3-5-7, §3-5-13, §3-5-13a, §3-10-3, §3-12-3, §3-12-11, §3-12-12, §3-12-14, §50-1-1, §50-1-6, §51-1-1, and §51-2A-5 of the Code of West Virginia, 1931, as amended, relating to electoral reforms of the West Virginia judiciary and boards of education generally; requiring the election of justices of the Supreme Court of Appeals, circuit court judges, family court judges, magistrates, and members of boards of education be on a partisan basis; establishing ballot design and printing; requiring partisan ballots be used; and providing for the continuing applicability of the West Virginia Supreme Court of Appeals Public Campaign Financing Program.

Referred to the Committee on the Judiciary.

By Senators Woelfel and Garcia:

Senate Joint Resolution 9—Proposing an amendment to the Constitution of the State of West Virginia, amending section four,

article VII thereof, relating to term limits for constitutional officers; providing that no person shall serve more than two consecutive terms in any one of the offices of Secretary of State, Auditor, Treasurer, Commissioner of Agriculture, or Attorney General; setting effective date; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

The Senate proceeded to the seventh order of business.

Senate Resolution 7, Recognizing 153rd anniversary of Glenville State University.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

The question being on the adoption of the resolution, and on this question, Senator Queen demanded the yeas and nays.

The roll being taken, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Azinger, Stuart, and Takubo—3.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 7) adopted.

Senate Resolution 8, Designating February 18, 2025, as WV Banker's Day at Legislature.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Morris, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 460, Relating to vaccine requirements.

On second reading, coming up in regular order, was read a second time.

On motions of Senators Weld and Woelfel, the following amendment to the bill was reported by the Clerk:

On page 5, section 4, after line 89, by adding thereto a new subsection, designated subsection (l), to read as follows:

(l) In accordance with the guarantees of religious freedom set forth in Section 15, Article III of the West Virginia Constitution, and §18-28-1 of this code, private, parochial, and church schools or state-regulated child care centers, or schools of a religious order located in this state may continue to require the compulsory immunization requirements set forth in subsections (b) and (c) of this section if doing so is in conformity with the tenants of that religion's beliefs as determined in the sole discretion of the religious entity operating or administering any such school or state-regulated child care center. The exercise of discretion by such religious entity, private, parochial or church school or state-regulated child care center under this subsection precludes liability or damage claims under any other provision of this section.

Following extended discussion,

The question being on the adoption of the amendment offered by Senators Weld and Woelfel to the bill, and on this question, Senator Weld demanded the yeas and nays.

The roll being taken, the yeas were: Clements, Garcia, Hamilton, Jeffries, Morris, Oliverio, Queen, Weld, Woelfel, and Woodrum—10.

The nays were: Barrett, Bartlett, Boley, Chapman, Charnock, Deeds, Fuller, Grady, Hart, Helton, Martin, Maynard, Phillips, Roberts, Rose, Rucker, Tarr, Taylor, Thorne, Willis, and Smith (Mr. President)—21.

Absent: Azinger, Stuart, and Takubo—3.

So, a majority of those present and voting not having voted in the affirmative, the President declared the amendment offered by Senators Weld and Woelfel to the bill rejected.

On motion of Senator Weld, the following amendment to the bill (Com. Sub. for S. B. 460) was next reported by the Clerk:

On page 4, section 4, line 86, after the words "right to" by striking out the words "a public" and inserting in lieu thereof the word "an".

Following discussion,

The question being on the adoption of Senator Weld's amendment to the bill, and on this question, Senator Weld demanded the yeas and nays.

The roll being taken, the yeas were: Boley, Clements, Garcia, Hamilton, Jeffries, Oliverio, Queen, Rucker, Tarr, Weld, Willis, Woelfel, and Woodrum—13.

The nays were: Barrett, Bartlett, Chapman, Charnock, Deeds, Fuller, Grady, Hart, Helton, Martin, Maynard, Morris, Phillips, Roberts, Rose, Taylor, Thorne, and Smith (Mr. President)—18.

Absent: Azinger, Stuart, and Takubo—3.

So, a majority of those present and voting not having voted in the affirmative, the President declared Senator Weld's amendment to the bill rejected.

On motion of Senator Woelfel, the following amendment to the bill (Com. Sub. for S. B. 460) was next reported by the Clerk:

On page 4, section 4, line 71, after the word "child" by changing the period to a colon and inserting the following proviso: *Provided*, That in no case shall the provisions of this subsection apply to the mandatory immunization against polio provided for in subsections (b) and (c) of this section.

Following discussion,

The question being on the adoption of Senator Woelfel's amendment to the bill, and on this question, Senator Woelfel demanded the yeas and nays.

The roll being taken, the yeas were: Boley, Clements, Deeds, Fuller, Garcia, Hamilton, Jeffries, Morris, Oliverio, Weld, Woelfel, and Woodrum—12.

The nays were: Barrett, Bartlett, Chapman, Charnock, Grady, Hart, Helton, Martin, Maynard, Phillips, Queen, Roberts, Rose, Rucker, Tarr, Taylor, Thorne, Willis, and Smith (Mr. President)—19.

Absent: Azinger, Stuart, and Takubo—3.

So, a majority of those present and voting not having voted in the affirmative, the President declared Senator Woelfel's amendment to the bill rejected.

On motion of Senator Garcia, the following amendments to the bill (Com. Sub. for S. B. 460) were next reported by the Clerk and considered simultaneously:

On page 4, section 4, after line 79, by inserting three new subsections, designated subsections (k), (l), and (m), to read as follows:

(k) All public, private, and parochial schools, and all state-regulated child care centers, shall create and maintain a report containing the following:

(1) The number of students enrolled in the school, or of children enrolled in the child care center, who have been granted an exemption from vaccination under this section; and

(2) The percentage of students enrolled in the school, or of children enrolled in the child care center, who have been granted an exemption from vaccination under this section.

(l) The report required under subsection (k) shall:

(1) Be updated by October 1 of each calendar year; and

(2) Be posted and available to the public online.

(m) No personal identifying or personal health information of any individual shall be included in the report required under subsections (k) and (l) of this section.;

And,

By re-lettering the remaining subsections.

Following discussion,

The question being on the adoption of Senator Garcia's amendments to the bill, and on this question, Senator Garcia demanded the yeas and nays.

The roll being taken, the yeas were: Clements, Garcia, Hamilton, Jeffries, Oliverio, Queen, Weld, Woelfel, and Woodrum—9.

The nays were: Barrett, Bartlett, Boley, Chapman, Charnock, Deeds, Fuller, Grady, Hart, Helton, Martin, Maynard, Morris, Phillips, Roberts, Rose, Rucker, Tarr, Taylor, Thorne, Willis, and Smith (Mr. President)—22.

Absent: Azinger, Stuart, and Takubo—3.

So, a majority of those present and voting not having voted in the affirmative, the President declared Senator Garcia's amendments to the bill rejected.

The bill (Com. Sub. for S. B. 460) was then ordered to engrossment and third reading.

The Senate proceeded to the eleventh order of business and the introduction of guests.

The Senate then proceeded to the twelfth order of business.

Remarks were made by Senators Maynard and Phillips.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, leaves of absence for the day were granted Senators Takubo and Stuart.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on February 17, 2025:

Senate Bill 6: Senators Roberts and Hamilton;

Senate Bill 10: Senator Phillips;

Senate Bill 16: Senator Hamilton;

Senate Bill 18: Senator Hamilton;

Senate Bill 19: Senator Hamilton;

Senate Bill 29: Senator Hamilton;

Senate Bill 38: Senator Hamilton;

Senate Bill 65: Senator Hamilton;

Senate Bill 77: Senator Helton;
Senate Bill 94: Senator Rose;
Senate Bill 123: Senator Jeffries;
Senate Bill 138: Senator Deeds;
Senate Bill 139: Senator Morris;
Senate Bill 189: Senator Hamilton;
Senate Bill 240: Senator Deeds;
Senate Bill 249: Senator Deeds;
Senate Bill 264: Senator Helton;
Senate Bill 269: Senator Hamilton;
Senate Bill 286: Senator Roberts;
Senate Bill 424: Senator Rose;
Senate Bill 433: Senator Roberts;
Senate Bill 434: Senator Helton;
Senate Bill 445: Senator Hamilton;
Senate Bill 449: Senator Hamilton;
Senate Bill 466: Senators Rucker and Thorne;
Senate Bill 470: Senator Helton;
Senate Bill 472: Senator Roberts;
Senate Bill 480: Senator Morris;
Senate Bill 481: Senators Morris and Thorne;
Senate Bill 482: Senator Rucker;

Senate Bill 504: Senator Thorne;

Senate Bill 505: Senator Phillips;

Senate Bill 506: Senators Rucker and Woelfel;

Senate Bill 507: Senators Rose and Rucker;

Senate Bill 508: Senator Woelfel;

Senate Bill 509: Senator Woelfel;

Senate Joint Resolution 2: Senators Thorne and Hamilton;

Senate Joint Resolution 4: Senator Hamilton;

Senate Joint Resolution 8: Senators Morris, Helton, Thorne, Smith, Bartlett, and Clements;

Senate Concurrent Resolution 3: Senator Jeffries;

Senate Concurrent Resolution 4: Senator Jeffries;

Senate Concurrent Resolution 6: Senator Jeffries;

Senate Concurrent Resolution 7: Senators Jeffries, Helton, and Phillips;

Senate Concurrent Resolution 8: Senators Jeffries and Helton;

Senate Concurrent Resolution 9: Senator Jeffries;

Senate Concurrent Resolution 10: Senators Jeffries and Phillips;

Senate Concurrent Resolution 11: Senators Jeffries and Phillips;

Senate Resolution 7: Senators Rucker, Helton, Smith, Clements, Jeffries, and Hamilton;

And,

Senate Resolution 8: Senators Hamilton and Jeffries.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 12:29 p.m., the Senate adjourned until tomorrow, Wednesday, February 19, 2025, at 11 a.m.

WEDNESDAY, FEBRUARY 19, 2025

The Senate met at 11:07 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Honorable Rollan A. Roberts, a senator from the ninth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Rupie Phillips, a senator from the seventh district.

Pending the reading of the Journal of Tuesday, February 18, 2025,

At the request of Senator Taylor, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Clerk presented the following communications from various state agencies as required by the provisions of law:

Accountancy, Board of (§30-1-12)

Administration, Department of (Procurement of Recycled Products) (§22-15A-21)

Administration, Department of (State Building Commission Fund) (§5-6-1)

Architects, Board of (§30-1-12)

Attorney General, Office of the (§5-3-4)

Auditor's Office (Consolidated Budget Report) (§11-13A-5a)

Auditor's Office (State Dollar Report) (§12-4-7)

Barbers and Cosmetologists, Board of (§30-1-12)

Chiropractic, Board of (§30-1-12)

Contractor Licensing Board (§30-1-12)

Counseling, Board of Examiners in (§30-1-12)

Dentistry, Board of (§30-1-12)

Development Office (Tax Increment Financing) (§7-11B-15)

Economic Development, Department of (Neighborhood Investment Program) (§11-13J-4a)

Economic Development Authority (Combined Financial Statements) (§31-15-29)

Environmental Protection, Department of (Special Reclamation Fund Advisory Council) (§22-1-17)

Forestry, Division of (Logging Sediment Control Act) (§19-1B-13)

Funeral Service Examiners, Board of (§30-1-12)

Geological and Economic Survey (§29-2-6)

Health, Department of (Breast and Cervical Cancer Screening)
(§16-33-6)

Human Services, Department of (Children's Health Insurance
Program) (§5-16B-3)

Human Services, Department of (James "Tiger" Morton
Catastrophic Illness Commission) (§16-5Q-2)

Human Services, Department of (Youth Services) (§49-2-
1006)

Insurance Commissioner, Offices of the (Consumer Advocate)
(§33-2-16)

Investment Management Board (Annual Report) (§12-6-14)

Investment Management Board (Audited Financial
Statements) (§12-6-6)

Investment Management Board (Schedule of Investment
Performance) (§12-6-6)

Landscape Architects, Board of (§30-1-12)

Miners' Health, Safety, and Training, Office of (§22A-1-4)

Natural Resources, Division of (§20-1-7)

Nursing Home Administrators Licensing Board (§30-1-12)

Osteopathic Medicine, Board of (§30-1-12)

Personnel, Division of (§29-6-7)

Pharmacy, Board of (§30-1-12)

Physical Therapy, Board of (§30-1-12)

Professional Engineers, Board of Registration for (§30-1-12)

Psychologists, Board of Examiners of (§30-1-12)

Real Estate Appraiser Licensing and Certification Board (§30-1-12)

Real Estate Commission (§30-1-12)

Registered Nurses, Board of (§30-1-12)

Respiratory Care, Board of (§30-1-12)

Sanitarians, Board of (§30-1-12)

Social Work, Board of (§30-1-12)

Speech-Language Pathology and Audiology, Board of Examiners for (§30-1-12)

Tax Appeals, Office of (§11-10A-7)

Tax Division, State (Tax Expenditure Study) (§11-10-5s)

Tourism, Department of (§5B-2I-4)

Treasurer, Office of the (Debt Capacity) (§12-6A-6)

Treasurer, Office of the (Debt Position Quarterly Report) (§12-6A-6)

Treasury Investments, Board of (§12-6-6)

Veterinary Medicine, Board of (§30-1-12)

Water Development Authority (§22C-1-17)

The Senate proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the adoption by that body and requested the concurrence of the Senate in the adoption of

House Concurrent Resolution 49—Requesting the Maryland General Assembly reject any legislation proposing to change the stream designation of the North Branch of the Potomac River from the mouth of the Savage River extending to the area of Pinto,

Maryland, from a "Warm Water Aquatic Life" use to a "Cold Water Aquatic Life" use.

Referred to the Committee on Natural Resources.

The Senate proceeded to the fourth order of business.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 8, Providing additional sites and devices for newborn safe surrender.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 8 (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §49-4-201 and §49-4-206 of the Code of West Virginia, 1931, as amended, relating to permitting the installation of newborn safety devices at emergency medical service facilities, police departments, or sheriff's detachments that have been designated as safe-surrender sites; and providing conditions for the same.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 28, Requiring insurance coverage of certain genetic testing without cost sharing.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 28 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding six new sections, designated §5-16-7h, §33-15-4y, §33-16-3ii, §33-24-7z, §33-25-8w, and §33-25A-8z, relating to requiring insurance coverage for clinical genetic testing for an inherited gene mutation and evidenced-based cancer imaging; providing effective date; and providing that this testing is not subject to cost-sharing.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill (Com. Sub. for S. B. 28), under the original double committee reference, was then referred to the Committee on Finance.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 122, Establishing minimum student enrollment for school aid formula.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 151, Creating crime of assault on police dogs and other public safety animals.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 151 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §61-11-18 of the Code of West Virginia, 1931, as amended; to amend the code by adding a new section, designated §61-2-10c; and to repeal §19-20-24, relating to police dogs and other public safety animals; creating offenses related to willfully causing physical injury, serious physical injury, or death to public safety animals; allowing for defense of public service animals; providing an exemption; defining terms; establishing criminal penalties; and specifying that the felony offenses set forth are qualifying offenses for recidivist sentencing purposes.

Senate Bill 240, Updating crime of sexual extortion.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 240 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §61-2-13 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §61-8B-6, relating to extortion, attempted extortion, sexual extortion, and aggravated

sexual extortion; defining terms; including a threat to any other thing of value for purposes qualifying extortion offense; increasing criminal penalties for extortion or attempted extortion by threats; creating crime of sexual extortion; establishing criminal penalties for sexual extortion; providing circuit courts optional dispositional conditions when minor adjudicated for a sexual extortion offense; creating crime of aggravated sexual extortion; establishing criminal penalties for aggravated sexual extortion; and providing for jurisdiction for prosecution of sexual extortion offenses in multiple counties.

And,

Senate Bill 270, Declaring sale and manufacture of firearms essential business during declared emergency.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 270 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §15-5-19a of the Code of West Virginia, 1931, as amended, relating to declaring the sale, repair, maintenance, and manufacture of firearms, ammunition, and related accessories and components to be essential businesses and services for the purposes of safety and security in times of declared emergency or any other statutorily authorized responses to disaster, war, acts of terrorism, riot or civil disorder, or other emergencies; prohibiting specific governmental regulation of firearms, ammunition, components or accessories of any kind or nature, or their use or possession; extending the expiration date of concealed license during emergencies; creating an action for damages, injunctive relief, declaratory relief, or other appropriate redress for the unlawful seizure or confiscation of firearms or related accessories and components; and providing for civil damages.

With the recommendation that the three committee substitutes do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 173, Requiring hotels and public lodging establishments to provide human trafficking awareness training for employees.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 173 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16-6-26, relating to permitting hotels and public lodging establishments to provide human trafficking awareness training to employees; establishing permissive annual training; establishing reporting procedures; providing that no private cause of action is created; and authorizing rulemaking.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill (Com. Sub. for S. B. 173), under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 275, Removing requirement school cooks or custodians have high school diploma or equivalent.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 275 (originating in the Committee on Education)—A Bill to amend and reenact §18A-2-5 of the Code of West Virginia, 1931, as amended, relating to removing the requirement for cooks and custodians who are 21 years of age or older to have a high school diploma or equivalent as a condition of employment by a county board of education.

Senate Bill 282, Modifying provisions for employment of retired teachers as substitutes in areas of critical need and shortage.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 282 (originating in the Committee on Education)—A Bill to amend and reenact §18A-2-3 of the Code of West Virginia, 1931, as amended, relating to changing the expiration date for certain provisions that pertain to allowing a person receiving retirement benefits under the Teachers Retirement System to accept employment as a critical needs substitute teacher for an unlimited number of days each fiscal year if certain conditions are satisfied; and creating exceptions to posting related requirements applicable when a retired teacher is employed as a critical needs substitute.

And,

Senate Bill 283, Expanding grade levels of personal finance course requirements needed for graduation.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 283 (originating in the Committee on Education)—A Bill to amend and reenact §18-2-7c of the Code of West Virginia, 1931, as amended, relating to expanding the grade levels that the course of study in personal finance can be completed in for the purpose of counting toward satisfying the personal finance course requirement for high school graduation; and providing that the expansion of the grade levels applies retroactively.

With the recommendation that the three committee substitutes do pass.

Respectfully submitted,

Amy N. Grady,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 286, Granting parents access to health records of minor child.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 286 (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §16-29-1 and §49-5-101 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §16-29-3, relating to providing copies of health care records to patients; providing that no release, authorization, nor any form of permission from or by the minor child shall be required or requested as a prerequisite for the parent or legal guardian to obtain the medical records; providing criteria when a parent is not permitted to access the health records of the minor child; and providing that a managed care organization, child placing agency,

and person with temporary custody of a child will have access to the child's medical records.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill (Com. Sub. for S. B. 286), under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 299, Modifying WV regulations on pubertal modulation, hormonal therapy, and gender reassignment.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senator Woodrum:

Senate Bill 522—A Bill to amend and reenact §31B-8-810 of the Code of West Virginia, 1931, as amended, relating to clarifying the procedure for administrative dissolution of limited liability companies by the Secretary of State; and requiring the Secretary of State to provide notice to limited liability companies subject to administrative dissolution.

Referred to the Committee on Government Organization.

By Senator Woodrum:

Senate Bill 523—A Bill to amend and reenact §3-8-5b of the Code of West Virginia, 1931, as amended, relating to campaign financial statements by candidates for municipal office; requiring candidates for municipal offices to file campaign financial statements with the county clerk; and requiring all financial reports for all elected offices to be published online by the filing officer within 48 hours of the close of the filing period.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Woodrum:

Senate Bill 524—A Bill to amend and reenact §3-1-37 of the Code of West Virginia, 1931, as amended, relating to clarifying persons permitted to be present in a polling place during an election period for non-voting activities that normally occur at that location.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 525—A Bill to amend and reenact §31E-13-1321 of the Code of West Virginia, 1931, as amended, relating to clarifying the procedure for administrative dissolution of nonprofit corporations by the Secretary of State; and requiring the Secretary of State to provide notice to nonprofit corporations subject to administrative dissolution.

Referred to the Committee on Government Organization.

By Senator Chapman:

Senate Bill 526—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §30-5A-1, §30-5A-2, and §30-5A-3, relating to creating the Pharmacist Prescribing Authority Act; authorizing pharmacists to prescribe low-risk medications to patients; and listing the limitations of the prescriptions that fall under that authority.

Referred to the Committee on Health and Human Resources; and then to the Committee on Government Organization.

By Senator Weld:

Senate Bill 527—A Bill to amend and reenact §61-2-10b of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §61-2-10c, relating to clarifying the criminal offense of malicious assault, unlawful assault, and battery on law-enforcement officers, correctional employees, and emergency medical service personnel; providing definitions; and establishing penalties.

Referred to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 528—A Bill to amend §61-8D-5 of the Code of West Virginia, 1931, as amended, relating to adding attempt to the criminal offense of sexual abuse by a parent, guardian, custodian, or person in a position of trust to a child.

Referred to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 529—A Bill to amend and reenact §18-5-19d and §29-12-5a of the Code of West Virginia, 1931, as amended, relating to setting a minimum amount of insurance that county boards of education must maintain.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senators Rose, Thorne, and Martin:

Senate Bill 530—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §37-1-5a, relating to the purchase of or acquisition of title to real property by certain aliens or foreign entities.

Referred to the Committee on the Judiciary.

By Senator Woelfel:

Senate Bill 531—A Bill to amend and reenact §61-2-15a of the Code of West Virginia, 1931, as amended, relating to the offenses of assault and battery on athletic officials; defining assault and battery against athletic officials as felony offenses; and providing criminal penalties for the offenses.

Referred to the Committee on Education; and then to the Committee on the Judiciary.

By Senators Clements, Garcia, Oliverio, and Rose:

Senate Bill 532—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-13MM-8A, relating to clarifying the county to which ad valorem taxes should be paid when the seat of a well is in a different county than the location of the property from which the well draws.

Referred to the Committee on Finance.

By Senators Clements and Grady:

Senate Bill 533—A Bill to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended, relating to clarifying where legal proceedings may be filed involving the West Virginia Secondary School Activities Commission.

Referred to the Committee on Education.

By Senators Fuller, Deeds, Hart, Helton, and Willis:

Senate Bill 534—A Bill to amend and reenact §21-5-5c of the Code of West Virginia, 1931, as amended, relating to deception examiners; and clarifying the qualifications required to be licensed as a Class I and Class II psychophysiological detection of deception examiner.

Referred to the Committee on the Workforce.

By Senators Helton, Deeds, Fuller, Jeffries, and Tarr:

Senate Bill 535—A Bill to amend and reenact §7-22-9 of the Code of West Virginia, 1931, as amended, relating to allowing Raleigh County to levy a special district excise tax for the benefit the Raleigh County Economic Opportunity Development District.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

By Senators Tarr and Grady:

Senate Bill 536—A Bill to amend and reenact §7-22-9 of the Code of West Virginia, 1931, as amended, relating to county economic opportunity development districts.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

By Senators Helton and Fuller:

Senate Bill 537—A Bill to amend and reenact §16-66-2 of the Code of West Virginia, 1931, as amended, relating to pregnancy help organizations; and providing approved pregnancy help organizations flexibility to receive funding for various costs.

Referred to the Committee on Health and Human Resources.

By Senators Helton and Fuller:

Senate Bill 538—A Bill to amend and reenact §31-18E-9 of the Code of West Virginia, 1931, as amended, relating to removing the sunset date on the provision granting the right of first refusal to land reuse agencies and municipal land banks for acquiring certain tax-delinquent properties that permits these entities to purchase qualifying tax-delinquent properties before they are offered at public auction.

Referred to the Committee on Government Organization.

By Senators Helton and Fuller:

Senate Bill 539—A Bill to amend and reenact §61-8A-3 of the Code of West Virginia, 1931, as amended, relating to 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.

Referred to the Committee on the Judiciary.

By Senators Helton and Fuller:

Senate Bill 540—A Bill to amend and reenact §8-6-5 of the Code of West Virginia, 1931, as amended, relating to annexation by minor boundary adjustment.

Referred to the Committee on the Judiciary.

By Senators Helton and Fuller:

Senate Bill 541—A Bill to amend and reenact §60A-4-401 of the Code of West Virginia, 1931, as amended, relating to sentencing guidelines for conviction of distribution of fentanyl.

Referred to the Committee on the Judiciary.

By Senator Tarr:

Senate Bill 542—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16B-3-11a, relating to violations and felony penalty for stand-alone methadone treatment programs or clinics.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on the Judiciary.

By Senator Tarr:

Senate Bill 543—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §5-3-3b, relating to oversight by the Attorney General of a political subdivision's hiring of a private attorney under a contingency fee legal arrangement or contract to sue; providing definitions; providing procedures; clarifying the requirements for pre-formation and post-approval; clarifying the requirements to enter into a legal arrangement or contract; establishing what is public information; providing indemnification; providing expedited review; establishing requirements for contract attorneys; clarifying the process for payment; providing rights and obligations;

clarifying when contracts are in violation or void; and providing an effective date.

Referred to the Committee on the Judiciary.

By Senator Grady:

Senate Bill 544—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16-6-11a, relating to ventilation and fire suppression for limited use food preparation facilities; providing for legislative findings; creating definitions; providing for enactment of the section; and establishing rulemaking.

Referred to the Committee on Government Organization.

Senator Rucker offered the following resolution:

Senate Resolution 9—Recognizing Court Appointed Special Advocates and the essential role they play in representing the best interest of children involved in child abuse and/or neglect proceedings.

Which, under the rules, lies over one day.

Senator Oliverio offered the following resolution:

Senate Resolution 10—Designating February 20, 2025, as Human Resources Day at the Legislature.

Which, under the rules, lies over one day.

Senators Willis, Thorne, and Taylor offered the following resolution:

Senate Resolution 11—Recognizing Cottage Hill Farm of Grant County, West Virginia, as West Virginia's outstanding family-owned Hereford cattle farm for 2024.

Which, under the rules, lies over one day.

At the request of Senator Taylor, unanimous consent being granted, **Senate Bill 51** (*Removing rape and incest exception to obtain abortion in WV*) was withdrawn from the Committee on Health and Human Resources and from the files of the Senate.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 460, Relating to vaccine requirements.

On third reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 138, Enhancing penalties for fleeing officer.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 139, Relating to filling of vacancies in Legislature.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 269, Modifying requirements for public water systems or businesses having backflow preventers.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Roberts.

The Senate then proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, leaves of absence for the day were granted Senators Helton and Takubo.

The following communication was reported by the Clerk:



**HOUSE OF DELEGATES
WEST VIRGINIA LEGISLATURE**

BUILDING 1, ROOM M-212
1900 KANAWHA BLVD., EAST
CHARLESTON, WV 25305-0470
PHONE (304) 340-3200

February 18, 2025

The Honorable Patrick Morrissey
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Morrissey,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

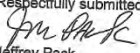
H. B. 2024, Updating the meaning certain terms used in West Virginia Personal Income Tax Act;

And,

H. B. 2025, Updating terms in the Corporation Net Income Tax Act.

These bills are presented to you on this day, February 18, 2025.

Respectfully submitted,


Jeffrey Pack
Clerk of the House of Delegates

cc: The Honorable Lee Cassis
Clerk of the Senate

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolution on February 18, 2025:

Senate Bill 8: Senators Rose, Deeds, Chapman, and Grady;

Senate Bill 21: Senator Phillips;

Senate Bill 25: Senator Phillips;

Senate Bill 28: Senators Deeds and Garcia;

Senate Bill 37: Senator Phillips;

Senate Bill 41: Senator Phillips;

Senate Bill 50: Senators Deeds and Oliverio;

Senate Bill 54: Senator Woelfel;

Senate Bill 69: Senator Helton;

Senate Bill 119: Senator Phillips;

Senate Bill 122: Senators Deeds and Martin;

Senate Bill 138: Senator Bartlett;

Senate Bill 139: Senators Garcia and Bartlett;

Senate Bill 151: Senators Deeds and Hamilton;

Senate Bill 173: Senators Woelfel and Deeds;

Senate Bill 188: Senator Barrett;

Senate Bill 228: Senator Woelfel;

Senate Bill 229: Senator Woelfel;

Senate Bill 230: Senator Woelfel;

Senate Bill 239: Senator Woelfel;

Senate Bill 244: Senator Hamilton;

Senate Bill 258: Senator Phillips;

Senate Bill 262: Senator Phillips;

Senate Bill 264: Senator Phillips;

Senate Bill 270: Senators Deeds and Phillips;

Senate Bill 272: Senator Phillips;

Senate Bill 275: Senator Deeds;

Senate Bill 280: Senator Rose;

Senate Bill 282: Senators Woelfel, Deeds, and Oliverio;

Senate Bill 283: Senators Woelfel, Deeds, and Hamilton;

Senate Bill 284: Senator Deeds;

Senate Bill 286: Senators Hamilton, Rucker, Grady, Maynard,
and Bartlett;

Senate Bill 299: Senators Barrett, Rucker, Taylor, Bartlett, and
Thorne;

Senate Bill 430: Senator Phillips;

Senate Bill 437: Senator Phillips;

Senate Bill 439: Senator Phillips;

Senate Bill 444: Senator Phillips;

Senate Bill 445: Senator Phillips;

Senate Bill 449: Senator Phillips;

Senate Bill 481: Senator Helton;

Senate Bill 516: Senators Rose, Thorne, and Hamilton;

Senate Bill 517: Senator Grady;

Senate Bill 520: Senator Thorne;

Senate Bill 521: Senators Rose and Thorne;

And,

Senate Resolution 7: Senator Rose.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 11:23 a.m., the Senate adjourned until tomorrow, Thursday, February 20, 2025, at 11 a.m.

THURSDAY, FEBRUARY 20, 2025

The Senate met at 11:02 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Pastor Jackie Johnson, Community Care Pastor, Kings River Worship Center, St. Albans, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable T. Kevan Bartlett, a senator from the eighth district.

Pending the reading of the Journal of Wednesday, February 19, 2025,

At the request of Senator Clements, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Clerk presented the following communication from a state agency as required by the provisions of law:

Environmental Protection, Department of (Office of Oil and Gas Waiver Report) (§22-6A-2)

The Senate proceeded to the fourth order of business.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 136, Modifying parole eligibility for person serving sentence for first degree murder.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 136 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §61-2-3, §61-2-4, and §62-12-13 of the Code of West Virginia, 1931, as amended, relating to increasing the penalties and parole eligibility requirements for homicide by increasing the minimum and maximum term of imprisonment for second degree murder and voluntary manslaughter; increasing the minimum period of imprisonment prior to parole eligibility for individuals convicted of second degree murder and voluntary manslaughter; and increasing the minimum period of imprisonment prior to parole eligibility for individuals sentenced to life imprisonment.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bills 335, 336, 337, 338, 339, and 340, Governor's Committee on Crime, Delinquency, and Correction rule relating to sexual assault forensic examinations.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 336 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §64-6-1 *et seq.* of the Code of West Virginia, 1931, as amended, relating to authorizing certain agencies of the Department of Homeland Security to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee; authorizing the Governor's Committee on Crime, Delinquency, and Correction to promulgate a legislative rule relating to the protocol for law-enforcement response to child abuse and neglect; authorizing the Governor's Committee on Crime, Delinquency, and Correction to promulgate a legislative rule relating to sexual assault forensic examinations; authorizing the Division of Protective Services to promulgate a legislative rule relating to the ranks and duties of officers within the membership of the division; authorizing the State Emergency Response Commission to promulgate a legislative rule relating to the Emergency Planning Grant Program; authorizing the West Virginia State Police to promulgate a legislative rule relating to cadet selection; and authorizing the West Virginia State Police to promulgate a legislative rule relating to the West Virginia State Police Career Progression System.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills and joint resolution were introduced, read by their titles, and referred to the appropriate committees:

By Senator Barrett:

Senate Bill 545—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5D-3A, relating to school nutritional programs; prohibiting certain unsafe food additives; providing for exceptions; and setting an effective date.

Referred to the Committee on Health and Human Resources.

By Senator Jeffries:

Senate Bill 546—A Bill to amend and reenact §11-22-2 of the Code of West Virginia, 1931, as amended, relating to authorizing county commissions to levy an additional county excise tax on the privilege of transferring real property for the purpose of funding local economic development.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 547—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5G-18, relating to creating the Charter Schools Startup Fund; requiring submission of application to the West Virginia Professional Charter School Board in order to receive funds from the Charter Schools Startup Fund; requiring notice to potential applicants; requiring certain contents be included in application; requiring distribution of money to qualifying charter school applicants and charter schools, subject to availability of funding; and specifying manner of distribution.

Referred to the Committee on Finance.

By Senator Grady:

Senate Bill 548—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-36-1, §18-36-2, §18-36-3, §18-36-4, §18-36-5, §18-36-6, and §18-36-7,

relating to the creation of the Safety and Violence Education for Students Act; providing for training programs; providing for the Department of Education to develop trainings and materials; and setting forth minimum standards.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Woelfel:

Senate Bill 549—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-21-12o, relating to authorizing a personal income tax deduction applicable to qualified tipped wages; providing that qualified tips reported to the taxpayer's employer may be deducted from federal adjusted gross income; defining terms; and providing effective date.

Referred to the Committee on Finance.

By Senator Deeds:

Senate Bill 550—A Bill to amend and reenact §15A-10-1, §15A-10-3, §15A-10-6, and §15A-10-25 of the Code of West Virginia, 1931, as amended; and to amend the code by adding two new sections, designated §15A-10-1a and §15A-10-26, relating to clarifying the role and term of service of the State Fire Marshal; clarifying the responsibilities of chief deputy fire marshal and deputy fire marshal; specifying salaries for law enforcement employed by the Office of State Fire Marshal; modifying the role of assistant fire marshal; and recognizing certain rights of the retired deputy fire marshal.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Weld:

Senate Bill 551—A Bill to amend and reenact §61-2-3 of the Code of West Virginia, 1931, as amended, relating to increasing the penalty for second degree murder.

Referred to the Committee on the Judiciary.

By Senator Jeffries:

Senate Bill 552—A Bill to amend and reenact §5B-2-21 of the Code of West Virginia, 1931, as amended, relating to the Certified Business Industrial Expansion Development Program administered by the Department of Economic Development; renaming the expansion development program administered by the department; renaming business development districts certified by the department; clarifying that the program includes any plant or facility; and clarifying that electricity provided to certain business development districts may be generated from any fuel source.

Referred to the Committee on Economic Development.

By Senator Garcia:

Senate Bill 553—A Bill to amend and reenact §17C-6-1 of the Code of West Virginia, 1931, as amended, relating to providing that a certified abstract of a judgment for conviction of an offense of driving above the speed limit on a controlled access highway or interstate highway at 10 miles per hour or less above the speed limit may not be recorded by the Division of Motor Vehicles.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Banking and Insurance.

By Senator Garcia:

Senate Bill 554—A Bill to amend and reenact §18-8-1 of the Code of West Virginia, 1931, as amended, relating to home-schooled children; establishing Raylee's Law; prohibiting authorization of home instruction if there is a pending child abuse or neglect investigation against a custodial parent or guardian with whom the child to be home schooled resides, or against a person instructing the child, that is initiated by a schoolteacher or other school personnel; requiring the county superintendent to establish a policy to inform the superintendent when a report of suspected child abuse or neglect is made; and requiring the county superintendent to request case status confirmation from the Department of Human Services and to substantiate the abuse or neglect complaint.

Referred to the Committee on Education; and then to the Committee on the Judiciary.

By Senator Tarr:

Senate Bill 555—A Bill to amend and reenact §8-12-1 and §8-12-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §8-12-2a, relating to prohibiting public sector unions.

Referred to the Committee on Government Organization.

By Senators Tarr and Chapman:

Senate Bill 556—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §49-2-127b, relating to immunizations; prohibiting the requirement of certain immunizations as condition of being a foster parent; and providing an exception.

Referred to the Committee on Health and Human Resources.

By Senator Takubo:

Senate Bill 557—A Bill to amend and reenact §30-1D-1, §30-3-4, §30-3-5, §30-3-6, §30-3-7, §30-3-8, §30-3-9, §30-3-10, §30-3-11, §30-3-11a, §30-3-12, §30-3-13, §30-3-13a, §30-3-15, §30-3-16, §30-3-17, and §30-3-18 of the Code of West Virginia, 1931, as amended; to amend the code by adding three new sections, designated §30-3-10b, §30-3-21, and §30-3-22; to amend said code adding thereto a new article, designated §30-3H-1, §30-3H-2, §30-3H-3, §30-3H-4, §30-3H-5, §30-3H-6, §30-3H-7, §30-3H-8, §30-3H-9, §30-3H-10, §30-3H-11, and §30-3H-12; and to repeal §30-3-7a, §30-3-11, §30-3-11a, §30-3-11b, and §30-3-11c, relating to professionals to be licensed by the West Virginia Board of Medicine; requiring criminal background checks of any applicant for a license to engage in genetic counseling; defining terms; providing for board membership; providing that the board may call emergency meetings; authorizing the delegation of duties by the board; repealing certain provisions pertaining to radiologist assistants; providing for certain use of electronic signatures; providing for the creation of a complaint file that is separate from and in addition to a licensee's historical record; providing

requirements for licensure to practice medicine and surgery; podiatry and administrative medicine; providing for certain special license types; repealing provisions relating to endorsement and temporary licensure; repealing certain provisions relating to the practice of medicine and surgery in certain nursing homes; repealing certain provisions pertaining to administrative medicine licenses; creating a Genetic Counselors Practice Act; requiring criminal background checks of any applicant for a license to engage in genetic counseling; requiring persons to possess a valid license prior to practicing genetic counseling; providing licensure requirements for genetic counseling; stating the duties and powers of the board with regard to genetic counseling; providing for the practice of active candidate status and American Board of Genetic Counseling permittees; authorizing the board to promulgate rules for legislative approval; providing for the expiration, renewal, and reinstatement of licenses to practice genetic counseling; setting certain continuing education requirements; setting a genetic counselor's scope of practice; providing for disciplinary proceedings involving genetic counselors; authorizing the board or the Attorney General to seek certain injunctive relief; requiring certain reports from health care facilities; prohibiting any genetic counselor or active candidate status permittee to represent that he or she is a licensed physician; and providing that any person who violates that prohibition is guilty of a felony and, upon conviction, shall be imprisoned for not less than one nor more than two years, or be fined not more than \$2,000, or both find and imprisoned.

Referred to the Committee on Health and Human Resources.

By Senators Oliverio and Boley:

Senate Bill 558—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-2-9b, relating to requiring public high school students to take a computer science course prior to graduating; setting forth definitions; and requiring the Board of Education to adopt rules and update computer science standards.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senators Oliverio, Boley, and Charnock:

Senate Bill 559—A Bill to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended, relating to requiring legal injunctions and legal actions involving the West Virginia Secondary School Activities Commission to be filed in either Wood County or Kanawha County.

Referred to the Committee on Education.

By Senator Thorne:

Senate Bill 560—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §7-1-3uu, relating to county commissions and municipalities; granting authority to enact ordinances; defining terms; restricting locations of certain energy facilities; and establishing judicial review.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

By Senators Oliverio, Queen, Taylor, Woelfel, and Charnock:

Senate Bill 561—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §31A-9-1, §31A-9-2, §31A-9-3, §31A-9-4, §31A-9-5, §31A-9-6, §31A-9-7, §31A-9-8, §31A-9-9, §31A-9-10, §31A-9-11, §31A-9-12, §31A-9-13, §31A-9-14, §31A-9-15, and §31A-9-16, relating to the Uniform Special Deposits Act; providing citation; defining terms; providing for applicability to special deposits in certain circumstances; providing exceptions; allowing variation by agreement or amendment; setting forth requirements for a special deposit; requiring permissible purpose for special deposit; allowing termination of special deposit in certain circumstances; describing when bank is obligated to pay beneficiary; clarifying who has a property interest in special deposit; providing for creditor process enforceability in certain circumstances; permitting injunctive or similar relief by court; prohibiting recoupment or setoff against special deposit; providing exceptions to prohibition on recoupment or setoff against special deposit; describing duties and liability of bank holding special deposit; terminating special deposit after five years unless otherwise agreed; providing for payment of remaining

balance; providing for supplementation of article by specified West Virginia laws; providing for promotion of uniformity; and providing applicability after effective date.

Referred to the Committee on Banking and Insurance.

By Senators Oliverio, Queen, Taylor, Woelfel, and Charnock:

Senate Bill 562—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §48-32-101, §48-32-102, §48-32-103, §48-32-104, §48-32-105, §48-32-106, §48-32-106, §48-32-107, §48-32-108, §48-32-109, §48-32-110, and §48-32-111, relating to the Uniform Child Abduction Prevention Act; providing citation; defining terms; providing for communication and cooperation among courts; identifying parties who may seek relief; setting forth jurisdictional requirements; identifying required contents of petition; providing factors for determination of risk of abduction; identifying measures to prevent abductions; providing requirements in court order; identifying child removal warrant procedures; setting forth duration of abduction prevention orders; and providing for uniformity in application of law.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senators Woelfel and Garcia:

Senate Joint Resolution 10—Proposing an amendment to the Constitution of the State of West Virginia, amending section three, article VI thereof, relating to term limits for members of the Senate and House of Delegates; limiting senators to three consecutive terms; limiting delegates to six consecutive terms; establishing beginning date of term limitations; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

The Senate proceeded to the seventh order of business.

Senate Resolution 9, Recognizing Court Appointed Special Advocates.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Rucker, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

The question being on the adoption of the resolution, and on this question, Senator Rucker demanded the yeas and nays.

The roll being taken, the yeas were: Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Azinger, Boley, and Takubo—3.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 9) adopted.

Senate Resolution 10, Designating February 20, 2025, as Human Resources Day at Legislature.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Oliverio, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

The question being on the adoption of the resolution, and on this question, Senator Oliverio demanded the yeas and nays.

The roll being taken, the yeas were: Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips,

Queen, Roberts, Rose, Rucker, Stuart, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Azinger, Boley, and Takubo—3.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 10) adopted.

Senate Resolution 11, Recognizing Cottage Hill Farm as WV outstanding family-owned Hereford cattle farm for 2024.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Willis, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

The question being on the adoption of the resolution, and on this question, Senator Willis demanded the yeas and nays.

The roll being taken, the yeas were: Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Azinger, Boley, and Takubo—3.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 11) adopted.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 460, Relating to vaccine requirements.

On third reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 138, Enhancing penalties for fleeing officer.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 139, Relating to filling of vacancies in Legislature.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 269, Modifying requirements for public water systems or businesses having backflow preventers.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 8, Providing additional sites and devices for newborn safe surrender.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 151, Creating crime of assault on police dogs and other public safety animals.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 240, Updating crime of sexual extortion.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 270, Declaring sale and manufacture of firearms essential business during declared emergency.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 275, Removing requirement school cooks or custodians have high school diploma or equivalent.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 282, Modifying provisions for employment of retired teachers as substitutes in areas of critical need and shortage.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 283, Expanding grade levels of personal finance course requirements needed for graduation.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, a leave of absence for the day was granted Senator Takubo.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on February 19, 2025:

Senate Bill 17: Senator Hart;

Senate Bill 21: Senator Hart;

Senate Bill 25: Senator Hart;

Senate Bill 133: Senator Rose;

Senate Bill 136: Senator Deeds;

Senate Bill 240: Senator Rucker;

Senate Bill 246: Senator Deeds;

Senate Bill 258: Senator Morris;

Senate Bill 270: Senators Rucker, Hart, Bartlett, and Morris;

Senate Bill 445: Senator Rose;

Senate Bill 467: Senator Rucker;

Senate Bill 472: Senator Rucker;

Senate Bill 481: Senator Bartlett;

Senate Bill 506: Senator Bartlett;

Senate Bill 507: Senator Bartlett;

Senate Bill 508: Senator Rucker;

Senate Bill 510: Senator Bartlett;

Senate Bill 515: Senator Deeds;

Senate Bill 520: Senator Rucker;

Senate Bill 527: Senator Hamilton;

Senate Bill 535: Senator Roberts;

Senate Bill 536: Senator Jeffries;

Senate Bill 537: Senators Rucker and Roberts;

Senate Resolution 9: Senator Rose;

And,

Senate Resolution 11: Senator Rucker.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 11:30 a.m., the Senate adjourned until tomorrow, Friday, February 21, 2025, at 10 a.m.

FRIDAY, FEBRUARY 21, 2025

The Senate met at 10:06 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Honorable Mark R. Maynard, a senator from the sixth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Ryan W. Weld, a senator from the first district.

Pending the reading of the Journal of Thursday, February 20, 2025,

At the request of Senator Garcia, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the fourth order of business.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 37, Allowing Teachers Retirement System members to exchange unused leave for monetary compensation.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 37 (originating in the Committee on Education)—A Bill to amend and reenact §18A-4-10a of the Code of West Virginia, 1931, as amended, relating to providing classroom teachers who first became a member of the Teachers Retirement System on or after July 1, 2015, the opportunity to sell up to 10 of his or her unused days of personal leave back to the county board in exchange for monetary compensation paid on or before June 30.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill (Com. Sub. for S. B. 37), under the original double committee reference, was then referred to the Committee on Finance.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 92, Glucagon for Schools Act.

And,

Senate Bill 291, Extending time frame for pharmacies to register from annually to biennially.

And reports the same back with the recommendation that they each do pass.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 154, Prohibiting public schools from requiring students to participate in sexual orientation instruction.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 154 (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-29, relating to prohibiting a public school from providing instruction related to sexual orientation or gender identity; prohibiting a public school and the county board employees assigned to the school from knowingly giving false or misleading information to the parent, custodian, or guardian of a student regarding the student's gender identity or intention to transition to a gender that is different than the student's biological sex; requiring a person employed by the public school to report a student's request for an accommodation that is intended to affirm a change in the student's gender identity that is different from a student's biological sex to an administrator employed by the county board and assigned to the school; requiring the administrator to report the student's request to the student's parent, custodian, or guardian; allowing for legal action in certain instances of a violation of section; requiring state board of education to promulgate rules to implement section; and providing that the provisions of this act are severable.

And,

Senate Bill 158, Modifying eligibility requirements for serving as member of State Board of Education.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 158 (originating in the Committee on Education)—A Bill to amend and reenact §18-2-1 of the Code of West Virginia, 1931, as amended, relating to modifying eligibility and qualifications to serve as an appointed member of the State Board of Education; prohibiting certain political and other activities; and permitting certain political activities.

With the recommendation that the two committee substitutes do pass; but under the original double committee references first be referred to the Committee on the Judiciary.

Respectfully submitted,

Amy N. Grady,
Chair.

The bills (Com. Sub. for S. B. 154 and 158), under the original double committee references, were then referred to the Committee on the Judiciary.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 292, Allowing doula services be covered by Medicaid and PEIA.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bills 353, 354, 355, 356, 357, 358, 359, 360, 361, and 362, DMV rule relating to disclosure of information from division files.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 358 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §64-8-1 *et seq.* of the Code of West Virginia, 1931, as amended, relating to authorizing certain agencies of the Department of Transportation to promulgate legislative rules; authorizing the rules as modified and as filed by the Legislative Rule-Making Review Committee; authorizing the Division of Highways to promulgate a legislative rule relating to the construction and reconstruction of state roads; authorizing the Division of Highways to promulgate a legislative rule relating to the use of state road rights-of-way and adjacent areas; authorizing the Division of Highways to promulgate a legislative rule relating to the transportation of hazardous wastes upon the roads and highways; authorizing the Division of Highways to promulgate a legislative rule relating to small wireless facilities on Division of Highways rights-of-way; authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to the denial, suspension, revocation, disqualification, restriction, non-renewal, cancellation, administrative appeals, and reinstatement of driving privileges; authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to disclosure of information from the files of the Division of Motor Vehicles; authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to handicapped placards; authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to the safety and treatment program; authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to the State

Vehicle Title, Registration, and Relicensing Project of 2018; and authorizing the Parkways Authority to promulgate a legislative rule relating to electronic toll collection and enforcement.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 430, Relating to cost-sharing requirements for breast examinations.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 430 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding six new sections, designated §5-16-7h, §33-15-4y, §33-16-3ii; §33-24-7z, §33-25-8w, and §33-25A-8z, relating to cost-sharing requirements for breast examinations; defining terms; prohibiting cost-sharing requirements; permitting existing utilization review; addressing health saving account ineligibility; permitting rulemaking; and providing effective date.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill (Com. Sub. for S. B. 430), under the original double committee reference, was then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 443, Criminal background checks for licensing.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 443 (originating in the Committee on Government Organization)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-32-11a, relating to authorizing the West Virginia Board of Examiners for Speech-Language Pathology and Audiology to conduct criminal background checks on applicants seeking initial compact privilege; requiring applicants seeking initial privilege to submit to national and state criminal record background check as condition of eligibility for compact privilege; mandating such applicants to submit fingerprints and authorize board, West Virginia State Police, and Federal Bureau of Investigation to use records submitted to screen applicants; prohibiting release of background check results; providing for exceptions; establishing that background check records are not public records; obligating applicants to complete background check immediately after application for privilege to practice; requiring applicants to pay costs of fingerprinting and background check; and authorizing rulemaking and emergency rulemaking.

And,

Senate Bill 462, Permitting Board of Occupational Therapy to require criminal history record checks.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 462 (originating in the Committee on Government Organization)—A Bill to amend and reenact §30-28-3 of the Code of West Virginia, 1931, as amended; to amend the code by adding a new section, designated §30-28-4a; and to repeal §30-28-15, relating to the Board of Occupational Therapy; defining terms; permitting the Board of Occupational Therapy to require criminal history record checks; requiring rulemaking; and repealing code related to special volunteer licenses and immunity.

With the recommendation that the two committee substitutes do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 526, Creating the Pharmacist Prescribing Authority Act.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Government Organization.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Government Organization.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Joint Resolution 8, Citizenship Requirement to Vote in WV Elections Amendment.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Joint Resolution 8 (originating in the Committee on the Judiciary)—Proposing an amendment to the Constitution of the State of West Virginia, amending section 1, article IV thereof, to prohibit persons who are not United States citizens from voting in any elections held in West Virginia; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

With the recommendation that the committee substitute be adopted; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Mike Stuart,
Chair.

The resolution (Com. Sub. for S. J. R. 8), under the original double committee reference, was then referred to the Committee on Finance.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills and joint resolution were introduced, read by their titles, and referred to the appropriate committees:

By Senator Tarr:

Senate Bill 563—A Bill to amend and reenact §18-7A-17 of the Code of West Virginia, 1931, as amended, relating to the State Teachers Retirement System; providing that members of the State Teachers Retirement System shall be considered absent from service as a teacher or non-teacher while serving as an officer with a statewide professional teaching association, or who have served

in that capacity; and providing that retirants, who served in that capacity while members, shall be considered to have been absent from service as a teacher by reason of that service.

Referred to the Committee on Pensions.

By Senator Tarr:

Senate Bill 564—A Bill to amend and reenact §3-1-35 and §3-2-31 of the Code of West Virginia, 1931, as amended, relating to prohibiting voters not affiliated with a major political party from voting the ballot of that political party in a primary election.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senators Taylor, Clements, Garcia, Hamilton, Morris, Roberts, Rose, and Rucker:

Senate Bill 565—A Bill to amend and reenact §30-8-3, §30-8-6, §30-8-9, and §30-8A-1 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §30-8B-1, §30-8B-2, §30-8B-3, §30-8B-4, §30-8B-5, §30-8B-6, and §30-8B-7, relating to the practice of optometry; defining terms; removing obsolete areas of the code; updating contract provisions; and permitting a licensee to perform certain procedures trained by an approved and accredited body.

Referred to the Committee on Health and Human Resources.

By Senators Fuller, Jeffries, Maynard, Oliverio, Rose, and Weld:

Senate Bill 566—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15-2-57, relating to providing all certified Law-Enforcement Officers tuition-free education up to the highest rate for higher education in this state.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Rose:

Senate Bill 567—A Bill to amend and reenact §55-7-22 of the Code of West Virginia, 1931, as amended, relating to employment protections for employees who utilize reasonable and proportionate force in defending themselves or others; and providing that such person may use deadly force against an attacker in their place of employment, without a duty to retreat, if the person reasonably believes that he or she or another is in imminent danger of death or serious bodily harm from which he or she or another can only be saved by the use of deadly force against the intruder or attacker.

Referred to the Committee on the Judiciary.

By Senator Azinger:

Senate Bill 568—A Bill to amend and reenact §33-2-9 of the Code of West Virginia, 1931, as amended, relating to preserving the privilege and confidentiality of information required as part of any market conduct examination by the Insurance Commissioner.

Referred to the Committee on Banking and Insurance.

By Senator Rucker:

Senate Bill 569—A Bill to amend and reenact §30-42-15 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §21-11B-1, §21-11B-2, and §21-11B-3, relating to establishing certain rights for purchasers of residential improvements; stating legislative purpose; defining terms; mandating contracts for residential improvements contain warranty; stating required minimum terms of warranty; setting length of warranty; establishing that warranty is cumulative of other warranties; prohibiting exclusion or limitation of express or implied warranties; mandating that arbitration proceedings be held within certain distance from location of improvements; requiring alternative dispute resolution provisions of contract be prominently displayed; and providing that failure to comply with provisions of this article is grounds for disciplinary action by Contractor Licensing Board.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 570—A Bill to amend and reenact §29A-1-2, §29A-3-11, and §29A-3-15 of the Code of West Virginia, 1931, as amended, relating to the submission of legislative rules; requiring the inclusion of economic impact statements with certain proposed legislative rules; authorizing the request of economic impact statements; and defining "economic impact statement".

Referred to the Committee on Economic Development; and then to the Committee on Government Organization.

By Senators Morris, Barrett, Deeds, Fuller, Hamilton, Martin, Rucker, Thorne, and Willis:

Senate Joint Resolution 11—Proposing an amendment to the Constitution of the State of West Virginia, amending section two, article IX thereof, relating to county organization and sheriffs; modifying term limits for sheriffs; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 138, Enhancing penalties for fleeing officer.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Stuart—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 138) passed with its title.

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

Eng. Com. Sub. for Senate Bill 139, Relating to filling of vacancies in Legislature.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Stuart—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 139) passed with its title.

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

Eng. Com. Sub. for Senate Bill 269, Modifying requirements for public water systems or businesses having backflow preventers.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr,

Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Stuart—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 269) passed with its title.

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

Eng. Com. Sub. for Senate Bill 460, Relating to vaccine requirements.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending extended discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 460 pass?"

On the passage of the bill, the yeas were: Barrett, Bartlett, Chapman, Charnock, Fuller, Grady, Hart, Helton, Martin, Maynard, Phillips, Queen, Roberts, Rose, Rucker, Tarr, Taylor, Thorne, Willis, and Smith (Mr. President)—20.

The nays were: Boley, Clements, Deeds, Garcia, Hamilton, Jeffries, Morris, Oliverio, Takubo, Weld, Woelfel, and Woodrum—12.

Absent: Azinger and Stuart—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 460) passed with its title.

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

Thereafter, at the request of Senator Martin, and by unanimous consent, the remarks by Senators Chapman, Oliverio, Weld, Woelfel, Woodrum, Takubo, Hamilton, Rucker, Garcia, and Morris as to the passage of Engrossed Committee Substitute for Senate Bill 460 were ordered printed in the Appendix to the Journal.

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 8, Providing additional sites and devices for newborn safe surrender.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 151, Creating crime of assault on police dogs and other public safety animals.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 240, Updating crime of sexual extortion.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 270, Declaring sale and manufacture of firearms essential business during declared emergency.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 275, Removing requirement school cooks or custodians have high school diploma or equivalent.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Barrett, the following amendment to the bill was reported by the Clerk:

On page one, section five, line eleven, after the word "older" by striking out the remainder of the paragraph and inserting the following proviso: *Provided further*, That this paragraph shall not apply to cooks or custodians.

Following discussion,

The question being on the adoption of Senator Barrett's amendment to the bill, the same was put and prevailed.

The bill (Com. Sub. for S. B. 275), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 282, Modifying provisions for employment of retired teachers as substitutes in areas of critical need and shortage.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 283, Expanding grade levels of personal finance course requirements needed for graduation.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 136, Increasing penalties and parole eligibility requirements for homicide.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 336, Authorizing Department of Homeland Security to promulgate legislative rules.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Morris.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, a leave of absence for the day was granted Senator Stuart.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were removed as co-sponsors of the following bills on February 20, 2025:

Senate Bill 445: Senator Hamilton;

And,

Senate Bill 535: Senator Deeds.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on February 20, 2025:

Senate Bill 19: Senator Willis;

Senate Bill 20: Senator Willis;

Senate Bill 21: Senator Willis;

Senate Bill 22: Senator Willis;

Senate Bill 31: Senator Deeds;

Senate Bill 37: Senators Deeds and Willis;

Senate Bill 43: Senator Willis;

Senate Bill 50: Senator Willis;

Senate Bill 54: Senator Hamilton;

Senate Bill 55: Senator Willis;

Senate Bill 56: Senator Willis;

Senate Bill 75: Senator Barrett;

Senate Bill 85: Senators Roberts, Rose, and Willis;

Senate Bill 87: Senator Willis;

Senate Bill 92: Senators Deeds and Roberts;

Senate Bill 97: Senator Willis;

Senate Bill 100: Senators Willis and Oliverio;

Senate Bill 105: Senator Oliverio;

Senate Bill 121: Senator Willis;

Senate Bill 131: Senator Willis;

Senate Bill 136: Senator Bartlett;

Senate Bill 144: Senator Willis;

Senate Bill 154: Senators Rucker, Willis, Roberts, and Deeds;

Senate Bill 164: Senator Willis;

Senate Bill 167: Senator Willis;

Senate Bill 199: Senator Willis;

Senate Bill 258: Senator Roberts;

Senate Bill 272: Senator Hamilton;

Com. Sub. for Senate Bill 286: Senator Willis;

Senate Bill 291: Senator Deeds;

Senate Bill 292: Senators Deeds, Oliverio, Morris, Garcia, and Grady;

Senate Bill 299: Senator Willis;

Com. Sub. for Senate Bill 430: Senator Deeds;

Senate Bill 481: Senator Grady;

Senate Bill 504: Senator Rose;

Senate Bill 506: Senator Rose;

Senate Bill 509: Senator Grady;

Senate Bill 528: Senator Woelfel;

Senate Bill 545: Senators Woelfel, Jeffries, and Rucker;

Senate Bill 547: Senator Helton;

Senate Bill 548: Senator Woelfel;

Senate Bill 549: Senators Rucker and Tarr;

Senate Bill 552: Senator Grady;

Senate Bill 554: Senator Woelfel;

Senate Bill 558: Senator Grady;

Senate Bill 559: Senator Clements;

Senate Bill 560: Senator Rucker;

Senate Joint Resolution 2: Senator Clements;

Senate Joint Resolution 4: Senator Helton;

Senate Joint Resolution 8: Senators Willis and Deeds;

And,

Senate Resolution 11: Senator Rose.

Pending announcement of a meeting of a standing committee of the Senate,

On motion of Senator Martin, at 11:38 a.m., the Senate adjourned until Monday, February 24, 2025, at 11 a.m.

MONDAY, FEBRUARY 24, 2025

The Senate met at 11:03 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Honorable Bill Hamilton, a senator from the eleventh district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Rupie Phillips, a senator from the seventh district.

Pending the reading of the Journal of Friday, February 21, 2025,

At the request of Senator Boley, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Clerk presented the following communication from a state agency as required by the provisions of law:

Lottery (§29-22-20)

The Senate proceeded to the fourth order of business.

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

Senate Bill 103, Exempting certain records from public release.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Ryan W. Weld,
Chair.

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

Senate Bill 144, Relating to Military Incentive Program.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Ryan W. Weld,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance.

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

Senate Bill 149, Exempting certain military veterans and their dependents from tuition.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 149 (originating in the Committee on Military)—A Bill to amend and reenact §18B-10-7 of the Code of West Virginia, 1931, as amended, relating to exempting certain military veterans and their spouses and dependents from the payment of tuition and fees at state institutions of higher education.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Ryan W. Weld,
Chair.

The bill (Com. Sub. for S. B. 149), under the original double committee reference, was then referred to the Committee on Finance.

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

Senate Bill 429, Providing tax credit to certain disabled veterans for lifetime hunting, trapping, and fishing license.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 429 (originating in the Committee on Military)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-13NN-1, §11-13NN-2, and §11-13NN-3, relating to tax credit for the cost of lifetime hunting and/or fishing licenses to be offered to veterans who have been honorably discharged from the military; defining "eligible veteran"; establishing amount of credit and qualifications for credit; and requiring proposal of appropriate legislative rules.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Ryan W. Weld,
Chair.

The bill (Com. Sub. for S. B. 429), under the original double committee reference, was then referred to the Committee on Finance.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senator Phillips:

Senate Bill 571—A Bill to amend and reenact §17A-4A-1, §17A-4A-2, and §17A-4A-2a of the Code of West Virginia, 1931, as amended, relating to mandating the use of the West Virginia Division of Motor Vehicle's electronic lien and title system for all lien recordation for any person or entity who records more than five liens in a calendar year; and creating digital titles for motor vehicle transactions.

Referred to the Committee on Transportation and Infrastructure.

By Senator Tarr:

Senate Bill 572—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-1-27, relating to prohibiting spending authority for money used by a board or commission that retains a labor position.

Referred to the Committee on Government Organization.

By Senators Queen, Rose, and Taylor:

Senate Bill 573—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §17-14-1 and §17-14-2, relating to prohibiting all state agencies and local governmental units from restricting use or sale of motor vehicles based on power source; providing definitions; and clarifying prohibitions.

Referred to the Committee on Transportation and Infrastructure.

By Senator Helton:

Senate Bill 574—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §5-1-31, relating to the elimination of diversity, equity, and inclusion policies and practices.

Referred to the Committee on the Judiciary.

By Senator Tarr:

Senate Bill 575—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §22-5-21, relating to providing for regulatory oversight and authority governing community air monitoring programs; ensuring proper standards for data collection and evaluation through use of accurate scientific methods are used; providing definitions, including defining community air monitoring programs with exceptions; providing for circumstances when the Department of Environmental Protection may use the collected data and for what purposes; limiting the use of said data by the department and other persons; providing that the data may not be used directly for regulating pollutants under the Clean Air Act; providing that the data may not be used to issue a fine, penalty, or notice of violation against the operator of a stationary source; providing that the data may not be used as evidence in an administrative, regulatory, judicial enforcement action or proceeding against the operator of a stationary source or as the basis for an permitting action; and providing for rule-making authority.

Referred to the Committee on Government Organization.

By Senator Barrett:

Senate Bill 576—A Bill to amend and reenact §29-22D-3 and §29-22D-4 of the Code of West Virginia, 1931, as amended; and to amend the code by adding four new sections, designated §29-22D-15a, §29-22D-17a, §29-22D-17b, and §29-22D-25, relating to fixed odds racing; authorizing fixed odds racing in horse and dog racing; defining terms; creating a special revenue account entitled Fixed Odds Horse Racing Wagering Purse Supplement Fund; providing for administration of the fund; providing for distribution of certain proceeds into the fund; providing for use of the funds;

allowing funds to be invested; providing for distribution of funds; creating a special revenue account entitled Fixed Odds Dog Racing Wagering Purse Supplement Fund; providing for administration of the fund; providing for distribution of certain proceeds into the fund; providing for use of the funds; allowing funds to be invested; providing for distribution of funds; precluding certain individuals from wagering; making conforming amendments; and making technical corrections.

Referred to the Committee on Finance.

By Senator Barrett:

Senate Bill 577—A Bill to amend and reenact §17A-6A-10 of the Code of West Virginia, 1931, as amended, relating to prohibited practices; and clarifying a prohibited practice by manufacturer, factory branch, distributor, or distributor branch when providing a new motor vehicle to a dealer to be offered, sold, or leased to the public.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Grady:

Senate Bill 578—A Bill to amend and reenact §19-14-5 of the Code of West Virginia, 1931, as amended, relating to removing the sunset provisions on requiring an additional registration fee for a permit to sell or market commercial pet food, set to expire June 1, 2027 and June 30, 2027.

Referred to the Committee on Agriculture; and then to the Committee on Finance.

By Senators Helton and Fuller:

Senate Bill 579—A Bill to amend and reenact §8-1-5a of the Code of West Virginia, 1931, as amended, relating to prohibiting municipalities participating in the home rule program from establishing nondiscrimination ordinances that include protected classes in addition to what is designated in state statute.

Referred to the Committee on the Judiciary.

By Senators Helton and Fuller:

Senate Bill 580—A Bill to amend and reenact §60A-4-401 and §60A-4-416 of the Code of West Virginia, 1931, as amended, relating to increasing the penalty for felony distribution of a controlled substance classified in Schedule I or II which is a narcotic drug or methamphetamine; and increasing the penalty for drug delivery resulting in death.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on the Judiciary.

By Senators Oliverio, Garcia, Grady, Martin, and Woodrum:

Senate Bill 581—A Bill to amend and reenact §18-8-4 of the Code of West Virginia, 1931, as amended, relating school attendance and student participation in 4-H activities.

Referred to the Committee on Education.

By Senators Oliverio, Deeds, Fuller, Garcia, and Woodrum:

Senate Bill 582—A Bill to amend and reenact §18B-4-5 and §18B-7-5 of the Code of West Virginia, 1931, as amended, relating to permitting current campus police officers in this state to participate in the West Virginia Division of Natural Resources Police Officer Retirement System; and mandating newly hired campus police officers to participate in the West Virginia Division of Natural Resources Police Officer Retirement System beginning on January 1, 2026.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senators Helton, Smith (Mr. President), Fuller, Martin, Phillips, Rose, Rucker, Taylor, and Willis:

Senate Bill 583—A Bill to amend and reenact §11-13-2o and §11-15-9 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §11-6N-1, §11-6N-2, §11-6N-3, §11-6N-4, §11-6N-5, §11-6N-6, §11-6N-7, §11-6N-8, §11-6N-9, and §11-6N-10, relating to establishing economic incentives for data centers to locate within the state; specifying a

short title; defining terms; providing legislative findings and purpose; establishing eligibility criteria; clarifying property tax treatment for eligible data centers; creating tax exemptions; creating an application process; requiring compliance and recapture; authorizing rule-making authority; and providing an effective date.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

By Senator Helton:

Senate Bill 584—A Bill to amend and reenact §60A-4-416 of the Code of West Virginia, 1931, as amended, relating to increasing the sentence for the offense of delivery of a controlled substance or counterfeit controlled substance when the use, ingestion, or consumption thereof results in death, to a determinate sentence of life; providing that the sentence may not be suspended; and providing that this bill shall be known as Lauren's Law.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on the Judiciary.

By Senators Stuart, Grady, Helton, Jeffries, Morris, Oliverio, Phillips, Rose, Rucker, and Taylor:

Senate Bill 585—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-36-1, §18-36-2, §18-36-3, §18-36-4, §18-36-5, and §18-36-6, relating to establishing the Cohen Craddock Student Athlete Safety Act; providing legislative findings; defining terms; creating the Student Athlete Safety Advisory Committee and providing duties thereof; requiring use of certain safety equipment during high school and middle school football practices; providing warranty and certification related to the usage of certain safety equipment; establishing the Cohen Craddock Memorial Grant Program and providing procedures; and creating the Cohen Craddock Memorial Grant Fund.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Garcia:

Senate Bill 586—A Bill to amend and reenact §3-10-3, §3-10-4, §3-10-5, §3-10-6, §3-10-7, and §3-10-8 of the Code of West Virginia, 1931, as amended, relating to requirements for filling vacancies in certain elected federal, state, and county offices; prohibiting the appointment of an individual to fill a vacant office if that person has not been a member of his or her registered political party for at least one year prior to the occurrence of the vacancy; and requiring appointments be made from the political party with which the individual vacating the office was affiliated at the time of the previous election for that office.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senator Jeffries:

Senate Bill 587—A Bill to amend and reenact §5-22-1, §5-22-2, and §5-22-4 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §5-22B-1, §5-22B-2, §5-22B-3, §5-22B-4, §5-22B-5, §5-22B-6, §5-22B-7, §5-22B-8, §5-22B-9, §5-22B-10, §5-22B-11, §5-22B-12, §5-22B-13, §5-22B-14, §5-22B-15, §5-22B-16, §5-22B-17, §5-22B-18, and §5-22B-19, relating to government contracting; providing for a bid validity period; clarifying factors for considering when bids exceed budgeted amount; enacting the Government Construction Management At-Risk Contracts Act; providing a short title; defining terms; authorizing the state and/or its subdivisions to engage in construction management at-risk contracts for projects greater than \$5 million in total estimated cost; requiring the state and/or its subdivisions adopt policies and procedures for use in construction management at-risk contract; requiring the state and/or its subdivisions using construction management at-risk delivery method provide notice; requiring the state and/or its subdivisions issue request for qualifications; requiring the state and/or its subdivisions issue requests for proposals; establishing a standardized format for a proposal; establishing the criteria a request for proposal must contain; providing standards and criteria for the evaluation of proposals; providing for prequalification of firms; requiring a proposal evaluation committee; establishing

suggested membership of a proposal evaluation committee; providing evaluation criteria and weight for aspects of proposals; setting forth process to determine best value; authorizing the state and/or its subdivisions to amend contracts after acceptance; providing exceptions for special maintenance projects; making documents public in some instances; providing for rulemaking; required reporting; setting forth a sunset date; and making technical and conforming amendments.

Referred to the Committee on the Workforce; and then to the Committee on Government Organization.

By Senators Rucker, Grady, Hart, Martin, Maynard, Rose, Tarr, and Willis:

Senate Bill 588—A Bill to amend and reenact §19-35-2, §19-35-5, and §19-35-6 of the Code of West Virginia, 1931, as amended, relating to the sale of homemade food items; defining terms; authorizing production and sale of homemade food items under certain circumstances; establishing conditions for exemption from licensure, permitting, inspection, packaging, and labeling laws; providing required notices to consumer; defining manner of providing notices; exempting certain products from the scope of this provision; and permitting local health departments and the Department of Agriculture to investigate and cease production or sale of food items reported to have caused a foodborne illness.

Referred to the Committee on Health and Human Resources.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 8, Providing additional sites and devices for newborn safe surrender.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo,

Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Woodrum—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 8) passed with its title.

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

Eng. Com. Sub. for Senate Bill 151, Creating crime of assault on police dogs and other public safety animals.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Woodrum—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 151) passed with its title.

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

Eng. Com. Sub. for Senate Bill 240, Updating crime of sexual extortion.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 240 pass?"

On the passage of the bill, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Woodrum—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 240) passed with its title.

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

Eng. Com. Sub. for Senate Bill 270, Declaring sale and manufacture of firearms essential business during declared emergency.

On third reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Eng. Com. Sub. for Senate Bill 275, Removing requirement school cooks or custodians have high school diploma or equivalent.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Woodrum—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 275) passed.

On motion of Senator Barrett, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Senate Bill 275—A Bill to amend and reenact §18A-2-5 of the Code of West Virginia, 1931, as amended, relating to removing the requirement for cooks and custodians to have a high school diploma or equivalent as a condition of employment by a county board of education.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Woodrum—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 275) takes effect from passage.

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

Eng. Com. Sub. for Senate Bill 282, Modifying provisions for employment of retired teachers as substitutes in areas of critical need and shortage.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Woodrum—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 282) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Woodrum—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 282) takes effect from passage.

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

Eng. Com. Sub. for Senate Bill 283, Expanding grade levels of personal finance course requirements needed for graduation.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Woodrum—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 283) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Woodrum—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 283) takes effect from passage.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 136, Increasing penalties and parole eligibility requirements for homicide.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 336, Authorizing Department of Homeland Security to promulgate legislative rules.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

The Senate proceeded to the tenth order of business.

Senate Bill 92, Glucagon for Schools Act.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 291, Extending time frame for pharmacies to register from annually to biennially.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 358, Authorizing Department of Transportation to promulgate legislative rules.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 443, Authorizing Speech-Language Pathology and Audiology Board of Examiners to conduct criminal background checks for licensing.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 462, Permitting Board of Occupational Therapy to require criminal history record checks.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Weld.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, a leave of absence for the day was granted Senator Woodrum.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on February 21, 2025:

Senate Bill 54: Senator Woodrum;

Senate Bill 64: Senator Woodrum;

Senate Bill 67: Senator Woodrum;

Senate Bill 83: Senator Woodrum;

Senate Bill 92: Senator Woodrum;

Senate Bill 149: Senator Willis;

Com. Sub. for Senate Bill 154: Senators Hart and Woodrum;

Senate Bill 189: Senator Woodrum;

Senate Bill 190: Senator Woodrum;

Senate Bill 191: Senator Woodrum;

Senate Bill 192: Senator Woodrum;

Senate Bill 193: Senator Woodrum;

Senate Bill 196: Senator Woodrum;

Senate Bill 239: Senator Garcia;

Senate Bill 245: Senator Garcia;

Senate Bill 260: Senator Willis;

Senate Bill 264: Senator Woodrum;

Senate Bill 292: Senator Woodrum;

Senate Bill 429: Senator Willis;

Senate Bill 449: Senator Woodrum;

Senate Bill 464: Senator Willis;

Senate Bill 467: Senator Garcia;

Senate Bill 472: Senator Garcia;

Senate Bill 539: Senator Willis;

Senate Bill 541: Senator Willis;

Senate Bill 551: Senator Grady;

Senate Bill 552: Senator Tarr;

Senate Bill 558: Senator Woelfel;

Senate Bill 565: Senator Deeds;

Senate Bill 566: Senator Hamilton;

Senate Bill 567: Senator Thorne;

Senate Bill 570: Senator Thorne;

Senate Joint Resolution 4: Senator Hart;

Com. Sub. for Senate Joint Resolution 8: Senators Hart and Woodrum;

Senate Concurrent Resolution 3: Senator Willis;

Senate Concurrent Resolution 5: Senator Willis;

Senate Concurrent Resolution 6: Senators Willis and Woodrum;

And,

Senate Concurrent Resolution 8: Senator Willis.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 11:31 a.m., the Senate adjourned until tomorrow, Tuesday, February 25, 2025, at 11 a.m.

TUESDAY, FEBRUARY 25, 2025

The Senate met at 11:05 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Minister Ralph Perry, Crooked Creek Church of Christ in Logan County, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Patricia Puertas Rucker, a senator from the sixteenth district.

Pending the reading of the Journal of Monday, February 24, 2025,

At the request of Senator Hamilton, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the third order of business.

Executive Communications

The Clerk presented the following communication from His Excellency, the Governor, regarding bills approved by him:



Patrick Morrisey
Governor of West Virginia

February 24, 2025

The Honorable Jeff Pack, Clerk
West Virginia House of Delegates
State Capitol
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Two Thousand Twenty-Four (2024), which was presented to me on February 18, 2025.

House Bill No. Two Thousand Twenty-Five (2025), which was presented to me on February 18, 2025.

You will note that I have approved these bills on February 24, 2025.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Morrisey".

Patrick Morrisey
Governor

PM/an

cc: The Honorable Lee Cassis, Clerk

The Senate proceeded to the fourth order of business.

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Senate Bill 5, Authorizing Adopt-A-Road volunteer programs under jurisdiction of DOT.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 5 (originating in the Committee on Transportation and Infrastructure)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §17-4-56, relating to establishing the Adopt-A-Road program; specifying authority and duties of Division of Highways as to Adopt-A-Road program; defining terms; specifying program requirements and potential benefits and funding; providing indemnify and hold harmless provision; and allowing participation by counties and municipalities.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mark R. Maynard,
Chair.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 50, Requiring municipal elections to be held on same day as statewide elections.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 50 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §3-1-29, §3-1-31, and §8-5-5 of the Code of West Virginia, 1931, as amended, relating to requiring municipal elections to be held on the same day as statewide elections; and requiring municipalities to amend existing ordinances or charters or adopt new ordinances or charters to require municipal elections to be held on the same day as statewide elections.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Oliverio, from the Committee on Pensions, submitted the following report, which was received:

Your Committee on Pensions has had under consideration

Senate Bill 100, Allowing members of State Police retirement system to use accrued leave as credit toward retirement.

And,

Senate Bill 105, Updating retirement eligibility for certain sheriffs.

And reports the same back with the recommendation that they each do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Michael A. Oliverio II,
Chair.

The bills, under the original double committee references, were then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 234, Increasing value at which municipal property must be sold through public auction.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bills 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, and 410, Department of Agriculture rule relating to select plant-based derivatives and select plant-based derivative products.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 369 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §64-9-1 *et seq.* of the Code of West Virginia, 1931, as amended, relating to authorizing certain miscellaneous agencies and boards to promulgate legislative rules; authorizing the rules as filed, as

modified, and as amended by the Legislative Rule-Making Review Committee, and as amended by the Legislature; authorizing the Department of Agriculture to promulgate a legislative rule relating to state aid for fairs and festivals; authorizing the Department of Agriculture to promulgate a legislative rule relating to the inspection of meat and poultry; authorizing the Department of Agriculture to promulgate a legislative rule relating to licensing and other fees; authorizing the Department of Agriculture to promulgate a legislative rule relating to manufacture-grade milk; authorizing the Department of Agriculture to promulgate a legislative rule relating to employment reference and inquiries and background checks; authorizing the Department of Agriculture to promulgate a legislative rule relating to fish processing; authorizing the Department of Agriculture to promulgate a legislative rule relating to select plant-based derivatives and select plant-based derivative products; authorizing the Department of Agriculture to promulgate a legislative rule relating to the Rural Rehabilitation Program; authorizing the Department of Agriculture to promulgate a legislative rule relating to raw milk; authorizing the Board of Architects to promulgate a legislative rule relating to registration of architects; authorizing the Board of Architects to promulgate a legislative rule relating to fees for registration of architects; authorizing the State Auditor to promulgate a legislative rule relating to Local Government Purchasing Card Program; authorizing the State Auditor to promulgate a legislative rule relating to private trust companies; authorizing the Board of Barbers and Cosmetologists to promulgate a legislative rule relating to the operation of barber, cosmetology, nail technology, aesthetic, hair styling, and waxing salons and schools; authorizing the Board of Barbers and Cosmetologists to promulgate a legislative rule relating to the schedule of fees; authorizing the Board of Barbers and Cosmetologists to promulgate a legislative rule relating to the schedule of fines; authorizing the Board of Chiropractic Examiners to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations; authorizing the Board of Dentistry to promulgate a legislative rule relating to continuing education requirements; authorizing the Board of Dentistry to promulgate a legislative rule relating to mobile dental facilities and portable dental units;

authorizing the Election Commission to promulgate a legislative rule relating to the regulation of campaign finance; 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; authorizing the Massage Therapy Licensure Board to promulgate a legislative rule relating to general provisions; authorizing the Board of Medicine to promulgate a legislative rule relating to waiver of initial licensing fees for certain initial licensure applicants; authorizing the Board of Occupational Therapy to promulgate a legislative rule relating to fees for services rendered by the board; authorizing the Board of Occupational Therapy to promulgate a legislative rule relating to competency standards for advanced practice by occupational therapists and occupational therapy assistants; authorizing the Board of Occupational Therapy to promulgate a legislative rule relating to request for waiver of licensing fees for certain individuals; authorizing the Board of Occupational Therapy to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations; authorizing the Board of Occupational Therapy to promulgate a legislative rule relating to telehealth practice requirements and definitions; authorizing the Board of Osteopathic Medicine to promulgate a legislative rule relating to a waiver of initial licensing fees for certain initial licensure applicants; authorizing the Board of Pharmacy to promulgate a legislative rule relating to licensure and practice of pharmacy; authorizing the Board of Pharmacy to promulgate a legislative rule relating to the Uniform Controlled Substances Act; authorizing the Board of Pharmacy to promulgate a legislative rule relating to regulations governing pharmacy permits; authorizing the Board of Pharmacy to promulgate a legislative rule relating to the application of waiver of initial licensing fees for certain individuals; authorizing the Board of Examiners of Psychologists to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations and application for waiver of initial licensing fees for certain individuals; authorizing the Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to requirements for licensure and certification; authorizing the Real Estate Appraiser Licensing and

Certification Board to promulgate a legislative rule relating to renewal of licensure or certification; authorizing the Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to requirements for registration and renewal of appraisal management companies; authorizing the Real Estate Commission to promulgate a legislative rule relating to licensing real estate brokers, associate brokers, and salespersons and the conduct of brokerage business; authorizing the Real Estate Commission to promulgate a legislative rule relating to the application for waiver of initial licensing fees for certain individuals; authorizing the Real Estate Commission to promulgate a legislative rule relating to consideration of prior criminal convictions in initial license eligibility determination; authorizing the Board of Registered Nurses to promulgate a legislative rule relating to requirements for registration and licensure and conduct constituting professional misconduct; authorizing the Board of Respiratory Care to promulgate a legislative rule relating to criteria for licensure; authorizing the Board of Respiratory Care to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations; authorizing the Board of Respiratory Care to promulgate a legislative rule relating to telehealth practice requirements and definitions; authorizing the Board of Sanitarians to promulgate a legislative rule relating to the practice of public health sanitation; authorizing the Board of Examiners for Speech-Language Pathology and Audiology to promulgate a legislative rule relating to speech-language pathology and audiology assistants; authorizing the State Conservation Committee to promulgate a legislative rule relating to the State Conservation Committee Grant Program; and authorizing the Hope Scholarship Board to promulgate a legislative rule relating to the Hope Scholarship Program.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Roberts, from the Committee on the Workforce, submitted the following report, which was received:

Your Committee on the Workforce has had under consideration

Senate Bill 427, Permitting certain teenagers to work without obtaining work permit.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 427 (originating in the Committee on the Workforce)—A Bill to amend and reenact §21-6-3, §21-6-5, and §21-6-10 of the Code of West Virginia, 1931, as amended; and to repeal §21-6-4 and §21-6-8a, relating to eliminating requirement that 14- and 15-year-olds obtain a work permit as condition of employment; requiring employers to obtain parental or other consent and age certificate prior to employing 14- or 15-year-olds; authorizing State Commissioner of Labor to issue age certificates for children aged 14 and over; setting requirements for age certificate contents; and providing penalties for a person that illegally issues an age certificate.

And,

Senate Bill 534, Relating to requirements to administer polygraphs.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 534 (originating in the Committee on the Workforce)—A Bill to amend and reenact §21-5-5c of the Code of West Virginia, 1931, as amended, relating to deception examiners; and clarifying the qualifications required to be licensed as a Class I or Class II psychophysiological detection of deception examiner.

With the recommendation that the two committee substitutes do pass.

Respectfully submitted,

Rollan A. Roberts,
Chair.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Senate Bill 448, Creating credit against severance tax for certain infrastructure improvements.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 448 (originating in the Committee on Energy, Industry, and Mining)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, §11-13NN-6, §11-13NN-7, §11-13NN-8, §11-13NN-9, §11-13NN-10, and §11-13NN-11, relating to establishing a road or highway infrastructure improvement project or coal or natural gas production and processing facilities tax credit for taxpayers subject to the tax imposed by West Virginia Code; specifying a short title; specifying legislative findings and purpose for new credit; defining terms; specifying the amount of the credit, application of credit, and carry forward of unused credit; requiring filing of application for road or highway infrastructure improvement project credit as condition precedent to claiming credit; specifying procedure for application for certification, contents of application, and limitation on maximum amount of credits which can be approved; specifying computation of qualified investment in coal or natural gas production and processing facilities; allowing transfer of credits to successors; providing for forfeiture of unused tax credits and redetermination of credit allowed; providing penalties for failure to maintain records of qualified property; and establishing an effective date.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Christopher A. Rose,
Chair.

The bill (Com. Sub. for S. B. 448), under the original double committee reference, was then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 459, Requiring county economic development committee members be state residents.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 459 (originating in the Committee on Government Organization)—A Bill to amend and reenact §8A-2-3, §8A-2-4, and §8A-2-5 of the Code of West Virginia, 1931, as amended, relating to requiring that members of municipal, county, and other planning commissions meet certain residency requirements; mandating that members of municipal, county, and certain other planning commissions be West Virginia residents for the three years immediately preceding the appointment; requiring that such members be residents of the county or municipality in which the development authority or planning commission to which they are appointed is situated for certain time period prior to appointment; and prohibiting members of planning commissions who do not meet residency requirements from remaining on the planning commission.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Joint Resolution 2, Incorporation of Churches or Religious Denominations Amendment.

And reports the same back with the recommendation that it be adopted; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Mike Stuart,
Chair.

The resolution, under the original double committee reference, was then referred to the Committee on Finance.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senator Woodrum:

Senate Bill 589—A Bill to amend and reenact §50-1-3, §51-1-10a, §51-2-13, §51-2A-6, and §51-11-11 of the Code of West Virginia, 1931, as amended, relating to increasing the annual salary of magistrates, justices of the Supreme Court of Appeals, circuit court judges, family court judges, and judges of the Intermediate Court of Appeals.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 590—A Bill amend and reenact §62-1C-1a and §62-1C-2 of the Code of West Virginia, 1931, as amended, relating to pretrial release generally; clarifying right to pretrial release; clarifying maximum bail amount for charges for multiple misdemeanor offenses; defining terms; establishing that defendant has right to select method of securing bail; clarifying that personal recognizance bonds shall include an unsecured monetary amount; prohibiting magistrate from setting cash-only or property-only bail; authorizing judicial officer to impose reasonably necessary conditions to assure defendant will appear as required, including releasing defendant on his or her own recognizance; clarifying that a magistrate may not release a defendant charged with a felony offense on his or her own recognizance on initial appearance; providing circumstances when a bail bond is not appropriate; providing circumstances when a magistrate has discretion to set a cash only-bond; and making technical corrections.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on the Judiciary.

By Senator Deeds:

Senate Bill 591—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §62-17-1, §62-17-2, §62-17-3, §62-17-4, §62-17-5, §62-17-6, §62-17-7, §62-17-8, §62-17-9, §62-17-10, §62-17-11, §62-17-12, §62-17-13, §62-17-14, §62-17-15, §62-17-16, §62-17-17, §62-17-18, §62-17-19, §62-17-20, §62-17-21, §62-17-22, §62-17-23, §62-17-24, §62-17-25, §62-17-26, §62-17-27, §62-17-28, §62-17-29, §62-17-30, §62-17-31, §62-17-32, §62-17-33, §62-17-34, §62-17-35, §62-17-36, §62-17-37, and §62-17-38; and to repeal §60A-7-701, §60A-7-702, §60A-7-703, §60A-7-704, §60A-7-705, §60A-7-705a, §60A-7-706, §60A-7-707, and §60A-7-708, relating to the creation of the Criminal Forfeiture Process Act replacing the West Virginia Contraband Forfeiture Act; providing that this article applies to the seizure and forfeiture of property used in, and derived directly from, the crime involving controlled substances; definitions, procedure; providing that there is no civil forfeiture and that the court with jurisdiction of criminal matter has jurisdiction of the

forfeiture procedure; seizure of property, both real and personal; providing that there is no property right to contraband; hearing and appeal; return and disposition of property; restrictions on sales; preemption of local laws; and prohibiting an offer for adoption property, seized under state law, to a federal agency for the purpose of forfeiture under federal law.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senators Martin, Helton, and Tarr:

Senate Bill 592—A Bill to amend and reenact §22-30-3, §22-30-5, and §22-30-6 of the Code of West Virginia, 1931, as amended, relating generally to aboveground storage tanks; modifying an exception to the definition of an aboveground storage tank to except out devices having a capacity of 210 barrels or less, containing brine water or other fluids produced in connection with hydrocarbon transmission and storage, as well as production activities, that are not located in a zone of critical concern; providing that the secretary may not, as part of the regulatory program, require any regulated tanks to be lifted, moved, or otherwise physically altered in connection with a visual leak detection program in the absence of a confirmed release; providing that tanks used for hydrocarbon production, transportation, and storage activities and tanks used for roadway snow and ice pretreatment, as identified under certain sections of code that are located in a zone of critical concern, are exempt from inspection and certification by a third party, but must be self-inspected, self-certified, and reported to DEP by its owner or operator at least once per year; and providing that tanks used for hydrocarbon production, transportation, and storage activities and tanks used for roadway snow and ice pretreatment, as identified under certain sections of code that are located in a zone of critical concern are required to have secondary containment inspections performed and documented by the owner or operator at least once per month.

Referred to the Committee on Energy, Industry, and Mining.

By Senators Rucker and Boley:

Senate Bill 593—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §3-4A-27a,

relating to preservation of voting data from electronic voting machines.

Referred to the Committee on Government Organization.

By Senator Rucker:

Senate Bill 594—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-51A-1, §16-51A-2, §16-51A-3, §16-51A-4, §16-51A-5, §16-51A-6, §16-51A-7, and §16-51A-8, relating to the right to try individualized treatments; defining terms; defining access to individualized treatments; providing restrictions on outstanding debt related to individualized treatments in the event of death; prohibiting sanctions against licensed health care providers; prohibiting specified persons from blocking access to individualized treatments; prohibiting private right-of-action; providing that the article is not to be construed to affect a health benefit plan's obligation to provide coverage for an insured's participation in a clinical trial; and setting forth effective date.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senators Woodrum, Jeffries, Maynard, and Helton:

Senate Bill 595—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §20-20-1, §20-20-2, §20-20-3, §20-20-4, §20-20-5, §20-20-6, §20-20-7, §20-20-8, and §20-20-9, relating to creating the Mountain Bike Responsibility Act; stating a legislative purpose; defining terms; providing for the duties and liabilities of trail system operators, mountain bicyclists, and passengers on aerial passenger tramways; and providing a release for minor participants.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 596—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §49-11-1, §49-11-2, and §49-11-3, relating to codifying the Parents' Bill of Rights.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 597—A Bill to amend and reenact §61-6-19 of the Code of West Virginia, 1931, as amended, relating to clarifying that there is no restriction on the lawful carrying of a deadly weapon, firearm, or pepper spray specifically on sidewalks and streets directly bordering and surrounding the State Capitol Complex grounds.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senator Stuart:

Senate Bill 598—A Bill to amend and reenact §48-9-209 of the Code of West Virginia, 1931, as amended, relating to permitting judges to refer parents who knowingly make a false accusation of child abuse or neglect or domestic violence during a child custody proceeding to the appropriate prosecuting authority to determine whether criminal charges are merited for falsely reporting an emergency incident.

Referred to the Committee on the Judiciary.

Senator Clements offered the following resolution:

Senate Resolution 12—Designating February 26, 2025, as Corrections Day at the Legislature.

Which, under the rules, lies over one day.

Senators Clements, Oliverio, Smith (Mr. President), Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Woodrum offered the following resolution:

Senate Resolution 13—Memorializing the life of Wanda Porterfield Casto, wife, mother, grandmother, sister, and dedicated public servant.

Which, under the rules, lies over one day.

Senators Barrett and Rucker offered the following resolution:

Senate Resolution 14—Recognizing Leadership Berkeley for its service, dedication, and commitment to Berkeley County, West Virginia.

Which, under the rules, lies over one day.

At the request of Senator Martin, unanimous consent being granted, the Senate reconsidered the vote by which it adopted

Senate Resolution 3, Creating Select Committee on Substance Use Disorder and Mental Health.

The vote thereon having been reconsidered,

The question again being on the adoption of the resolution,

On motion of Senator Martin, the following amendment to the resolution was reported by the Clerk and adopted:

On page 1, in the Resolved clause, line 5, by striking out the word "six" and inserting in lieu thereof the words "no more than 17".

The question now being on the adoption of the resolution (S. R. 3), as just amended, the same was put and prevailed.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 136, Increasing penalties and parole eligibility requirements for homicide.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 136 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris,

Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—32.

The nays were: Garcia—1.

Absent: Woodrum—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 136) passed with its title.

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

Eng. Com. Sub. for Senate Bill 270, Declaring sale and manufacture of firearms essential business during declared emergency.

On third reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Eng. Com. Sub. for Senate Bill 336, Authorizing Department of Homeland Security to promulgate legislative rules.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—33.

The nays were: None.

Absent: Woodrum—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 336) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—33.

The nays were: None.

Absent: Woodrum—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 336) takes effect from passage.

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

The Senate proceeded to the ninth order of business.

Senate Bill 92, Glucagon for Schools Act.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 291, Extending time frame for pharmacies to register from annually to biennially.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 358, Authorizing Department of Transportation to promulgate legislative rules.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 443, Authorizing Speech-Language Pathology and Audiology Board of Examiners to conduct criminal background checks for licensing.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 462, Permitting Board of Occupational Therapy to require criminal history record checks.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

The Senate proceeded to the tenth order of business.

Senate Bill 103, Exempting certain records from public release.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, a leave of absence for the day was granted Senator Woodrum.

Senator Smith (Mr. President) announced the appointment of Senator Tarr to the Select Committee on Substance Use Disorder and Mental Health.

Under the provisions of Rule 15 of the Rules of the Senate, the following senator was removed as a co-sponsor of the following bill on February 24, 2025:

Senate Bill 22: Senator Willis.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on February 24, 2025:

Senate Bill 4: Senator Tarr;

Senate Bill 10: Senator Hart;

Senate Bill 22: Senator Hamilton;

Senate Bill 50: Senator Hamilton;

Senate Bill 67: Senator Deeds;

Senate Bill 76: Senator Hamilton;

Senate Bill 100: Senators Deeds, Hamilton, and Takubo;

Senate Bill 105: Senators Deeds, Willis, Hamilton, and Takubo;

Senate Bill 147: Senator Rucker;

Senate Bill 234: Senators Deeds and Hamilton;

Senate Bill 427: Senator Deeds;

Senate Bill 459: Senators Hamilton and Willis;

Senate Bill 481: Senator Willis;

Senate Bill 490: Senator Rucker;

Senate Bill 506: Senator Willis;

Senate Bill 507: Senator Willis;

Senate Bill 530: Senator Willis;

Senate Bill 534: Senator Hamilton;

Senate Bill 573: Senator Rucker;

Senate Bill 574: Senator Fuller;

Senate Bill 577: Senator Morris;

Senate Bill 578: Senator Rucker;

Senate Bill 581: Senators Morris and Clements;

Senate Bill 582: Senator Clements;

Senate Bill 583: Senators Thorne and Roberts;

Senate Bill 584: Senator Fuller;

Senate Bill 585: Senators Clements and Takubo;

Senate Joint Resolution 2: Senators Morris, Deeds, Bartlett, and Willis;

Senate Joint Resolution 4: Senator Morris;

Senate Joint Resolution 6: Senators Helton and Willis;

And,

Senate Joint Resolution 7: Senator Willis.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 11:41 a.m., the Senate adjourned until tomorrow, Wednesday, February 26, 2025, at 11 a.m.

WEDNESDAY, FEBRUARY 26, 2025

The Senate met at 11:03 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Chaplain Ben Adams, St. Marys Correctional Center and Jail, St. Marys, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Jay Taylor, a senator from the fourteenth district.

Pending the reading of the Journal of Tuesday, February 25, 2025,

At the request of Senator Azinger, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

At the request of Senator Martin, and by unanimous consent, the provisions of Rule 54 of the Rules of the Senate, relating to persons entitled to the privileges of the floor, were suspended in order to grant the family members of Wanda Porterfield Casto privileges of the floor for the day.

The Senate proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2042—A Bill to amend and reenact §49-4-601 of the Code of West Virginia, 1931, as amended, relating to procedures in cases of child neglect or abuse; allowing a prosecuting attorney, respondent parent, or guardian ad litem to request the appointment of a court appointed special advocate if that circuit court is serviced by a court appointed special advocate.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2053—A Bill to amend and reenact §5-10-15, §8-22A-2, §9A-3-1, §11-21-12, §15-2-28, §15-2A-2, §18-7A-17a, §18-10F-2, §30-29-6, §48-31-102, and §62-16-3 of the Code of West Virginia, 1931, as amended, relating to including the United States Space Force in the definitions of certain terms that individually reference the Armed Forces of the United States.

Referred to the Committee on Military; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2066—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated as §61-3-60, relating to damage, destruction, or theft of property or equipment used by emergency responders; creating a felony offense for damaging, destroying, or stealing certain property of an emergency responder; creating elements of the new felony offense; specifying that felony offense is a separate and distinct offense; creating definitions; and creating criminal penalties.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2363—A Bill to amend and reenact §61-8C-3 of the Code of West Virginia, 1931, as amended, relating to child pornography; clarifying the groups of persons to whom the criminal prohibitions related to child pornography are inapplicable when such persons are performing their official or employment duties; requesting the Supreme Court of Appeals to promulgate certain rules; authorizing mandatory reporting of certain individuals who observe images appearing to be a minor engaged in sexually explicit conduct on electronic devices; and creating an affirmative defense for persons complying with the mandatory reporting requirements.

Referred to the Committee on the Judiciary.

The Senate proceeded to the fourth order of business.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 29, Allowing physicians assistants to own practice.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 29 (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §30-3-14, §30-3-15, and §31B-13-1301 of the Code of West Virginia, 1931, as amended, relating to authorizing physician assistants to own a business; denying a license or other authorization for physician assistants for referrals where the physician assistant has a proprietary interest; authorizing medical corporations that have physician assistant shareholders; and designating the profession of physician assistant as a professional service for the purposes of the Uniform Limited Liability Company Act.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 31, Relating to DNA data maintained for law-enforcement purposes.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 31 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §15-2B-2, §15-2B-3, §15-2B-5, §15-2B-6, §15-2B-9, and §15-2B-11 of the Code of

West Virginia, 1931, as amended, relating to DNA that is maintained for law-enforcement purposes in West Virginia; providing updates for the policy of maintaining DNA; defining terms; requiring DNA collection from all persons convicted of felonies and certain misdemeanors; requiring DNA collection from all persons charged by indictment or information of any felony offense after a grand jury has returned an indictment or prosecution by indictment has been waived; adding qualifying offense of domestic battery; specifying testing methods; authorizing emergency rules; requiring legislative rules; specifying expungement in certain circumstances; and providing failure to expunge or reasonably delay expungement will not invalidate an identification, warrant, probable cause to arrest, or arrest based upon a database match.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Mike Stuart,
Chair.

The bill (Com. Sub. for S. B. 31), under the original double committee reference, was then referred to the Committee on Finance.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 124, Reducing statute of limitations on actions to recover on oral and written contracts.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 124 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §55-2-6, §55-2-7,

and §55-2-11 of the Code of West Virginia, 1931, as amended, relating to limitation of certain actions; reducing time within which to bring actions to recover on written and oral contracts, certain bonds, and recognizances; and clarifying that the discovery rule applies to the affected statutes of limitations.

Senate Bill 198, Prohibiting creation, production, distribution, or possession of artificially generated child pornography.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 198 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §61-8C-1, §61-8C-2, §61-8C-3, §61-8C-3a, and §61-8C-3b of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §61-8C-3c, relating to modifying and modernizing language of the offenses of filming of sexually explicit conduct of minors; adding language to include media which has been digitally created or altered to said offenses; declaring that certain facts shall not be a defense; clarifying certain terms; enumerating certain individuals who are exempt from prosecution of these offenses; and requesting the Supreme Court of Appeals to promulgate rules.

And,

Senate Bill 456, Defining "men" and "women".

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 456 (originating in the Committee on the Judiciary)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5-32-1, §5-32-2, §5-32-3, §5-32-4, §5-32-5, §5-32-6, §5-32-7, §5-32-8, and §5-32-9, relating to sex definitions and single-sex spaces; providing purposes and general application; providing findings; creating definitions; establishing a standard of review; providing for certain standards applicable to domestic violence shelters, public schools, institutions of higher education, and correctional

institutions; clarifying certain sex-based data collection; and providing for severability.

With the recommendation that the three committee substitutes do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 169, Correlating Medicaid personal needs allowance with state poverty index.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 169 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-5-34, relating to increasing the Medicaid personal needs allowance; establishing legislative findings; defining the term "personal needs allowance"; and setting the effective date to July 1, 2026.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill (Com. Sub. for S. B. 169), under the original double committee reference, was then referred to the Committee on Finance.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 434, Requiring each public school building be equipped with at least one panic alarm for use in school security emergency.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 434 (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-9F-11, relating to requiring the West Virginia Board of Education to promulgate a rule to implement a wearable panic alert system at every public school; specifying required capabilities of the wearable panic alert system; requiring each county board to provide each employee assigned to a public school facility with a wearable alert device; requiring annual training on the protocol for and appropriate use of the panic alert device; and requiring each county board to ensure that all security data within a public school facility is accessible by a local law-enforcement agency and to coordinate with the local law-enforcement agency to establish appropriate access protocols.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill (Com. Sub. for S. B. 434), under the original double committee reference, was then referred to the Committee on Finance.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 450, Establishing WV Guardian Program.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 450 (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-52, relating to allowing county boards of education to contract with an independent contractor, known as a West Virginia Guardian, who is a former state trooper, former deputy sheriff, former state fire Marshall, former Department of Natural Resources police officer, former municipal police officer, or former federal law-enforcement officer to provide to provide public safety and/or security on school grounds to protect life and property; specifying the authority of independent contractors participating in the program and an apparel requirement; requiring the West Virginia Guardian to apply for a permit from the county sheriff of the county in which the Guardian will provided services; mandating the county sheriff to require an applicant to provide proof of meeting certain requirements; allowing county board to impose additional requirements; requiring permit application fee to be deposited into a guardian program fund; stating that meeting all of certain requirements does not guarantee a contract will be extended to the applicant; specifying instances in which an independent contractor is precluded from participation as a West Virginia Guardian; addressing civil and criminal liability; exempting West Virginia Guardian contract from certain purchasing requirements; clarifying that county board participation is voluntary and subject to the availability of county funds; and providing for exclusions from state benefit programs.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill (Com. Sub. for S. B. 450), under the original double committee reference, was then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 482, Certified Professional Midwife Licensing and Regulation.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 482 (originating in the Committee on Government Organization)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §30-44-1, §30-44-2, §30-44-3, §30-44-4, §30-44-5, §30-44-6, §30-44-7, §30-44-8, §30-44-9, §30-44-10, §30-44-11, §30-44-12, and §30-44-13, relating to creating the Certified Professional Midwife Licensing and Regulation Act.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 483, Increasing civil penalties for failure to file required campaign finance reports.

And,

Senate Bill 496, Removing reflexology and other energy-based work from definition of "massage therapy".

And reports the same back with the recommendation that they each do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 537, Establishing WV Mothers and Babies Pregnancy Support Program.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

Senator Jeffries, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Senate Bill 552, Relating to Certified Business Industrial Expansion Development Program.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 552 (originating in the Committee on Economic Development)—A Bill to amend and reenact §5B-2-21 of the Code of West Virginia, 1931, as amended, relating to the Certified Business Industrial Expansion Development Program administered by the Department of Economic Development; renaming business expansion development program administered by the department; renaming high impact business development districts certified by the department; providing that any plant or facility may participate in the business expansion development program; removing requirement that high impact business development districts be located on certain lands; and eliminating requirement that electrical service to business development districts be generated from renewable sources.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Glenn D. Jeffries,
Chair.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 586, Relating to requirements for filling vacancies in certain elected federal, state, and county offices.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 586 (originating in the Committee on Government Organization)—A Bill to amend and reenact §3-10-3, §3-10-4, §3-10-5, §3-10-6, §3-10-7, and §3-10-8 of the Code

of West Virginia, 1931, as amended, relating to requirements for filling vacancies in certain elected federal, state, and county offices; prohibiting the appointment of an individual to fill a vacant office if that person has not been a member of his or her registered political party for at least one year prior to the occurrence of the vacancy; and requiring appointments be made from the political party with which the individual vacating the office was affiliated at the time of the previous election for that office.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

The bill (Com. Sub. for S. B. 586), under the original double committee reference, was then referred to the Committee on the Judiciary.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senators Rucker, Woodrum, Phillips, Morris, and Charnock:

Senate Bill 599—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §29A-3-21, relating to creation of the Sound Science in Regulations Act; providing that state agencies may not propose or promulgate certain legislative rules or regulatory actions that are not based on the best available science; defining terms; and providing that the act does not impact any regulatory action by a state agency in existence before the effective date of the statute, any regulatory action by a state agency in furtherance of federal agency primacy requirements, or any regulatory action by a state agency that is the same in substance as a counterpart federal regulation.

Referred to the Committee on Government Organization.

By Senator Martin:

Senate Bill 600—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §5B-2-22 and §5B-2-23, relating to the creation of Securing Worker Privacy and Right to Know Act; providing for definitions; providing for legislative findings and purpose; providing eligibility requirements for economic development incentives; providing for the recovery of benefits if employers fail to abide by the act; providing for an effective date; and providing requirements for the execution of a separate agreement.

Referred to the Committee on the Workforce.

By Senator Deeds:

Senate Bill 601—A Bill to amend and reenact §7-17-12 and §8-13-13 of the Code of West Virginia, 1931, as amended, relating to fees and charges for municipality-provided fire services; requiring county commission approval before such fees are imposed on individuals or businesses located outside the municipality; and providing a process for individuals or businesses located outside the municipality to challenge municipality-provided fire services.

Referred to the Committee on Government Organization.

By Senator Deeds:

Senate Bill 602—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5-11C-1, relating to enacting the Closed Captioning Act; requiring public places that have televisions for use by the public to have at least one half of those televisions to have their closed captioning feature activated at all times; providing an exception; defining terms; and establishing an effective date.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senators Oliverio, Deeds, Fuller, Garcia, and Woelfel:

Senate Bill 603—A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to exempting West Virginia campus police officer retirement income from personal income tax after specified date.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Stuart:

Senate Bill 604—A Bill to amend and reenact §24-2A-1 and §24-2A-5 of the Code of West Virginia, 1931, as amended, relating to requiring the Department of Human Services to notify the Public Service Commission that a person is eligible for a discount on their utility bills; requiring the commission to order the utility to apply the reduced rate without requiring an application from the customer; and requiring the Department of Health and the Public Service Commission to adopt rules to implement those requirements.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Stuart:

Senate Bill 605—A Bill to amend the Code of West Virginia, 1931, as amended, by adding three new sections, designated §8-19-23, §16-13A-26, and §24-2-22, relating to requiring any public or private entity that owns, leases, or oversees a water supply or electrical supply utility to implement a Utility Continuity Rate Credit Program; setting definitions; setting forth the circumstances under which a utility customer is entitled to a continuity credit; setting forth the circumstances in which a utility provider may deny or must approve of a continuity credit; defining the maximum amounts and manner in which a continuity credit shall be applied to a customer's account; and requiring municipalities, counties, and the Public Service Commission to adopt rules and policies.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Grady:

Senate Bill 606—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16-5A-6, relating to the notification of breast density; and providing for medical guidelines and information.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Barrett:

Senate Bill 607—A Bill expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2025, in the amount of \$25,000,000 from the Economic Development Authority, Economic Development Fund, fund 9060, fiscal year 2025, organization 0944.

Referred to the Committee on Finance.

By Senator Rucker:

Senate Bill 608—A Bill to amend and reenact §16-2R-3 of the Code of West Virginia, 1931, as amended, relating to removing the rape and incest exception to obtain an abortion in West Virginia.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Taylor:

Senate Bill 609—A Bill to amend and reenact §61-3B-4 of the Code of West Virginia, 1931, as amended, relating to trespassing on premises of an institution of higher education.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 610—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-21-12o, relating to exempting personal income tax on overtime.

Referred to the Committee on the Workforce; and then to the Committee on Finance.

By Senators Morris and Roberts:

Senate Bill 611—A Bill to amend and reenact §21-5C-1 of the Code of West Virginia, 1931, as amended, relating to minimum wage and maximum hour standards for employees; excluding workers of a ski area operator from maximum hour requirements; and defining terms.

Referred to the Committee on the Workforce.

By Senator Stuart:

Senate Bill 612—A Bill to amend and reenact §24-1-7 of the Code of West Virginia, 1931, as amended, relating to rules; and making the rules and regulations of the Public Service Commission subject to legislative rule-making review procedures.

Referred to the Committee on the Judiciary.

By Senator Smith (Mr. President):

Senate Bill 613—A Bill to amend and reenact §6-9-8 of the Code of West Virginia, 1931, as amended, relating to increasing the cap on audits of municipalities.

Referred to the Committee on Government Organization.

Senator Phillips offered the following resolution:

Senate Concurrent Resolution 12—Requesting the Division of Highways name bridge number 23-010/28-000.01 (23A190), (37.72987, -81.86311) locally known as HUFF JUNCTION BOX BEAM, carrying CR 010/28 over HUFF CREEK in Logan County the "U.S. Army Staff Sergeant Barney Warren Frazier Memorial Bridge".

Which, under the rules, lies over one day.

Senator Phillips offered the following resolution:

Senate Concurrent Resolution 13—Requesting the Division of Highways name a portion of WV Route 10, beginning at the Hal Greer Boulevard exit from Interstate 64, Latitude 38.3921254, Longitude -8234015503, through the intersection with WV Route

19, Latitude 37.4053864, Longitude -81.1400179, the "Purple Heart Trail".

Which, under the rules, lies over one day.

Senator Helton offered the following resolution:

Senate Concurrent Resolution 14—Requesting the Joint Committee on Government and Finance study substance use disorder in the State of West Virginia.

Which, under the rules, lies over one day.

Senator Stuart offered the following resolution:

Senate Resolution 15—Designating February 27, 2025, as Sexual Violence Awareness Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Resolution 12, Designating February 26, 2025, as Corrections Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Clements, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Senate Resolution 13, Memorializing life of Wanda Porterfield Casto.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Clements, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

The question being on the adoption of the resolution, and on this question, Senator Clements demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—33.

The nays were: None.

Absent: Woodrum—1.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 13) adopted.

Thereafter, at the request of Senator Martin, and by unanimous consent, the remarks by Senators Tarr, Oliverio, and Clements regarding the adoption of Senate Resolution 13 were ordered printed in the Appendix to the Journal.

At the request of Senator Martin, unanimous consent being granted, at 11:42 a.m., the Senate recessed to present Senate Resolution 13.

The Senate reconvened at 11:50 a.m. and resumed business under the seventh order.

Senate Resolution 14, Recognizing Leadership Berkeley.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Willis, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

The Senate proceeded to the eighth order of business.

Eng. Senate Bill 92, Glucagon for Schools Act.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—33.

The nays were: None.

Absent: Woodrum—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 92) passed with its title.

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

Eng. Com. Sub. for Senate Bill 270, Declaring sale and manufacture of firearms essential business during declared emergency.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—33.

The nays were: None.

Absent: Woodrum—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 270) passed with its title.

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

Eng. Senate Bill 291, Extending time frame for pharmacies to register from annually to biennially.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—33.

The nays were: None.

Absent: Woodrum—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 291) passed with its title.

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

Eng. Com. Sub. for Senate Bill 358, Authorizing Department of Transportation to promulgate legislative rules.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—33.

The nays were: None.

Absent: Woodrum—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 358) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—33.

The nays were: None.

Absent: Woodrum—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 358) takes effect from passage.

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

Eng. Com. Sub. for Senate Bill 443, Authorizing Speech-Language Pathology and Audiology Board of Examiners to conduct criminal background checks for licensing.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—33.

The nays were: None.

Absent: Woodrum—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 443) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—33.

The nays were: None.

Absent: Woodrum—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 443) takes effect from passage.

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

Eng. Com. Sub. for Senate Bill 462, Permitting Board of Occupational Therapy to require criminal history record checks.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—33.

The nays were: None.

Absent: Woodrum—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 462) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—33.

The nays were: None.

Absent: Woodrum—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 462) takes effect from passage.

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

The Senate proceeded to the ninth order of business.

Senate Bill 103, Exempting certain records from public release.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 5, Establishing Adopt-A-Road program.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 50, Requiring municipal elections to be held on same day as statewide elections.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 234, Increasing value at which municipal property must be sold through public auction.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 369, Authorizing miscellaneous boards and agencies to promulgate legislative rules.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 427, Permitting certain teenagers to work without obtaining work permit.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 459, Requiring county economic development committee members be state residents.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 534, Clarifying qualifications to be licensed to administer polygraphs.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Phillips.

At the request of Senator Phillips, unanimous consent being granted, the Senate then stood in observance of a moment of silence in recognition of the anniversary of the Buffalo Creek disaster.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, a leave of absence for the day was granted Senator Woodrum.

Senator Smith (Mr. President) announced the appointment of Senator Boley to the Committee on Rules.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on February 25, 2025:

Senate Bill 5: Senator Oliverio;

Senate Bill 18: Senator Helton;

Senate Bill 30: Senator Deeds;

Senate Bill 41: Senator Helton;

Senate Bill 50: Senator Rucker;

Senate Bill 76: Senator Oliverio;

Senate Bill 105: Senator Helton;

Senate Bill 124: Senator Deeds;

Senate Bill 189: Senator Takubo;

Senate Bill 190: Senator Rose;

Senate Bill 198: Senator Deeds;

Senate Bill 216: Senator Takubo;

Senate Bill 434: Senators Chapman and Deeds;

Senate Bill 450: Senators Willis, Chapman, and Deeds;

Senate Bill 482: Senator Hamilton;

Senate Bill 483: Senator Hamilton;

Senate Bill 506: Senator Takubo;

Senate Bill 518: Senator Oliverio;

Senate Bill 537: Senators Willis, Deeds, and Rose;

Senate Bill 552: Senators Oliverio and Clements;

Senate Bill 566: Senator Helton;

Senate Bill 573: Senator Maynard;

Senate Bill 575: Senator Jeffries;

Senate Bill 582: Senator Woelfel;

Senate Bill 583: Senator Woelfel;

Senate Bill 589: Senators Woelfel, Taylor, and Takubo;

Senate Bill 590: Senator Jeffries;

Senate Bill 591: Senators Thorne and Jeffries;

Senate Bill 592: Senator Rose;

Senate Bill 596: Senator Rucker;

Senate Bill 597: Senator Rucker;

Senate Bill 598: Senator Woelfel;

Senate Joint Resolution 2: Senator Taylor;

And,

Senate Resolution 12: Senator Takubo.

Pending announcement of meetings of standing and select committees of the Senate,

On motion of Senator Martin, at 12:08 p.m., the Senate adjourned until tomorrow, Thursday, February 27, 2025, at 11 a.m.

THURSDAY, FEBRUARY 27, 2025

The Senate met at 11:02 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Honorable Joey Garcia, a senator from the thirteenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Ryan W. Weld, a senator from the first district.

Pending the reading of the Journal of Wednesday, February 26, 2025,

At the request of Senator Thorne, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Clerk presented the following communication from a state agency as required by the provisions of law:

Special Investigations, Commission on (§4-5-2)

The following communication was reported by the Clerk:



The Senate of West Virginia
Charleston

February 27, 2025

Randy E. Smith
President of the Senate
State Capitol, Room M-229
Charleston, WV 25305

Dear President Smith,

Please accept this letter as formal notification that I am resigning from my position as Doorkeeper for the West Virginia Senate.

If my help and assistance may be needed in the transition period please let me know.

Thank you as well as the entire Senate for a memorable life experience. I am grateful to have had the opportunity to serve.

Sincerely,

A handwritten signature in blue ink that reads "Jeffrey L. Branham".

Jeffrey L. Branham

c. Lee Cassis, Clerk of the Senate

The resignation of Mr. Branham was accepted and the Office of Doorkeeper was declared vacant.

The Senate then proceeded to the election of a Doorkeeper.

For that office, Senator Rucker nominated Ralph Coleman, of the County of Kanawha; seconded by Senator Grady.

On motions of Senator Woelfel, severally made, nominations were closed and the President was authorized to cast the unanimous vote of the Senate for the election of Mr. Coleman.

The President then announced the vote and declared that Mr. Coleman, having received all the votes cast, had been unanimously elected Doorkeeper of the Senate.

Whereupon, Mr. Coleman qualified as Doorkeeper, by taking the several oaths of office prescribed by law and administered by the Honorable Lee Cassis, Senate Clerk.

The Senate proceeded to the fourth order of business.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 484, Relating to disclosures and penalties associated with use of synthetic media and artificial intelligence.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 484 (originating in the Committee on the Judiciary)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §3-8-12a, relating to disclosures and penalties associated with the use of synthetic media and artificial intelligence.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 486, Clarifying eligibility requirements to vote in WV elections.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 486 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §3-1-3 of the Code of West Virginia, 1931, as amended, relating to the eligibility requirements to vote in West Virginia elections; describing eligibility requirements for persons to vote; providing for restoration of voting rights in certain circumstances; and clarifying when a person convicted of a disqualifying crime is not permitted to vote.

Senate Bill 488, Clarifying definition of electioneering.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 488 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §3-9-9 of the Code of West Virginia, 1931, as amended, relating to clarifying the definition of electioneering; describing certain prohibited electioneering information or activity; exempting from the definition of "electioneering" certain activity and materials; permitting voters to use cellular phones within the electioneering prohibition zone under certain circumstances; prohibiting taking photos or videos in and around a place where voting is conducted; providing exceptions to prohibition on photographs and videos; permitting a voter's use of candidate list and public questions in

polling place; permitting certain persons to enforce election laws and maintain law and order inside the prohibited zone; and permitting certain persons to seek assistance from law-enforcement officer.

And,

Senate Bill 489, Relating to election law violation complaints and procedures.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 489 (originating in the Committee on the Judiciary)—A Bill to amend §3-1-50 of the Code of West Virginia, 1931, as amended, relating to prescribing administrative procedures and ultimate disposition of election law violation complaints and investigations thereof by the Secretary of State; specifying who may file complaints; setting forth requirements for complaints; requiring complaints to be sworn; requiring the Secretary of State to notify complainants of deficiencies in complaint; requiring Secretary of State to submit report of suspected election law violations to State Election Commission; setting forth process for State Election Commission to handle complaints; requiring Secretary of State to notify respondents to election law complaints of investigations and setting forth contents thereof; setting forth procedure for Secretary of State to follow for investigations; permitting Secretary of State to issue and require responses to sworn interrogatories, subpoenas, and request production of documents; permitting Secretary of State to interview and depose respondents; requiring Secretary of State to publish findings of investigations to State Election Commission; permitting State Election Commission to request Secretary of State to discuss the report and require him or her to take further action following investigation of complaint; permitting State Election Commission to propose and enter settlement agreements; requiring State Election Commission to dismiss complaints upon a finding that no probable cause exists; requiring Attorney General to provide legal and investigative support upon request by the Secretary of State or the State Election Commission; requiring

prosecuting authority to receive and process suspected criminal violations; and permitting Secretary of State to promulgate rules.

With the recommendation that the three committee substitutes do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 490, Prohibiting ranked-choice voting in elections in West Virginia.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Hamilton, from the Committee on Natural Resources, submitted the following report, which was received:

Your Committee on Natural Resources has had under consideration

House Concurrent Resolution 49, Resolution relating to use of industrial sites and the potential impacts on downstream facilities.

And reports the same back with the recommendation that it be adopted.

Respectfully submitted,

Bill Hamilton,
Chair.

The Senate proceeded to the fifth order of business.

Senator Helton, from the Select Committee on Substance Use Disorder and Mental Health, submitted the following report, which was received:

Your Select Committee on Substance Use Disorder and Mental Health has had under consideration

Senate Bill 163, Including certain mental health disorders in existing public health programs.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Brian Helton,
Chair.

At the request of Senator Helton, unanimous consent being granted, the bill (S. B. 163) contained in the foregoing report from the Select Committee on Substance Use Disorder and Mental Health was then referred to the Committee on Finance.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senators Rucker, Azinger, Barrett, Fuller, Grady, Hart, Helton, Maynard, Roberts, Rose, Thorne, and Willis:

Senate Bill 614—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-5-37, relating to pharmacists; authorizing Ivermectin without a prescription; clarifying liability and disciplinary action for pharmacists; authorizing rules; and establishing severability.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 615—A Bill to amend and reenact §11-15-16, §11-15A-10, and §11-21-74 of the Code of West Virginia, 1931, as amended, relating to eliminating accelerated tax payment requirements.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 616—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, 2025, to the Department of Human Services, Health Care Provider Tax, Medical State Share Fund, fund 5090, fiscal year 2025, organization 0511, by supplementing and amending the appropriations for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Roberts, Azinger, Barrett, Deeds, Fuller, Hart, Helton, Jeffries, Maynard, Morris, Rose, Stuart, Tarr, and Thorne:

Senate Bill 617—A Bill to amend and reenact §61-13-2 and §61-13-3 of the Code of West Virginia, 1931, as amended, relating to discouraging gang activity; and adding gang activity to offenses punishable by this section.

Referred to the Committee on the Judiciary.

By Senators Thorne and Willis:

Senate Bill 618—A Bill to amend and reenact §11-1A-10 of the Code of West Virginia, 1931, as amended, relating to allowing for a reduction in property tax for certain farmland in this state.

Referred to the Committee on Agriculture; and then to the Committee on Finance.

By Senator Willis:

Senate Bill 619—A Bill to amend and reenact §50-1-6 of the Code of West Virginia, 1931, as amended, relating to filling vacancies in the office of magistrate; and authorizing prospective vacancy due to upcoming resignation or retirement to be filled by circuit judge or chief circuit judge.

Referred to the Committee on the Judiciary.

By Senator Willis:

Senate Bill 620—A Bill to amend and reenact §58-5-4 of the Code of West Virginia, 1931, as amended, relating to time for appeal; and providing that the time for filing a notice of appeal, perfecting an appeal, and filing related documents with the Intermediate Court of Appeals and Supreme Court of Appeals shall be in accordance with rules promulgated by the Supreme Court of Appeals.

Referred to the Committee on the Judiciary.

By Senator Willis:

Senate Bill 621—A Bill to amend and reenact §51-1-12 and §51-3-4 of the Code of West Virginia, 1931, as amended, relating to authorizing digital court records; providing duties of clerk of Supreme Court of Appeals or designated staff to include preserving digital and physical court records; requiring orders to be entered in a book or kept digitally by clerk of court; and removing requirement that order books be signed by judge or presiding officer.

Referred to the Committee on the Judiciary.

By Senator Willis:

Senate Bill 622—A Bill to amend and reenact §50-1-8, §50-1-9, §50-1-9a, and §51-2A-6 of the Code of West Virginia, 1931, as amended, relating to authorizing compensation for certain lower court staff; and providing that the annual salary for magistrate court clerks, magistrate assistants, magistrate court deputy clerks, secretary-clerks of family court judges, and family case

coordinators shall be determined by a pay scale established by the Administrative Director of the Supreme Court of Appeals.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Willis:

Senate Bill 623—A Bill to amend and reenact §51-9-10 of the Code of West Virginia, 1931, as amended, relating to senior judges and justices; and recognizing authority of Supreme Court of Appeals to recall senior judges and justices in specified circumstances.

Referred to the Committee on the Judiciary.

By Senator Willis:

Senate Bill 624—A Bill to amend and reenact §3-10-3 of the Code of West Virginia, 1931, as amended, relating to vacancies in offices of state officials; and authorizing the Governor to appoint an acting official to perform the duties of the constitutional officer until the office is filled by appointment by the Governor.

Referred to the Committee on the Judiciary.

By Senator Tarr:

Senate Bill 625—A Bill to amend and reenact §51-1-4 of the Code of West Virginia, 1931, as amended, relating to regulation of procedure in all courts of record; and providing a procedure when judges may be recused in legal proceedings if a party's lawyer or the law firm of a party's lawyer has contributed to a judge's campaign.

Referred to the Committee on the Judiciary.

By Senator Garcia:

Senate Bill 626—A Bill to amend and reenact §8-29-6 of the Code of West Virginia, 1931, as amended, relating to allowing members of regional airport boards to be residents of the municipality or county in which the airport is located.

Referred to the Committee on Economic Development; and then to the Committee on Government Organization.

Senator Rucker offered the following resolution:

Senate Resolution 16—Designating the first full week in May as Tardive Dyskinesia Awareness Week.

Which, under the rules, lies over one day.

Senator Taylor offered the following resolution:

Senate Resolution 17—Designating February 28, 2025, as Dental Hygienists' Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 12, US Army Staff Sergeant Barney Warren Frazier Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 13, Purple Heart Trail.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 14, Requesting Joint Committee on Government and Finance study substance use disorder in WV.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Select Committee on Substance Use Disorder and Mental Health.

Senate Resolution 15, Designating February 27, 2025, Sexual Violence Awareness Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Stuart, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

The Senate proceeded to the eighth order of business.

Eng. Senate Bill 103, Exempting certain records from public release.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Charnock, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—31.

The nays were: None.

Absent: Bartlett, Clements, and Woodrum—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 103) passed with its title.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 5, Establishing Adopt-A-Road program.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 50, Requiring municipal elections to be held on same day as statewide elections.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Senate Bill 234, Increasing value at which municipal property must be sold through public auction.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 369, Authorizing miscellaneous boards and agencies to promulgate legislative rules.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 427, Permitting certain teenagers to work without obtaining work permit.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 459, Requiring county economic development committee members be state residents.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 534, Clarifying qualifications to be licensed to administer polygraphs.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 29, Allowing physicians assistants to own practice.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 124, Reducing statute of limitations on actions to recover on oral and written contracts.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 198, Prohibiting creation, production, distribution, or possession of artificially generated child pornography.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 456, Defining "men" and "women".

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 482, Certified Professional Midwife Licensing and Regulation.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 483, Increasing civil penalties for failure to file required campaign finance reports.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 496, Removing reflexology and other energy-based work from definition of "massage therapy".

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 537, Establishing WV Mothers and Babies Pregnancy Support Program.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 552, Relating to Certified Business Expansion Development Program.

On first reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, leaves of absence for the day were granted Senators Woodrum and Bartlett.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on February 26, 2025:

Senate Bill 10: Senator Rucker;

Senate Bill 23: Senator Taylor;

Senate Bill 147: Senators Hamilton, Deeds, and Barrett;

Senate Bill 190: Senator Roberts;

Senate Bill 241: Senator Rucker;

Senate Bill 246: Senator Hamilton;

Senate Bill 437: Senator Hart;

Senate Bill 446: Senator Oliverio;

Senate Bill 484: Senator Deeds;

Senate Bill 490: Senator Rose;

Senate Bill 575: Senator Thorne;

Senate Bill 582: Senator Morris;

Senate Bill 599: Senator Thorne;

Senate Bill 600: Senator Rucker;

Senate Bill 603: Senator Takubo;

Senate Bill 604: Senator Hart;

Senate Bill 610: Senators Rose and Rucker;

Senate Joint Resolution 4: Senator Jeffries;

Senate Concurrent Resolution 12: Senator Jeffries;

Senate Concurrent Resolution 13: Senator Jeffries;

Senate Concurrent Resolution 14: Senator Jeffries;

Senate Resolution 12: Senator Jeffries;

Senate Resolution 14: Senator Willis;

And,

Senate Resolution 15: Senators Woelfel, Rucker, and Jeffries.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 11:27 a.m., the Senate adjourned until tomorrow, Friday, February 28, 2025, at 10 a.m.

FRIDAY, FEBRUARY 28, 2025

The Senate met at 10:04 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Honorable Glenn D. Jeffries, a senator from the eighth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Michael T. Azinger, a senator from the third district.

Pending the reading of the Journal of Thursday, February 27, 2025,

At the request of Senator Roberts, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2047—A Bill to amend and reenact §49-2-128 of the Code of West Virginia, 1931, as amended, relating to prohibiting cameras in bedrooms and bathrooms of foster homes; exemptions; prohibitions.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2123—A Bill to amend and reenact §61-8D-3 and §61-8D-4 of the Code of West Virginia, 1931, as amended, all relating to modifying the criminal penalties imposed on a parent, guardian, custodian, or person in a position of trust in relation to a child for child abuse resulting in bodily injury, serious bodily injury, and child neglect resulting in bodily injury, serious bodily injury, and child abuse or child neglect creating risk of injury; providing that a prior conviction under this section subjects a person to increased penalties; and providing a definition for a prior conviction.

Referred to the Committee on the Judiciary.

The Senate proceeded to the fourth order of business.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Com. Sub. for Senate Bill 154 (originating in the Committee on Education), Prohibiting sexual orientation instruction in public schools.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 154 (originating in the Committee on the Judiciary)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-29, relating to prohibiting a public school from providing instruction related to sexual orientation or gender identity; defining terms; allowing discussion in specified circumstances; prohibiting a public school and the county board employees assigned to the school from knowingly giving false or misleading information to the parent, custodian, or guardian of a student regarding the student's gender identity or intention to transition to a gender that is different than the student's biological sex; requiring a person employed by the public school to report a student's request for an accommodation that is intended to affirm a change in the student's gender identity that is different from a

student's biological sex to an administrator employed by the county board and assigned to the school; requiring the administrator to report the student's request to the student's parent, custodian, or guardian; creating a complaint and appeals system for violations of this section; creating administrative sanctions for violation of this section; allowing for a civil action in certain instances of a violation of section; providing for penalties, court costs, and attorney fees; providing that the complaint, appeals, and administrative sanctions set forth in this section are the exclusive remedies for violations of this section; and requiring State Board of Education to promulgate rules.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 253, Creating Chronic Weight Management Task Force.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 253 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-67-1, §16-67-2, §16-67-3, §16-67-4, and §16-67-5, relating to creating a Chronic Weight Management Task Force; stating purpose of task force; setting forth task force composition; setting forth task force duties; setting forth termination date; setting forth reporting; stating Secretary of Department of Health has discretion to provide administrative support for task force; and

requiring specified administrative agencies to cooperate with task force.

With the recommendation that the committee substitute do pass; but with the further recommendation that it first be referred to the Committee on Finance.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

At the request of Senator Chapman, unanimous consent being granted, the bill (Com. Sub. for S. B. 253) contained in the foregoing report from the Committee on Health and Human Resources was then referred to the Committee on Finance.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 284, Relating to county board of education member orientation and compensation.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 284 (originating in the Committee on Education)—A Bill to amend and reenact §18-5-1a and §18-5-4 of the Code of West Virginia, 1931, as amended, relating to adding to topics required to be covered by the county board of education member orientation; requiring that any county board of education member who is unable to attend the initial orientation training for good cause complete a make-up orientation training within 30 days of being sworn in; requiring any appointed member to attend and complete a make-up orientation training within 30 days of being appointed; increasing annual hours of training required of county board of education members; modifying topics required to be covered by training; allowing the State Board of Education to require a county board of education member to attend

additional training under certain conditions; including trainings required by the State Board of Education with those trainings for which failure to attend and complete without good cause constitutes neglect of duty; removing January 1 deadline for the requirement that a county board of education member satisfy the annual training requirement in the final year of any four-year term of office and creating exception to that requirement; adding certain non-voting ex officio members to the County Board Member Training Standards Review Committee; requiring the State Superintendent of Schools to report annually to the Legislative Oversight Commission on Education Accountability certain County Board Member Training Standards Review Committee and county board member training-related information; setting the county board of education member compensation rate at \$260 per meeting attended unless the board votes to approve a lower rate; and excepting payment for mileage from the requirement for presentation of receipts.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Amy N. Grady,
Chair.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 487, Removing ineligible voters from active voter rolls.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 487 (originating in the Committee on Government Organization)—A Bill to amend and reenact §3-2-25 of the Code of West Virginia, 1931, as amended, relating to

systematic purging program and additional systematic confirmation procedure for the removal of ineligible voters from active voter rolls; removing obsolete reference to combined voter registration and licensing fund; and decreasing the period of voting inactivity from four to two years.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 545, Relating to school nutritional programs.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 545 (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §16-7-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-5D-3A, relating to prohibiting certain products that are injurious to health; setting forth criteria when food, drink, confectionery, or condiments are adulterated; prohibiting certain unsafe food additives in school nutrition programs; providing for exceptions; and setting effective dates.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 558, Requiring computer science course prior to graduation.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 558 (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-2-9b, relating to requiring public high school students to earn a minimum of one-half unit of credit in a computer science course prior to graduating; defining "computer science"; requiring the computer science course to meet or exceed standards established by the State Board of Education; requiring the course to be offered in person in a traditional classroom setting unless not feasible; providing for alternatives when offering in person in a traditional classroom setting is not feasible; specifying grade levels in which the credit may be earned; requiring State Board of Education rules detailing how computer science can fulfil other graduation requirements; requiring rules to ensure maximum flexibility for students; imposing requirements pertaining to a student's transcript if a student uses a computer science course to fulfil the math or science credit; requiring computer science standards include high school introductory computer science courses that include foundational computer science concepts; requiring State Board of Education make available a list of course options that can meet the requirements for the computer science credit; requiring State Board of Education rules to ensure schools can obtain the necessary teacher capacity to support implementation; and allowing additional rules deemed necessary for implementation.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill (Com. Sub. for S. B. 558), under the original double committee reference, was then referred to the Committee on Finance.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 581, Relating to school attendance and student participation in 4-H activities.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 581 (originating in the Committee on Education)—A Bill to amend and reenact §18-8-4 of the Code of West Virginia, 1931, as amended, relating to including a student participating in a 4-H or FFA-sponsored activity or program in the definition of excused absence; providing that the student be credited as present in the same manner as a student participating in an educational field trip; providing that the student not be counted as absent; requiring a 4-H or FFA agent to provide documentation of a student's participation upon request of the principal or the principal's designee; addressing makeup of missed schoolwork and the student's class grades; and addressing 4-H or FFA program participation during any period of time the student has been suspended, expelled, or assigned to an alternative school or program.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Amy N. Grady,
Chair.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills and joint resolution were introduced, read by their titles, and referred to the appropriate committees:

By Senators Jeffries, Clements, Helton, Rose, Tarr, and Willis:

Senate Bill 627—A Bill to amend and reenact §20-1-22 of the Code of West Virginia, 1931, as amended, relating to removing the prohibition against leasing state-owned pore spaces underlying lands designated as state parks.

Referred to the Committee on Economic Development.

By Senator Helton:

Senate Bill 628—A Bill to amend and reenact §16-54-3 and §16-54-8 of the Code of West Virginia, 1931, as amended; and to amend the code by adding eight new sections, designated §5-16-7h, §9-5-33, §16-54-8a, §33-15-4y, §33-16-3ii, §33-24-7z, §33-25-8w, and §33-25A-8w, relating to non-opioid medication; defining terms; making it unlawful for the Public Employees Insurance Agency, the Bureau for Medical Services, and other insurer companies to discourage or disadvantage a non-opioid drug; requiring non-opioid drugs to be placed in lowest formulary tier; and permitting utilization review.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on Finance.

By Senators Helton, Clements, Fuller, Garcia, Jeffries, Maynard, Tarr, Thorne, and Willis:

Senate Bill 629—A Bill to amend and reenact §16-5K-6 of the Code of West Virginia, 1931, as amended, relating to professional services provided to the West Virginia Birth-to-Three Program by therapists and other professionals who are not employed by a state agency; and providing a 25 percent increase payment for those services.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 630—A Bill to amend and reenact §7-15-4 of the Code of West Virginia, 1931, as amended, relating to ambulance service; requiring the county commissions to provide ambulance service to all residents; and requiring the county commission submit a yearly report to the Office of Emergency Medical Services on the funds expended the year prior on emergency ambulance services.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 631—A Bill to amend and reenact §18C-9-5 of the Code of West Virginia, 1931, as amended, relating to extending the West Virginia Invests Grant Program to an associate degree or certificate in a post-secondary program for emergency medical services.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 632—A Bill to amend the Code of West Virginia, 1931, as amended, by adding five new sections, designated §33-15-24, §33-16-20, §33-24-46, §33-25-23, and §33-25A-37, relating to surprise billing of out-of-network ambulance services; clarifying what is considered full payment to an ambulance service, what the rate of payment is, and the most an ambulance service can be paid; prohibiting billing and insured for additional costs except for fees the insurer required the insured to pay; providing procedure for payment; providing exceptions when the insurer does not have to pay within 30 days; and requiring written notices for denied claims.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senators Rucker, Azinger, Bartlett, Deeds, Fuller, Grady, Helton, Maynard, Roberts, Rose, Tarr, Taylor, Thorne, and Willis:

Senate Bill 633—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-8A-6, relating to pornography access for minors; providing a short title; providing definitions; requiring mandatory age verification; prohibiting circumvention and liability for violations; creating penalties; clarifying a legal defense and standard of proof; and providing severability.

Referred to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 634—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §24-2J-1, §24-2J-2, §24-2J-3, §24-2J-4, and §24-2J-5, relating to establishing a new category of net metering energy projects in West Virginia, which projects provide for location on distressed land or in an energy community, allow for multiple customers, and be exempt from certain limitations established in the code and certain rules promulgated by the Public Service Commission; providing definitions; providing an electricity bill credit, subscription framework, and exemptions; and providing the Public Service Commission rule-making authority and directives.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Garcia:

Senate Bill 635—A Bill to amend and reenact §18-31-2 of the Code of West Virginia, 1931, as amended, relating to limiting the use of state funding under the Hope Scholarship Program for out-of-state private schools and providers.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Garcia:

Senate Bill 636—A Bill to repeal §21-5G-1, §21-5G-2, §21-5G-3, §21-5G-4, §21-5G-5, §21-5G-6, and §21-5G-7 of the Code of West Virginia, 1931, as amended, relating to worker affiliation with a labor organization.

Referred to the Committee on the Workforce; and then to the Committee on the Judiciary.

By Senator Garcia:

Senate Bill 637—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §21-5J-1, §21-5J-2, §21-5J-3, §21-5J-4, §21-5J-5, §21-5J-6, §21-5J-7, §21-5J-8, §21-5J-9, and §21-5J-10, relating to creating a paid parental leave pilot program; providing findings and purpose; providing definitions; providing for paid parental leave and requirements for claiming benefits; requiring employer to continue group health insurance coverage for employee; providing for employment benefits and seniority position upon return from leave; providing benefits not to accrue during period of leave; providing employers required to respond to survey from Department of Labor; requiring department to report to Joint Committee on Government Organization; authorizing emergency rule-making authority; and providing December 31, 2028, sunset date.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Garcia:

Senate Bill 638—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §5-10-22o and §18-7A-26z, relating to providing a cost-of-living provision for certain persons retired under the Public Employees Retirement System and the Teachers Retirement System.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Garcia:

Senate Joint Resolution 12—Proposing an amendment to the Constitution of the State of West Virginia, amending article III thereof, by adding a new section, designated section twenty-three, relating to the right to reproductive freedom with protections for health and safety; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

Senator Rucker offered the following resolution:

Senate Concurrent Resolution 15—Opposing the People's Republic of China's misuse of United Nations Resolution 2758 to delegitimize Taiwan and exclude Taiwan from international organizations.

Which, under the rules, lies over one day.

Senators Smith (Mr. President) and Hart offered the following resolution:

Senate Resolution 18—Designating March 3, 2025, as Future Farmers of America Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Resolution 16, Designating first full week in May as Tardive Dyskinesia Awareness Week.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Rucker, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Senate Resolution 17, Designating February 28, 2025, as Dental Hygienists' Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Taylor, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

House Concurrent Resolution 49, Resolution relating to use of industrial sites and the potential impacts on downstream facilities.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the resolution was laid over one day, retaining its place on the calendar.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 5, Establishing Adopt-A-Road program.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Fuller—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 5) passed with its title.

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

Eng. Senate Bill 234, Increasing value at which municipal property must be sold through public auction.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Boley, Chapman, Charnock, Clements, Deeds, Garcia, Grady, Hamilton, Helton, Jeffries, Morris, Oliverio, Queen, Roberts, Rucker, Takubo, Tarr, Weld, Woelfel, Woodrum, and Smith (Mr. President)—22.

The nays were: Azinger, Bartlett, Hart, Martin, Maynard, Phillips, Rose, Stuart, Taylor, Thorne, and Willis—11.

Absent: Fuller—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 234) passed with its title.

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

Eng. Com. Sub. for Senate Bill 369, Authorizing miscellaneous boards and agencies to promulgate legislative rules.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Fuller—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 369) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Fuller—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 369) takes effect from passage.

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

Eng. Com. Sub. for Senate Bill 427, Permitting certain teenagers to work without obtaining work permit.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Fuller—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 427) passed with its title.

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

Eng. Com. Sub. for Senate Bill 459, Requiring county planning commission members be state residents.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: Oliverio and Stuart—2.

Absent: Fuller—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 459) passed with its title.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 29, Allowing physicians assistants to own practice.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 50, Requiring municipal elections to be held on same day as statewide elections.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Weld, the following amendments to the bill were reported by the Clerk, considered simultaneously, and adopted:

On page 2, section 29, line 27, by striking out "2030" and inserting in lieu thereof "2032";

And,

On page 4, section 5, line 14, by striking out "2030" and inserting in lieu thereof "2032";

And,

On page 5, section 5, line 35, by striking out "2030" and inserting in lieu thereof "2032".

The bill (Com. Sub. for S. B. 50), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 124, Reducing statute of limitations on actions to recover on oral and written contracts.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 198, Prohibiting creation, production, distribution, or possession of artificially generated child pornography.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 456, Defining "men" and "women".

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 482, Certified Professional Midwife Licensing and Regulation.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 483, Increasing civil penalties for failure to file required campaign finance reports.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Senate Bill 496, Removing reflexology and other energy-based work from definition of "massage therapy".

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 534, Clarifying qualifications to be licensed to administer polygraphs.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 537, Establishing WV Mothers and Babies Pregnancy Support Program.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 484, Relating to disclosures and penalties associated with use of synthetic media and artificial intelligence.

On first reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 486, Clarifying eligibility requirements to vote in WV elections.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 488, Clarifying definition of electioneering.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 489, Relating to election law violation complaints and procedures.

On first reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Senate Bill 490, Prohibiting ranked-choice voting in elections in West Virginia.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 552, Relating to Certified Business Expansion Development Program.

On first reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was referred to the Committee on Rules.

The Senate proceeded to the eleventh order of business and the introduction of guests.

The Senate then proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, a leave of absence for the day was granted Senator Fuller.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolution on February 27, 2025:

Senate Bill 10: Senator Rose;

Senate Bill 131: Senator Rose;

Senate Bill 241: Senator Rose;

Senate Bill 253: Senators Deeds and Woelfel;

Senate Bill 284: Senator Woelfel;

Senate Bill 299: Senator Hart;

Senate Bill 545: Senators Deeds and Taylor;

Senate Bill 558: Senator Deeds;

Senate Bill 581: Senators Thorne, Deeds, Hamilton, and Hart;

Senate Bill 618: Senators Rose and Rucker;

Senate Bill 619: Senators Woelfel and Thorne;

Senate Bill 620: Senator Woelfel;

Senate Bill 621: Senators Woelfel and Thorne;

Senate Bill 622: Senators Woelfel and Thorne;

Senate Bill 623: Senators Woelfel and Thorne;

Senate Bill 624: Senators Woelfel and Thorne;

And,

Senate Concurrent Resolution 14: Senator Rucker.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 10:40 a.m., the Senate adjourned until Monday, March 3, 2025, at 11 a.m.

MONDAY, MARCH 3, 2025

The Senate met at 11:27 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Pastor Lee Swor, Mount Pleasant Baptist Church, Elkview, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Mark R. Maynard, a senator from the sixth district.

Pending the reading of the Journal of Friday, February 28, 2025,

At the request of Senator Helton, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

Senator Oliverio called attention to today being the birthday of the senator from Preston and on behalf of the Senate extended felicitations and good wishes to Senator Smith (Mr. President).

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2065—A Bill to amend and reenact §17A-3-14b of the Code of West Virginia, 1931, as amended, relating to providing for one free Gold Star Family license plate to Gold Star parents.

Referred to the Committee on Transportation and Infrastructure.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2157—A Bill to amend and reenact §17A-7-2 of the Code of West Virginia, 1931, as amended, relating to requiring the Commissioner of the Division of Motor Vehicles to allow the purchase of special one trip or one-way permits to be made and paid for online; and deleting obsolete language.

Referred to the Committee on Transportation and Infrastructure.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2170—A Bill to amend the Code of West Virginia, 1931, as amended by adding thereto a new section, designated §8-15-8b, relating to allowing volunteer fire departments to use Fire Protection Fund monies to fund expenses associated with the purchase of health insurance, Worker's compensation supplemental wage replacement coverage, and implementation of the State Auditor's West Virginia Checkbook fiscal reporting system, also amending the code to increase the permissible amount volunteer fire departments may expend on educational and training supplies and fire prevention promotional materials, from up to \$500 to up to \$5,000 per year.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2344—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17C-1-71; and to amend and reenact §17C-14-9a of said code; relating to traffic safety; creating a definition for the phrase maintenance vehicle; and listing additional categories of

vehicles for which motorists shall slow down and, if possible, move over.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2354—A Bill to amend and reenact §16-7-2 of the Code of West Virginia, 1931, as amended, and to amend the code by adding a new section, designated §18-5D-3A, relating to prohibiting certain products that are injurious to health; setting forth criteria considered adulterated; prohibiting certain unsafe food additives in school nutrition programs; providing exceptions; and setting effective dates.

At the request of Senator Martin, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time, and ordered to second reading.

The Senate proceeded to the fourth order of business.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 299, Modifying WV regulations on pubertal modulation, hormonal therapy, and gender reassignment.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 299 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §30-1-26, §30-3-20, and §30-14-17 of the Code of West Virginia, 1931, as amended; and to amend the code by adding two new sections, designated §30-3E-20 and §30-7-15f, relating to prohibiting certain medical practices; requiring proposed legislative rule regarding telehealth

practice by a telehealth practitioner to include a prohibition on prescribing or dispensing gender altering medication; defining terms; removing an exemption to prohibited practices; providing for an effective date; providing that violations of the articles are considered unprofessional conduct subject to discipline; providing for various forms of relief for violations of this article; providing for an exemption from the requirement for a certificate of merit; providing for the Attorney General to bring an enforcement action; permitting intervention in proceedings; applying the prohibited practices to allopathic physicians, osteopathic, physician assistants, and advanced practice registered nurses; providing for criminal penalties; and providing effective dates.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills and joint resolution were introduced, read by their titles, and referred to the appropriate committees:

By Senator Willis:

Senate Bill 639—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-13NN-1, relating to taxes: providing a title; providing findings and purpose; providing definitions; creating a tax credit; establishing requirements for the credit; and tying dollar figures to inflation.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

By Senator Willis:

Senate Bill 640—A Bill to amend and reenact §49-1-206 of the Code of West Virginia, 1931, as amended, relating to increasing the total number of children allowable for informal family child care.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Willis:

Senate Bill 641—A Bill to amend and reenact §55-3A-1 of the Code of West Virginia, 1931, as amended, relating to eviction proceedings; requiring hearing to be scheduled upon filing the petition; and providing that the hearing shall be scheduled five to 10 judicial days following filing of the petition.

Referred to the Committee on the Judiciary.

By Senator Willis:

Senate Bill 642—A Bill to amend and reenact §3-10-3 of the Code of West Virginia, 1931, as amended, relating to vacancies in the office of magistrate; providing that vacancies in the office of magistrate with an unexpired term of more than two years are filled by subsequent nonpartisan judicial election held concurrently with the primary or general election, whichever occurs first; and excluding vacancies in the office of magistrate from certain other provisions relating to process for filling vacancies.

Referred to the Committee on the Judiciary.

By Senator Garcia:

Senate Bill 643—A Bill to amend and reenact §3-2-2 of the Code of West Virginia, 1931, as amended, relating to voting rights of formerly incarcerated individuals; and restoring suffrage for a person incarcerated for a felony conviction upon release.

Referred to the Committee on the Judiciary.

By Senator Garcia:

Senate Bill 644—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §21-5A-1, §21-5A-2, §21-5A-3, §21-5A-4, §21-5A-5, §21-5A-6, §21-5A-7, §21-5A-8, and §21-5A-9, relating to reestablishing prevailing wages for certain state government contracts; declaring policy; defining terms; requiring contractors to ascertain rates and to include rates in contract specifications; requiring annual determinations of prevailing wage rates; establishing procedures to

file objections to prevailing wage rate determinations; providing for hearings, judicial review, and appeal; requiring mandatory provisions in contracts and subcontracts; providing for posting of rates and recordkeeping; establishing criminal penalties for violations of the act; and limiting the scope of the law to post-enactment contracts.

Referred to the Committee on the Workforce; and then to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 645—A Bill to amend and reenact §8-4-8 of the Code of West Virginia, 1931, as amended, relating to requiring a petition of qualified voters for a once defeated amendment to be reconsidered.

Referred to the Committee on the Judiciary.

By Senators Fuller and Rose:

Senate Bill 646—A Bill to amend and reenact §18-5-45 of the Code of West Virginia, 1931, as amended, relating to extending non-traditional instruction days from five days to 10 days, to count towards the 180 required days of school instruction.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Grady:

Senate Bill 647—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18B-22-1, §18B-22-2, §18B-22-3, §18B-22-4, §18B-22-5, and §18B-22-6, relating to name, image, or likeness in intercollegiate athletics; defining terms; authorizing institutions of higher education to facilitate and enter into agreements relating to a student-athlete's name, image, or likeness; limiting the ability of athletic associations, athletic conferences, or other similarly situated oversight or regulatory organizations to regulate an institution or a student-athlete with respect to activities for compensation involving a student-athlete name, image, or likeness; limiting the purposes for which student-athletes may earn compensation for the

use of name, image, or likeness; and prohibiting institutions of higher education from compensating a student-athlete for the use of name, image, and likeness from appropriations.

Referred to the Committee on Education.

By Senator Chapman:

Senate Bill 648—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §2-2-10a, relating to interpretation of statutes, regulations, and rules by courts and administrative judges and other administrative officers.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senator Barrett:

Senate Bill 649—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 Health, Office of the Inspector General, fund 0437, fiscal year 2025, organization 0513, by supplementing and amending the appropriations for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senator Grady:

Senate Bill 650—A Bill to amend and reenact §18-5-18a of the Code of West Virginia, 1931, as amended, relating to providing that a full-time interventionist hired and assigned to up to two classrooms satisfies the early childhood assistant teacher, aide, or paraprofessional related requirements for kindergarten through third grades for both classrooms; and clarifying that a part-time interventionist only satisfies those requirements for one classroom.

Referred to the Committee on Education.

By Senator Garcia:

Senate Bill 651—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §23-4D-1, §23-4D-2, §23-4D-3, §23-4D-4, §23-4D-5, and §23-4D-6, relating

to creating the West Virginia Black Lung Program; granting entitlement for pain and suffering for occupational pneumoconiosis; providing that 10 years' exposure as a miner is a conclusive presumption of entitlement to pain and suffering benefits; providing for calculation of benefits; setting forth tax credit for benefits; imposing additional severance tax and tax on generation of electricity by solar and wind devices; creating the State Black Lung Fund; requiring the Governor and Legislature to cooperate with other states to attempt to recoup the federal excise tax on coal; and requiring proposal of rules by the Insurance Commissioner and Tax Commissioner.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Grady:

Senate Bill 652—A Bill to amend and reenact §18-5-22e of the Code of West Virginia, 1931, as amended, relating to expanding provisions pertaining to cardiac arrest to be applicable to elementary schools; and imposing certain cardiac arrest related requirements on coaches and any other personnel supervising a youth sports league team that plays or practices on school grounds.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senators Takubo, Azinger, and Rose:

Senate Bill 653—A Bill to amend and reenact §16-5V-2 of the Code of West Virginia, 1931, as amended, relating generally to emergency medical services retirement benefits; extending benefits to emergency vehicle operators; and modifying the definition of "final average salary".

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Takubo:

Senate Bill 654—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §9-11-1, §9-11-2, §9-11-3, §9-11-4, and §9-11-5, relating to the creation of the

West Virginia ALS Care Services Act; listing findings and purpose; requiring Department of Human Services to provide care services coordination and support; providing access to assistive technology, medical equipment, and ramp loan programs; facilitating access to multidisciplinary ALS clinics; appropriating funds from the General Revenue Fund to support this act; and establishing an effective date.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Takubo:

Senate Bill 655—A Bill to amend and reenact §27-5-2 of the Code of West Virginia, 1931, as amended, relating to standards of liability for mental health professionals providing services in mental hygiene cases involving possible involuntary hospitalization; and defining those standards.

Referred to the Committee on the Judiciary.

By Senators Oliverio, Deeds, Fuller, Hamilton, and Morris:

Senate Bill 656—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-5-30, relating to creating a 25-foot barrier around first responders.

Referred to the Committee on the Judiciary.

By Senators Oliverio, Fuller, Garcia, and Woelfel:

Senate Bill 657—A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to personal income tax; and exempting West Virginia campus police officer retirement income from personal income tax after specified date.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Oliverio:

Senate Bill 658—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9A-1-13, relating to persons receiving compensation for assisting an individual to obtain veterans' benefits; defining terms; prohibiting

compensation for referrals; prohibiting compensation for services rendered in connection with claim filed within one year of active-duty releases; prohibiting the guarantee of an outcome or specific veterans' benefits; requiring a written agreement limiting compensation; requiring written disclosure; prohibiting use of international data centers for processing veterans' personal information; limiting the use of veterans' personal information; requiring background checks; identifying actions that constitute representation and compensation for representing a person seeking veterans' benefits; providing that a violation of this section is an unlawful practice and a violation of the West Virginia Consumer Credit and Protection Act; and requiring any such representation comply with federal law.

Referred to the Committee on Military.

By Senator Willis:

Senate Bill 659—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §49-12-1, §49-12-2, §49-12-3, §49-12-4, and §49-12-5, relating to the Parents' Bill of Rights; creating a short title; providing legislative findings; creating definitions; creating a standard of review; clarifying parental rights; creating a right of action; creating a defense; and providing applicability.

Referred to the Committee on the Judiciary.

By Senator Willis:

Senate Bill 660—A Bill to amend and reenact §30-3E-1, §30-3E-3, §30-3E-4, §30-3E-9, §30-3E-12, §30-3E-13, §30-3E-14, §30-3E-15, §30-3E-16, §30-3E-17, §30-7-1, §30-7-3, §30-7-4, §30-7-6b, §30-7-1, §30-7-15, and §30-7-15b of the Code of West Virginia, 1931, as amended; and to repeal §30-3E-10a and §30-3E-11, relating to empowering qualified physician assistants and certified nurse practitioners to practice without the supervision of a physician.

Referred to the Committee on Health and Human Resources.

By Senator Willis:

Senate Bill 661—A Bill to amend and reenact §27-5-4 of the Code of West Virginia, 1931, as amended, relating to involuntary hospitalization; providing for multiple deputies in the transportation of those involuntarily hospitalized; authorizing counties the discretion to contract with hospital with closer jurisdiction; and authorizing the ability to utilize out-of-state hospitals.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on Finance.

By Senators Bartlett and Azinger:

Senate Joint Resolution 13—Proposing an amendment to the Constitution of the State of West Virginia, amending section four, article VII thereof, 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; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

Senator Fuller offered the following resolution:

Senate Resolution 19—Designating March 4, 2025, as Marshall University Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 15, Opposing China's use of UN Resolution 2758 against Taiwan.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Government Organization.

Senate Resolution 18, Designating March 3, 2025, as Future Farmers Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Hart, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

House Concurrent Resolution 49, Resolution relating to use of industrial sites and the potential impacts on downstream facilities.

On unfinished business, coming up in regular order, was reported by the Clerk.

The question being on the adoption of the resolution, the same was put and prevailed.

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

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 29, Allowing physicians assistants to own practice.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Bartlett—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 29) passed with its title.

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

Eng. Com. Sub. for Senate Bill 50, Requiring municipal elections to be held on same day as statewide elections.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Bartlett—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 50) passed with its title.

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

Eng. Com. Sub. for Senate Bill 124, Reducing statute of limitations on actions to recover on oral and written contracts.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo,

Tarr, Taylor, Thorne, Weld, Willis, Woodrum, and Smith (Mr. President)—31.

The nays were: Garcia and Woelfel—2.

Absent: Bartlett—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 124) passed with its title.

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

Eng. Com. Sub. for Senate Bill 198, Prohibiting creation, production, distribution, or possession of artificially generated child pornography.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Bartlett—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 198) passed with its title.

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

Eng. Com. Sub. for Senate Bill 456, Defining "men" and "women".

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 456 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: Garcia—1.

Absent: Bartlett—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 456) passed with its title.

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

At the request of Senator Woelfel, and by unanimous consent, the remarks by Senators Garcia and Roberts as to the passage of Engrossed Committee Substitute for Senate Bill 456 were ordered printed in the Appendix to the Journal.

Eng. Com. Sub. for Senate Bill 482, Certified Professional Midwife Licensing and Regulation.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo,

Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Bartlett—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 482) passed with its title.

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

Eng. Senate Bill 496, Removing reflexology and other energy-based work from definition of "massage therapy".

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Bartlett—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 496) passed with its title.

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

Eng. Com. Sub. for Senate Bill 534, Clarifying qualifications to be licensed to administer polygraphs.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Bartlett—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 534) passed with its title.

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

Eng. Senate Bill 537, Establishing WV Mothers and Babies Pregnancy Support Program.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Bartlett—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 537) passed with its title.

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

The Senate proceeded to the ninth order of business.

Senate Bill 483, Increasing civil penalties for failure to file required campaign finance reports.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 486, Clarifying eligibility requirements to vote in WV elections.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 488, Clarifying definition of electioneering.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 490, Prohibiting ranked-choice voting in elections in West Virginia.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

The Senate proceeded to the tenth order of business.

Com. Sub. for Com. Sub. for Senate Bill 154, Prohibiting sexual orientation instruction in public schools.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 284, Relating to county board of education member orientation and compensation.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 484, Relating to disclosures and penalties associated with use of synthetic media and artificial intelligence.

On first reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 487, Removing ineligible voters from active voter rolls.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 489, Relating to election law violation complaints and procedures.

On first reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 545, Banning certain products from food in WV.

On first reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was referred to the Committee on Rules.

Com. Sub. for Senate Bill 581, Relating to school attendance and student participation in 4-H activities.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the eleventh order of business and the introduction of guests.

The Senate then proceeded to the twelfth order of business.

Remarks were made by Senator Stuart.

The Senate next proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, a leave of absence for the day was granted Senator Bartlett.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on February 28, 2025:

Senate Bill 43: Senator Hart;

Senate Bill 447: Senators Taylor and Morris;

Senate Bill 573: Senator Thorne;

Senate Bill 574: Senator Thorne;

Senate Bill 612: Senator Bartlett;

Senate Bill 614: Senator Bartlett;

Senate Bill 628: Senator Thorne;

Senate Bill 629: Senators Rucker and Morris;

Senate Concurrent Resolution 15: Senators Rose and Barrett;

And,

Senate Resolution 18: Senators Rose, Rucker, Morris, Clements, and Jeffries.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 12:24 p.m., the Senate adjourned until tomorrow, Tuesday, March 4, 2025, at 11 a.m.

TUESDAY, MARCH 4, 2025

The Senate met at 11:05 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Very Reverend Donald X. Higgs, Basilica of the Co-Cathedral of the Sacred Heart, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Jason Barrett, a senator from the sixteenth district.

Pending the reading of the Journal of Monday, March 3, 2025,

At the request of Senator Bartlett, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2222—A Bill to amend and reenact §64-2-1 *et seq.* of the Code of West Virginia, 1931, as

amended, relating to authorizing certain agencies of the Department of Administration to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee; authorizing the Department of Administration to promulgate a legislative rule relating to the administration of records management and preservation; authorizing the Department of Administration to promulgate a legislative rule relating to retention and disposal scheduling; authorizing the Department of Administration to promulgate a legislative rule relating to the management of records maintained by the Records Center; authorizing the Department of Administration to promulgate a legislative rule relating to exemptions from management services provided by the Fleet Management Division; authorizing the Department of Administration to promulgate a legislative rule relating to financial services reporting; authorizing the Information Services and Communications Division to promulgate a legislative rule relating to the plan of operation; authorizing the Information Services and Communications Division to promulgate a legislative rule relating to telecommunications payments made by state spending units; authorizing the Office of Technology to promulgate a legislative rule relating to the plan of operation; authorizing the Office of Technology to promulgate a legislative rule relating to telecommunications payments made by state spending units; authorizing Public Defender Services to promulgate a rule relating to the payment of fees and reimbursement of expenses of court-appointed attorneys.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2331—A Bill to amend and reenact §64-10-1 *et seq.* of the Code of West Virginia, 1931, as amended, relating to authorizing certain agencies of the Department of Commerce to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee; authorizing the Office of

Miners' Health, Safety and Training to promulgate a legislative rule relating to the certification, recertification and training of EMT miners and the certification of EMT-M instructors; authorizing the Division of Natural Resources to promulgate a legislative rule relating to transporting and selling wildlife parts and pelts; authorizing the Division of Natural Resources to promulgate a legislative rule relating to boating; authorizing the Division of Natural Resources to promulgate a legislative rule relating to special boating; authorizing the Division of Natural Resources to promulgate a legislative rule relating to public use of campgrounds in West Virginia State Parks and State Forests and Campsites in State Rail Trails under the Division of Natural Resources; authorizing the Division of Natural Resources to promulgate a legislative rule relating to special projects and grants for West Virginia State Parks, State Forests, and State Rail Trails under the Division of Natural Resources; authorizing the Division of Natural Resources to promulgate a legislative rule relating to prohibitions when hunting and trapping; authorizing the Division of Natural Resources to promulgate a legislative rule relating to general hunting; authorizing the Division of Natural Resources to promulgate a legislative rule relating to special waterfowl hunting; authorizing the Division of Natural Resources to promulgate a legislative rule relating to special fishing; authorizing the Division of Natural Resources to promulgate a legislative rule relating to catching and selling bait fish; and authorizing the Division of Natural Resources to promulgate a legislative rule relating to falconry.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2515—A Bill to amend and reenact §18A-5-1 of the Code of West Virginia, 1931, as amended, relating to elementary behavior intervention and safety; clarifying that nothing herein may be construed to conflict with certain federal laws; specifying requirements applicable to when a grade kindergarten through six teacher in an elementary setting

determines that the behavior of a student is violent, threatening, or intimidating toward staff or peers, or creates an unsafe learning environment, or impedes on other students' ability to learn in a safe environment; providing for definitions; setting forth a disciplinary procedure for students in grades six through twelve; requiring the State Board to adopt a statewide disciplinary policy, to be approved by the Legislature; and providing for a waiver from the disciplinary policy in certain circumstances.

Referred to the Committee on Education.

The Senate proceeded to the fourth order of business.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Senate Bill 22, Applying penalties for nonpayment of royalties under terms of oil and natural gas leases.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 22 (originating in the Committee on Energy, Industry, and Mining)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §36-4-9c, relating to providing for enhanced damages for nonpayment of royalties due from oil, natural gas, or natural gas liquids production under the terms of a lease or other agreement.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Christopher A. Rose,
Chair.

Senator Oliverio, from the Committee on Pensions, submitted the following report, which was received:

Your Committee on Pensions has had under consideration

Senate Bill 35, Permitting campus police officers to participate in Deputy Sheriffs Retirement System.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 35 (originating in the Committee on Pensions)—A Bill to amend and reenact §8-22A-2, §18B-4-5, and §18B-7-5 of the Code of West Virginia, 1931, as amended, relating to permitting campus police officers in this state to participate in the Municipal Police and Firefighters Retirement System; updating definitions; allowing campus police officers hired before January 1, 2026, to participate in the Municipal Police and Firefighters Retirement System under certain conditions; and mandating newly hired campus police officers to participate in the Municipal Police and Firefighters Retirement System beginning on January 1, 2026.

And,

Senate Bill 76, Increasing WV Natural Resources Police Officer Retirement System accrued benefit for certain members.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 76 (originating in the Committee on Pensions)—A Bill to amend and reenact §20-18-2 and §20-18-8 of the Code of West Virginia, 1931, as amended, relating to Natural Resources Police Officer Retirement; increasing the accrued benefit of members of the West Virginia Natural Resources Police Officer Retirement System who retire on or after January 1, 2028; and providing for additional funding of the West Virginia Natural Resources Police Officer Retirement System.

With the recommendation that the two committee substitutes do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Michael A. Oliverio II,
Chair.

The bills (Com. Sub. for S. B. 35 and 76), under the original double committee references, were then referred to the Committee on Finance.

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Senate Bill 117, Exempting certain physicians from specified traffic laws when responding to emergencies.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 117 (originating in the Committee on Transportation and Infrastructure)—A Bill to amend and reenact §17C-15-26 of the Code of West Virginia, 1931, as amended; and to amend the code by adding two new sections, designated §30-3-21 and §30-14-18, relating to authorizing physicians to operate Class A vehicles as authorized emergency vehicles; authorizing the West Virginia Board of Medicine and Board of Osteopathic Medicine to designate Class A vehicles of licensed medical providers as authorized emergency vehicles; establishing Physician's Authorized Emergency Vehicle Programs; requiring West Virginia Board of Medicine and Board of Osteopathic Medicine to propose rules for legislative approval with content requirements; and authorizing use of audible signal and red flashing warning lights, administrative penalties, and fees.

Senate Bill 267, Providing for inactive status for CDL holders when not driving commercially.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 267 (originating in the Committee on Transportation and Infrastructure)—A Bill to amend and reenact §17E-1-12 of the Code of West Virginia, 1931, as amended, relating to extending the time for renewal and restoration of expired or downgraded commercial driver's licenses.

And,

Senate Bill 573, Relating to restrictions on use or sale of motor vehicles based on power source.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 573 (originating in the Committee on Transportation and Infrastructure)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §1-8-1, relating to restrictions on powers of state agencies and political subdivisions; prohibiting state agencies and political subdivisions from restricting use, purchase, or sale of motor vehicles based on energy or power source; defining terms; and providing exceptions.

With the recommendation that the three committee substitutes do pass.

Respectfully submitted,

Mark R. Maynard,
Chair.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 503, Allowing sheriffs to appoint more than one chief deputy with consent of county commission.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 503 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §6-3-1 of the Code of West Virginia, 1931, as amended, relating to appointment of more than one chief deputy by the sheriff; limiting the engagement in certain political activities by chief deputies; providing for the removal of chief deputies who violate these restrictions; and removing the current restrictions on county conservators carrying firearms or other weapons by allowing these conservators to carry such weapons in compliance with West Virginia law.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 589, Providing pay increases to members of judiciary.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 589 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §50-1-3, §51-1-10a, §51-2-13, §51-2A-6, §51-9-4, §51-9-6a, §51-9-6b, §51-9-6c, and §51-11-11 of the Code of West Virginia, 1931, as amended; and to repeal §51-9-6d, relating to salaries and retirement benefits of judges; increasing annual salary of magistrates, justices of the

Supreme Court of Appeals, circuit court judges, family court judges, and judges of the Intermediate Court of Appeals; providing salary for secretary-clerks of family court judges and family case coordinators determined by a pay scale established by court; suspending contribution of courts into judicial retirement system until certain condition met; providing for actuarially reduced pension benefit for judges in certain circumstances; increasing surviving spouse plan benefit; eliminating distinction between certain judges for purposes of calculating surviving spouse plan benefits, surviving dependent children plan benefits, and adjusted annual retirement benefit; and providing sunset date for limitation on retirement benefits.

And,

Senate Bill 622, Authorizing compensation for certain lower court staff.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 622 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §50-1-8, §50-1-9, §50-1-9a, and §51-2A-6 of the Code of West Virginia, 1931, as amended, relating to authorizing compensation for certain lower court staff; and providing that the annual salary for magistrate court clerks, magistrate assistants, magistrate court deputy clerks, secretary-clerks of family court judges, and family case coordinators shall be determined by a pay scale established by the Administrative Director of the Supreme Court of Appeals.

With the recommendation that the two committee substitutes do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Mike Stuart,
Chair.

The bills (Com. Sub. for S. B. 589 and 622), under the original double committee references, were then referred to the Committee on Finance.

Senator Roberts, from the Committee on the Workforce, submitted the following report, which was received:

Your Committee on the Workforce has had under consideration

Senate Bill 611, Excluding workers of ski area operators from maximum hour requirements.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Rollan A. Roberts,
Chair.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senator Garcia:

Senate Bill 662—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16B-17-21, relating to clarifying that racial discrimination includes discrimination based on certain hair textures and hairstyles historically associated with a particular race; and defining a term.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senator Azinger:

Senate Bill 663—A Bill to amend and reenact §46A-6-102 and §46A-6-105 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §46A-6O-1, §46A-6O-2, §46A-6O-3, §46A-6O-4, §46A-6O-5, and §46A-6O-6, relating to creating the Transparency and Accountability in

Financial Services Act; providing a short title; setting forth legislative declarations; providing definitions; requiring transparency upon request and prohibiting discrimination; establishing enforcement provisions; providing for severability; and clarifying relevant consumer protection provisions.

Referred to the Committee on Banking and Insurance; and then to the Committee on the Judiciary.

By Senators Azinger, Martin, Phillips, Charnock, and Helton:

Senate Bill 664—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5A-3A-1, §5A-3A-2, §5A-3A-3, §5A-3A-4, §5A-3A-5, and §5A-3A-6, relating to establishment of the First Amendment Preservation Act; providing definitions; prohibiting state contracts with media monitoring organizations; requiring written certifications that state purchasing contracts are in compliance with the act; and clarifying the applicability of the act to state contracts.

Referred to the Committee on the Judiciary.

By Senator Azinger:

Senate Bill 665—A Bill to amend the Code of West Virginia, 1931, as amended by adding a new section, designated §31A-1-7, relating to clarifying that when a West Virginia state chartered bank sells or transfers all, or substantially all, of its assets and liabilities to another entity, that such buyer or transferee must be insured by the Federal Deposit Insurance Corporation; providing the right to seek equitable relief to the Commissioner of the Board of Banking and Financial Institutions and to interested parties to prevent prohibited transactions by unqualified buyers; and clarifying that the prohibition on the acquisition or transfer of a West Virginia state chartered bank by buyers or transferors that are not insured by the Federal Deposit Insurance Corporation does not apply to any agreement that was originally executed prior to the date of enactment of this section, or to any subsequent amendment or modification to any such agreement.

Referred to the Committee on Banking and Insurance.

By Senator Weld:

Senate Bill 666—A Bill to amend and reenact §11-13MM-2 of the Code of West Virginia, 1931, as amended, relating to disabled veteran taxpayers; and clarifying the definition of a "disabled veteran taxpayer".

Referred to the Committee on Military; and then to the Committee on Finance.

By Senator Azinger:

Senate Bill 667—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-33-9, relating to requiring public elementary schools and secondary schools to display in a conspicuous place in each classroom of the school a durable poster or framed copy of the Ten Commandments that meets certain requirements; and listing requirements for the posters or frames and uses for surplus posters.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Roberts:

Senate Bill 668—A Bill to amend and reenact §11-13JJ-4 of the Code of West Virginia, 1931, as amended, relating to clarifying the participation requirement for the volunteer firefighter tax credit.

Referred to the Committee on Finance.

By Senator Garcia:

Senate Bill 669—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §33-15F-1, §33-15F-2, §33-15F-3, §33-15F-4, §33-15F-5, §33-15F-6, and §33-15F-7, relating to requiring medical insurance providers to include infertility services in their policies; making findings; providing for determination of infertility; providing prohibited and permissible limitations on coverage; requiring rulemaking; establishing an effective date; providing for severability; and defining terms.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Garcia:

Senate Bill 670—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §17-2A-4c, relating to authorizing the Commissioner of the Division of Highways to offer locality pay to Division of Highways employees working in certain jurisdictions.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 671—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §8A-13-1, §8A-13-2, §8A-13-3, §8A-13-4, §8A-13-5, and §8A-13-6, relating to establishing the By-Right Housing Development Act to streamline the approval process for development when that proposed development meets all the rules for such development in a given community.

Referred to the Committee on Economic Development; and then to the Committee on Government Organization.

By Senator Rucker:

Senate Bill 672—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-2-15, relating to the State Board of Education; requiring students in grades K through 12 to deposit their mobile phones in a secure container during instructional time; and providing exceptions for students who may have a need for their mobile device (for example, students with diabetes or other medical conditions who require access to their cell phone for medical purposes) or have permission from a teacher to use the mobile device for educational purposes.

Referred to the Committee on Education.

By Senator Rucker:

Senate Bill 673—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §8A-13-1,

§8A-13-2, §8A-13-3, §8A-13-4, §8A-13-5, §8A-13-6, §8A-13-7, §8A-13-8, and §8A-13-9, relating to defining third-party challenges to development permits; setting forth definitions; providing that properly issued development permits shall be presumed valid and enforceable unless proven otherwise through a legal challenge; defining what constitutes standing and for purposes of challenging a development permit; limiting third-party challenges to development permits; defining the burden of proof to challenge development permits; providing an expedited review process for resolving legal challenges to development permits; requiring transparency and accountability for authorities that issue development permits; providing a right to appeal for denials of development permits due to a third-party challenge; and providing that third parties that are unsuccessful in challenging a development permit shall pay the applicant's attorney's fees and expenses.

Referred to the Committee on Government Organization.

By Senators Rucker and Grady:

Senate Bill 674—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-36-1, §18-36-2, and §18-36-3, relating to permitting students to take the Classical Learning Test as an alternative to the traditional ACT and SAT exams; providing for definitions; providing for post-secondary and higher education admissions and financial aid; and providing for college preparation assessments.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senators Rucker, Azinger, Roberts, Rose, Thorne, and Woelfel:

Senate Bill 675—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-5-37, relating to requiring a participant in a federal 340B Drug Pricing Program to report certain data to the Board of Pharmacy.

Referred to the Committee on Government Organization.

By Senators Rucker and Thorne:

Senate Bill 676—A Bill to amend and reenact §30-10-8 and §30-10-10 of the Code of West Virginia, 1931, as amended, relating to providing reciprocity for veterinarians who are licensed in other states to practice veterinary medicine; providing for the process and requirements; providing for reciprocity to veterinary technicians who are licensed to practice in other states; and providing for the process and requirements for that reciprocal license.

Referred to the Committee on Government Organization.

By Senator Smith (Mr. President):

Senate Bill 677—A Bill to amend and reenact §32-3-305 of the Code of West Virginia, 1931, as amended, relating to increasing fees charged by the Commissioner of Securities.

Referred to the Committee on Finance.

By Senators Hart, Helton, Phillips, Rose, Rucker, and Willis:

Senate Bill 678—A Bill to amend and reenact §5B-2O-1, §5B-2O-2, §5B-2O-3, and §5B-2O-4 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §5B-2O-5, relating to establishing the Affordable Electricity and Economic Growth Act of 2025 to facilitate coke production and steelmaking in the state.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senators Hart and Rose:

Senate Bill 679—A Bill to repeal §17C-16-1, §17C-16-2, §17C-16-3, §17C-16-4, §17C-16-5, §17C-16-6, §17C-16-7, §17C-16-8, and §17C-16-9 of the Code of West Virginia, 1931, as amended, relating to the elimination of mandatory state inspections of motor vehicles.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senators Hart and Rose:

Senate Bill 680—A Bill to amend and reenact §17-2A-8 of the Code of West Virginia, 1931, as amended, relating to requiring the Commissioner of the Division of Highways to prepare and present, annually, to the Legislature a comprehensive highway paving plan establishing routine repaving of all normally asphalt-surfaced roads.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Hart:

Senate Bill 681—A Bill to amend and reenact §24-2-1 of the Code of West Virginia, 1931, as amended, relating to providing that Internet Service Providers shall be considered a telecommunications utility for regulatory purposes by the Public Service Commission.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senators Hart, Phillips, and Rose:

Senate Bill 682—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §24-2J-1 and §24-2J-2, relating to requiring that all electricity providers give their customers a choice in the style of meter installed on their homes, businesses, or rental units.

Referred to the Committee on Energy, Industry, and Mining.

By Senator Smith (Mr. President):

Senate Bill 683—A Bill to amend and reenact §11A-3-44, §11A-3-45, and §11A-3-46 of the Code of West Virginia, 1931, as amended, relating to the sale of tax liens and non-entered, escheated and waste and unappropriated lands; providing all lands subject to sale under this article be certified before July 1; providing all land sales be completed within 150 days after the auditor has certified the lands; and clarifying payment shall be made to the sheriff of the county in which the property is situated.

Referred to the Committee on Government Organization.

By Senators Hart and Rose:

Senate Bill 684—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-13e, relating to the creation of the Community School Funding Formula Revision Act.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senators Hart and Rose:

Senate Bill 685—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §31E-17-1701, §31E-17-1702, and §31E-17-1703, relating to creating the Non-Profit Transparency and Accountability Act; naming the act; putting forth legislative findings; and requiring that all nonprofit organizations that receive any part of their total operating funds from public sources, whether state or federal, shall be subject to Freedom of Information Act requests and bear the responsibility to respond to these requests under the same requirements as a public body.

Referred to the Committee on Government Organization.

By Senators Hart and Rose:

Senate Bill 686—A Bill to amend and reenact §19-14-2 and §19-14-5 of the Code of West Virginia, 1931, as amended, relating to the West Virginia commercial feed law; and providing that a person engaged in selling products or commodities produced exclusively on their own farm is not a distributor and is exempt from obtaining a Commercial Feed Distributor Permit.

Referred to the Committee on Agriculture; and then to the Committee on Finance.

By Senators Hart and Rose:

Senate Bill 687—A Bill to amend and reenact §24-1-1 of the Code of West Virginia, 1931, as amended, relating to the authority of the Public Service Commission; providing limitations on the jurisdiction on electric utilities by the Public Service Commission; requiring rate adjustment recommendations be forwarded to the

Legislature; and establishing rate adjustments require specific bill approval by the Legislature.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senators Rose, Thorne, Rucker, and Willis:

Senate Bill 688—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §15-17-1, §15-17-2, §15-17-3, §15-17-4, §15-17-5, and §15-17-6, relating to prohibiting law-enforcement officers and political subdivision officials from irresponsibly utilizing certain surveillance technologies and artificial intelligence facial recognition technologies; setting forth legislative findings; providing definitions; and establishing parameters for the responsible and constitutional use of these technologies.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senator Rose:

Senate Bill 689—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §1-8-1 and §1-8-2, relating to creating the State Sovereignty Act of 2025.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senators Woodrum and Oliverio:

Senate Bill 690—A Bill to amend and reenact §7-7-1 and §7-7-4 of the Code of West Virginia, 1931, as amended, relating to authorizing county commissions to increase the compensation of elected county officials.

Referred to the Committee on Government Organization.

By Senator Garcia:

Senate Bill 691—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-11-27, relating to restricting public access to criminal history records of certain individuals; establishing procedures to petition for the

restriction of access to criminal history records; defining offenses for which restriction of access to records is not available; and setting exceptions for restriction of access to records.

Referred to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 692—A Bill to amend and reenact §18C-7-6 of the Code of West Virginia, 1931, as amended, relating to including the Classical Learning Test as a requirement for the PROMISE Scholarship when applicable.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 693—A Bill to amend and reenact §11-16-20 of the Code of West Virginia, 1931, as amended, relating to modifying the notification of brewery or dock price of nonintoxicating beer, ale, or other malt beverage or malt cooler; and eliminating the 90-day notification and price schedule required by the commissioner.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 694—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5-32-1 and §5-32-2, relating to protecting state and local government systems and data, and their ability to protect citizens' data and access to government systems, from cyber attacks and surveillance by adverse foreign interests by prohibiting the use or procurement of any software, application, or AI tool that is owned by any entity located in a designated foreign adversary nation.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 695—A Bill to amend and reenact §18B-1-1e of the Code of West Virginia, 1931, as amended, relating to requiring higher education institutions to accept the Classic Learning Test.

Referred to the Committee on Education.

Senators Oliverio, Garcia, Smith (Mr. President), Taylor, Clements, and Rose offered the following resolution:

Senate Resolution 20—Designating March 5, 2025, as West Virginia University Day at the Legislature.

Which, under the rules, lies over one day.

At the request of Senator Woelfel, unanimous consent being granted, Senator Woelfel addressed the Senate regarding various actions by the Governor and the House of Delegates and the need to work together.

The Senate proceeded to the seventh order of business.

Senate Resolution 19, Designating March 4, 2025, as Marshall University Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Fuller, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 486, Clarifying eligibility requirements to vote in WV elections.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Phillips—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 486) passed with its title.

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

Eng. Com. Sub. for Senate Bill 488, Clarifying definition of electioneering.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Phillips—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 488) passed with its title.

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

Eng. Senate Bill 490, Prohibiting ranked-choice voting in elections in West Virginia.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Senate Bill 490 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woodrum, and Smith (Mr. President)—31.

The nays were: Garcia and Woelfel—2.

Absent: Phillips—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 490) passed with its title.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Com. Sub. for Senate Bill 154, Prohibiting sexual orientation instruction in public schools.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Weld, the following amendment to the bill was reported by the Clerk:

On page 6, section 29, line 119 after the word "violations" by inserting the words "of subsections (b), (c), or (d)".

Following discussion,

The question being on the adoption of Senator Weld's amendment to the bill, the same was put and did not prevail.

The bill (Com. Sub. for Com. Sub. for S. B. 154) was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 284, Relating to county board of education member orientation and compensation.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 483, Increasing civil penalties for failure to file required campaign finance reports.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 487, Removing ineligible voters from active voter rolls.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 581, Relating to school attendance and student participation in 4-H activities.

On second reading, coming up in regular order, was read a second time.

At the request of Senator Martin, and by unanimous consent, the bill was ordered to engrossment and advanced to third reading with the right for amendments to be considered on that reading.

Eng. Com. Sub. for House Bill 2354, Banning certain products from food in West Virginia.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 299, Modifying WV regulations on pubertal modulation, hormonal therapy, and gender reassignment.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 484, Relating to disclosures and penalties associated with use of synthetic media and artificial intelligence.

On first reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was referred to the Committee on Rules.

Com. Sub. for Senate Bill 489, Relating to election law violation complaints and procedures.

On first reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was referred to the Committee on Rules.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, a leave of absence for the day was granted Senator Phillips.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were removed as co-sponsors of the following bills on March 3, 2025:

Senate Bill 585: Senator Grady;

And,

Senate Bill 614: Senator Willis.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolution on March 3, 2025:

Senate Bill 35: Senators Takubo and Hamilton;

Senate Bill 76: Senator Takubo;

Senate Bill 121: Senator Deeds;

Senate Bill 155: Senator Garcia;

Senate Bill 208: Senator Jeffries;

Senate Bill 507: Senator Helton;

Senate Bill 589: Senators Deeds, Willis, and Garcia;

Senate Bill 622: Senators Deeds and Garcia;

Senate Bill 641: Senator Woelfel;

Senate Bill 642: Senator Woelfel;

Senate Bill 650: Senator Woelfel;

Senate Bill 651: Senator Woelfel;

Senate Bill 652: Senator Woelfel;

Senate Bill 653: Senator Woelfel;

Senate Bill 656: Senator Woelfel;

Senate Bill 659: Senator Thorne;

And,

Senate Resolution 19: Senators Woelfel and Grady.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 12 Noon, the Senate adjourned until tomorrow, Wednesday, March 5, 2025, at 11 a.m.

WEDNESDAY, MARCH 5, 2025

The Senate met at 11:07 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Reverend Phillip R. Szabo, St. Agnes Catholic Church, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Laura Wakim Chapman, a senator from the first district.

Pending the reading of the Journal of Tuesday, March 4, 2025,

At the request of Senator Weld, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

Pending announcement of a meeting of the Committee on Rules,

On motion of Senator Martin, at 11:22 a.m., the Senate recessed for five minutes.

The Senate reconvened at 11:30 a.m. and resumed business under the second order and the introduction of guests.

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2217—A Bill to amend and reenact §61-10-31 of the Code of West Virginia, 1931, as amended, relating to conspiracy; modifying penalties for crimes against the state; establishing the penalty for conspiracy to commit felony crimes of violence against a person or felony crimes where the

victim was a minor child; establishing the penalty for conspiracy to commit felony crimes punishable by life imprisonment; establishing the penalty for conspiracy to commit felony crimes of kidnapping, arson in the first degree, and sexual assault in the first degree; creating criminal penalties; and making technical corrections.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2362—A Bill to amend and reenact §15A-3-10 of the Code of West Virginia, 1931, as amended, relating to recognizing the law-enforcement powers of correctional officers employed by the Division of Corrections and Rehabilitation; providing that such officers are not subject to certain certification requirements; authorizing the commissioner to consult with the Law Enforcement Professional Standards Subcommittee with regard to training; clarifying powers of arrest; and clarifying application of the federal Law Enforcement Officers Safety act to eligible employees.

Referred to the Committee on Government Organization.

The Senate proceeded to the fourth order of business.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 86, Creating Unmatched Medical Graduate Advisory Council.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 86 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18B-1B-14, relating to creating the Unmatched Medical Graduate Advisory Council; establishing findings and purpose; establishing membership of advisory council; providing for selection of chair and vice chair; establishing quorum; setting forth subjects to be addressed by advisory council in reporting; requiring reporting of findings and recommendations by December 31, 2025; and providing that administrative support be provided by the Higher Education Policy Commission.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill (Com. Sub. for S. B. 86), under the original double committee reference, was then referred to the Committee on Finance.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 121, Updating language and increasing penalties for indecent exposure.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 121 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §15-12-2, §61-8-9, and §61-11-18 of the Code of West Virginia, 1931, as amended, requiring registration as sex offender for those convicted of newly created felony offense of indecent exposure to certain minors;

declaring that indecent exposure requires exposing one's nude penis, vagina, or anus; authorizing a person convicted of third offense indecent exposure for purposes of sexual gratification to be both fined and imprisoned; creating enhanced penalties for second and subsequent violations; creating the criminal offense of indecent exposure in front of minors; removing breast-feeding exemption as unnecessary due to definition clarification; defining terms; establishing criminal penalties for the new offense; and declaring that the felony offenses of indecent exposure are qualifying offenses for the purpose of recidivist sentencing enhancements.

And,

Senate Bill 196, Increasing penalties for drug possession and updating list of offenses.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 196 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §60A-4-401, §60A-4-409, §60A-4-414, §60A-4-416, §61-11-8, and §62-12-2 of the Code of West Virginia, 1931, as amended, relating to controlled substances violations; increasing sentences for certain controlled substances offenses; making certain offenses ineligible for suspension or probation, or alternative sentencing; declaring that minimum period of 10 years' incarceration for the offense of drug delivery death; requiring inert substances mixed with controlled substances to be considered a controlled substance for purposes of weight measurement; setting forth method for measurement where more than one controlled substance is in a mixture; modifying sentences for certain offenses; updating list of offenses related to controlled substance that are qualifying offenses for recidivist sentencing enhancements; and declaring certain offenses to be ineligible for probation.

With the recommendation that the two committee substitutes do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 155, Establishing Summer Feeding for All Program.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 155 (originating in the Committee on Education)—A Bill to amend and reenact §18-5D-6 of the Code of West Virginia, 1931, as amended, relating to requiring every county public school system to conduct an annual countywide survey of public school students to determine their non-school eating patterns and the availability of nutritious food to them when schools are closed; requiring each county board to collect and compile information regarding availability of food resources in the county during non-school days and distribute this information to all students; requiring each county board to provide its survey, a summary of its activities, and any findings or recommendations the county school board has related thereto to the West Virginia Office of Child Nutrition; and removing authority for each public school to include in its crisis response plan an assessment and plan to feed students during noninstructional or nontraditional remote learning days and public virtual school students that includes emergency situations that may require innovative ways to deliver food to student homes.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

At the request of Senator Barrett, as chair of the Committee on Finance, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on Education.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 199, Relating to elementary behavior intervention and safety.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 199 (originating in the Committee on Education)—A Bill to amend and reenact §18A-5-1 of the Code of West Virginia, 1931, as amended, relating to addressing student behavior issues; modifying provisions pertaining to student disorderly conduct, interference with an orderly educational process, obstruction of the teaching or learning process of others, threat, abuse, intimidation, attempted intimidation, willful disobedience of a school employee, or abusive or profane language directed at a school employee; adding partnering with a licensed behavioral health agency as any option for county boards to use to correct student behaviors; requiring students in alternative learning centers, in alternative placements, or with a licensed behavioral health agency to meet regularly with a school social worker to address certain behavioral and mental health concerns and to assist in developing a transition plan back to the classroom and with that transition; clarifying that nothing herein may be construed to conflict with certain federal laws; requiring that county board discipline action policies provide that school social workers provide the training of school personnel in alternatives to discipline practices; defining terms; specifying protocol for when a grade

kindergarten through six teacher in an elementary setting determines that the behavior of the student is violent, threatening, or intimidating toward staff or peers, or creates an unsafe learning environment or impedes on the other students' ability to learn in a safe environment; specifying protocol for when a county board does not have access to a behavioral intervention program; requiring State Board of Education rule which adopts a statewide disciplinary policy; and allowing school counselors, school social workers, or school psychologists to provide behavioral support.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Amy N. Grady,
Chair:

Senator Jeffries, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Senate Bill 208, Mountain Homes Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 208 (originating in the Committee on Economic Development)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5B-2P-1, §5B-2P-2, §5B-2P-3, §5B-2P-4, §5B-2P-5, §5B-2P-6, §5B-2P-7, §5B-2P-8, §5B-2P-9, §5B-2P-10, §5B-2P-11, §5B-2P-12, and §5B-2P-13, relating to creating the Mountain Homes Act; setting out a short title; setting out legislative findings; defining terms; authorizing rulemaking; providing an effective date; providing for a sunset date; creating the Mountain Homes Fund; providing for the purposes of the fund; providing for administration of the fund; providing for recordkeeping; requiring reporting to the Joint Committee on Government and Finance and the Governor;

setting out required elements for the report; exempting certain materials from the Freedom of Information Act; establishing criteria for eligibility for use of funds; requiring an application for use of funds; setting out elements necessary to be included on the application; providing for exclusions from use of funds; providing for application approval; establishing evaluation standards and criteria; providing for a final agreement; setting out terms of the agreement; allowing for an extension of time; requiring adjacent properties to be subject to additional approval; providing for administration of the act; setting out powers and duties of the Economic Development Authority; and providing for a criminal penalty for a false statement.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Glenn D. Jeffries,
Chair.

The bill (Com. Sub. for S. B. 208), under the original double committee reference, was then referred to the Committee on Finance.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bills 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, and 334, Department of Health rule relating to general provisions of Medical Cannabis Program.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 325 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §64-5-1 *et seq.* and §64-5A-1 *et seq.* of the Code of West Virginia, 1931, as amended;

and to amend the code by adding a new article, designated §64-5B-1, relating to authorizing certain agencies of the Department of Health, Department of Human Services, and the Office of Inspector General to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee and as amended by the Legislature; directing certain agencies of the Department of Health to amend current legislative rules; authorizing the Department of Health to promulgate a legislative rule relating to public water systems; authorizing the Department of Health to promulgate a legislative rule relating to statewide trauma and emergency care system; authorizing the Department of Health to promulgate a legislative rule relating to fatality and mortality review team; authorizing the Department of Health to promulgate a legislative rule relating to vital statistics; authorizing the Department of Health to promulgate a legislative rule relating to emergency medical services; authorizing the Department of Health to promulgate a legislative rule relating to the Primary Care Support Program; authorizing the Department of Health to promulgate a legislative rule relating to the general provisions of the Medical Cannabis Program; authorizing the Department of Health to promulgate a legislative rule relating to growers and processors of the Medical Cannabis Program; authorizing the Department of Health to promulgate a legislative rule relating to laboratories of the Medical Cannabis Program; authorizing the Department of Health to promulgate a legislative rule relating to dispensaries of the Medical Cannabis Program; authorizing the Department of Health to promulgate a legislative rule relating to the Safe Harbor Letter for the Medical Cannabis Program; authorizing the Department of Health to promulgate a legislative rule relating to critical access hospitals; directing the Department of Health to amend a legislative rule relating to sewage treatment and collection system design standards; authorizing the Department of Human Services to promulgate a legislative rule relating to the Recovery Residence Certification and Accreditation Program; authorizing the Department of Human Services to promulgate a legislative rule relating to the pilot program for drug screening of applicants for cash assistance; authorizing the Office of Inspector General to promulgate a legislative rule relating to hospital licensure; and authorizing the Office of Inspector General

to promulgate a legislative rule relating to Behavioral Health Centers Licensure.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 458, Universal Professional and Occupational Licensing Act of 2025.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 458 (originating in the Committee on Government Organization)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-1-27, relating to the establishment of universal professional and occupational licensing, registration, and certification.

Senate Bill 485, Exempting West Virginia Secretary of State from competitive bidding process.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 485 (originating in the Committee on Government Organization)—A Bill to amend and reenact §5A-3-1 of the Code of West Virginia, 1931, as amended, relating to the Purchasing Division; and exempting the Secretary of State from the competitive bidding process for specific purchases of securing, facilitating, or supporting critical election infrastructure.

Senate Bill 522, Clarifying procedure for administrative dissolution of limited liability companies by Secretary of State.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 522 (originating in the Committee on Government Organization)—A Bill to amend and reenact §31B-8-810 of the Code of West Virginia, 1931, as amended, relating to clarifying the procedure for administrative dissolution of limited liability companies by the Secretary of State; and requiring the Secretary of State to provide notice to limited liability companies subject to administrative dissolution.

And,

Senate Bill 525, Clarifying procedure for administrative dissolution of nonprofit corporations by Secretary of State.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 525 (originating in the Committee on Government Organization)—A Bill to amend and reenact §31E-13-1321 of the Code of West Virginia, 1931, as amended, relating to clarifying the procedure for administrative dissolution of nonprofit corporations by the Secretary of State; and requiring the Secretary of State to provide notice to nonprofit corporations subject to administrative dissolution.

With the recommendation that the four committee substitutes do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 492, Removing outdated provisions governing political committees.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Smith (Mr. President), from the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration

Com. Sub. for Senate Bill 552, Relating to Certified Business Expansion Development Program.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Randy E. Smith,
Chair ex officio.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 552) contained in the preceding report from the Committee on Rules was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 564, Prohibiting voters not affiliated with major political party from voting ballot of political party in primary election.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 565, Relating generally to practice of optometry.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 565 (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §30-8-3, §30-8-6, §30-8-9, §30-8-23, and §30-8A-1 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §30-8B-1, §30-8B-2, §30-8B-3, §30-8B-4, §30-8B-5, §30-8B-6, §30-8B-7, and §30-8B-8, relating to the practice of optometry; defining terms; removing areas of the code; permitting a licensee to perform certain procedures when trained by an approved and accredited body; permitting board to add new ophthalmic laser provisions to approved list in specific circumstances; and providing for exemption from specified review requirements.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 566, Providing certified law-enforcement officers tuition-free education up to highest tuition rate for public higher education in WV.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 566 (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15A-1-10, relating to providing that certified law-enforcement officers meeting certain requirements may be entitled to payment of tuition and fees; requiring the Secretary of Homeland Security to prescribe eligibility criteria; making payment subject to appropriation; allowing payment for only one certificate, undergraduate degree, and master's degree; allowing only two to be selected to receive payment for a doctorate degree; providing for the amount of payment at state supported school and private school; providing for reduction in payment in certain instances when recipient is eligible for other grants and scholarships; establishing service requirement for recipients; providing for recoupment of moneys paid when service requirement not fulfilled; requiring Secretary of Homeland Security to administer the tuition and fee payments and to propose rules for legislative approval to implement; and defining certified law-enforcement officer.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill (Com. Sub. for S. B. 566), under the original double committee reference, was then referred to the Committee on Finance.

Senator Roberts, from the Committee on the Workforce, submitted the following report, which was received:

Your Committee on the Workforce has had under consideration

Senate Bill 587, Relating generally to government contracting.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 587 (originating in the Committee on the Workforce)—A Bill to amend and reenact §5-22-1, §5-22-2, and §5-22-4 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §5-22B-1, §5-22B-2, §5-22B-3, §5-22B-4, §5-22B-5, §5-22B-6, §5-22B-7, §5-22B-8, §5-22B-9, §5-22B-10, §5-22B-11, §5-22B-12, §5-22B-13, §5-22B-14, §5-22B-15, §5-22B-16, §5-22B-17, §5-22B-18, and §5-22B-19, relating to government contracting; providing for a bid validity period; clarifying factors for considering when bids exceed budgeted amount; enacting the Government Construction Management At-Risk Contracts Act; providing a short title; defining terms; authorizing the state and/or its subdivisions to engage in construction management at-risk contracts for projects greater than \$15 million in total estimated cost; requiring the state and/or its subdivisions adopt policies and procedures for use in construction management at-risk contract; requiring the state and/or its subdivisions using construction management at-risk

delivery method provide notice; requiring the state and/or its subdivisions issue request for qualifications; requiring the state and/or its subdivisions issue requests for proposals; establishing a standardized format for a proposal; establishing the criteria a request for proposal must contain; providing standards and criteria for the evaluation of proposals; providing for prequalification of firms; requiring a proposal evaluation committee; establishing suggested membership of a proposal evaluation committee; providing evaluation criteria and weight for aspects of proposals; setting forth process to determine best value; authorizing the state and/or its subdivisions to amend contracts after acceptance; providing exceptions for special maintenance projects; making documents public in some instances; providing for rulemaking; required reporting; setting forth a sunset date; and making technical and conforming amendments.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Government Organization.

Respectfully submitted,

Rollan A. Roberts,
Chair.

The bill (Com. Sub. for S. B. 587), under the original double committee reference, was then referred to the Committee on Government Organization.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 612, Making rules and regulations of PSC subject to legislative rule-making review procedures.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Jeffries, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Senate Bill 627, Removing prohibition against leasing state-owned pore spaces underlying lands designated as state parks.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 627 (originating in the Committee on Economic Development)—A Bill to amend and reenact §20-1-22 of the Code of West Virginia, 1931, as amended, relating to removing the prohibition against leasing state-owned pore spaces underlying lands designated as state parks; and prohibiting any disturbance of the surface of state park property.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Glenn D. Jeffries,
Chair.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senator Clements:

Senate Bill 696—A Bill to amend and reenact §17C-6-1 and §17C-6-7a of the Code of West Virginia, 1931, as amended; and to amend said code by adding a new section, designated §17C-6-7b,

relating to establishing a program for camera-assisted speed enforcement in active work zones on public highways in this state; authorizing the Commissioner of the Division of Highways to set speed limits in work zones on public highways; establishing use of work zone speed control systems as an exception to the prohibition against photo monitoring devices for traffic law enforcement; establishing duty of vehicle operators to ensure lawful operation of their vehicles on public highways; defining terms; authorizing the use of work zone speed control systems to assist certified law-enforcement officers with enforcement of speed restrictions in active work zones; specifying lawful uses of equipment and setting conditions upon their operation; establishing specification and restrictions for machine functions; and correcting references to other sections.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 697—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-29-1, §11-29-2, §11-29-3, and §11-29-4, relating to creating the Caregiver Tax Credit Act; defining the terms used throughout the article; listing the guidelines for implementation; and providing an effective date of January 1, 2027.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senators Deeds, Fuller, and Woodrum:

Senate Bill 698—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §47-11D-5, relating to requiring exhibitors of motion pictures who operate six or more theaters in more than one location in this state to provide open captioning during at least two showings per week of each motion picture that is produced and offered with open captioning; and requiring, when requested, audio description be provided for any motion picture that is produced and offered with audio description.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 699—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §22-37-1, §22-37-2, §22-37-3, and §22-37-4, relating to protecting the environment and humans from geoengineering experiments; providing definitions; and listing penalties for violations.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 700—A Bill to repeal §11-8-6e of the Code of West Virginia, 1931, as amended, relating to the effects on regular levy rates when an appraisal results in a tax increase and public hearings.

Referred to the Committee on Finance.

By Senator Woodrum:

Senate Bill 701—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-8-5a, relating to classifying forestry equipment as Class I property; and recognizing forestry as a component of agriculture essential to this state's economy.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 702—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §49-2-120a, relating to payment rates for child care services; requiring the Bureau for Family Assistance to annually adjust the base rate for each type of care based upon the Consumer Price Index; requiring the Bureau for Family Assistance to study the implementation of performance-based contracting's outcome on quality; and requiring reporting.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senators Oliverio, Charnock, Garcia, and Woelfel:

Senate Bill 703—A Bill to amend and reenact §50-1-8, §50-1-9, §50-1-9am, and §51-2A-6 of the Code of West Virginia, 1931, as amended, relating generally to allowing the Supreme Court of Appeals discretion to create uniform pay scales for all levels of judicial support staff.

Referred to the Committee on Finance.

By Senator Willis:

Senate Bill 704—A Bill to amend and reenact §51-7-1 of the Code of West Virginia, 1931, as amended, relating to reports of circuit court proceedings; and authorizing circuit courts to appoint court reporters or use electronic means approved by the Supreme Court of Appeals.

Referred to the Committee on the Judiciary.

By Senator Willis:

Senate Bill 705—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §29A-3B-13, relating to allowing the Board of Education to promulgate rules for submission to the Legislature.

Referred to the Committee on the Judiciary.

By Senator Willis:

Senate Bill 706—A Bill to amend and reenact §18-2-5a of the Code of West Virginia, 1931, as amended, relating to bringing the West Virginia Department of Education under rule-making review of the Legislature.

Referred to the Committee on the Judiciary.

By Senator Helton:

Senate Bill 707—A Bill to amend and reenact §16-5K-6 of the Code of West Virginia, 1931, as amended, relating to professional services provided to the West Virginia Birth-to-Three program by

therapists and other professionals who are not employed by a state agency; and providing a 25 percent increase payment for those services.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Garcia:

Senate Bill 708—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §22A-1-10a, relating to providing state mine inspectors with a \$4,000 raise.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 709—A Bill to repeal §5F-2-8, §11B-1-8, §49-10-101, §49-10-102, and §49-10-103 of the Code of West Virginia, 1931, as amended, relating to repeal of provisions of code that exempt Department of Transportation, Tax Division, and Bureau for Social Services from Division of Personnel.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 710—A Bill to amend and reenact §30-4-3 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §30-4-8a, relating to the practice of dentistry; defining terms; setting forth the requirements for teledentistry licensure; setting forth the standard of care for teledentistry; setting forth the requirements to establish a provider-patient relationship for teledentistry; setting forth exceptions to the provider-patient relationship for teledentistry; setting forth prerequisites to services for teledentistry; setting forth required disclosures for teledentistry; setting forth informed consent for teledentistry; setting forth record-keeping requirements for teledentistry; setting forth patient privacy requirements for teledentistry; setting forth provider competency requirements for teledentistry; requiring rulemaking; setting forth disciplinary

proceedings for teledentistry; and setting forth disciplinary procedures teledentistry.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

Senators Phillips and Stuart offered the following resolution:

Senate Concurrent Resolution 16—Requesting the Division of Highways name bridge number 11660 (38.1177, -81.8426) locally known as Rock Creek bridge, carrying CR 119/93 Rock Creek Road over the Little Coal River in Boone County the "U. S. Army SPC Johnny Long Memorial Bridge".

Which, under the rules, lies over one day.

Senators Garcia, Clements, Oliverio, and Rose offered the following resolution:

Senate Concurrent Resolution 17—Requesting the Division of Highways name bridge number 11200, locally known as Basnettville Bridge, carrying County Route 17 over Paw Paw Creek in Marion County, the "U. S. Marine Corps PVT Arlie Haught Memorial Bridge".

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Resolution 20, Designating March 5, 2025, as West Virginia University Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Oliverio, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Com. Sub. for Senate Bill 154, Prohibiting sexual orientation instruction in public schools.

On third reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Eng. Com. Sub. for Senate Bill 284, Relating to county board of education member orientation and compensation.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Stuart, Takubo, Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: Rucker and Thorne—2.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 284) passed with its title.

Senator Martin moved that the bill take effect July 1, 2025.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 284) takes effect July 1, 2025.

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

Eng. Com. Sub. for Senate Bill 487, Removing ineligible voters from active voter rolls.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 487 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: Garcia—1.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 487) passed with its title.

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

Eng. Com. Sub. for Senate Bill 581, Relating to school attendance and student participation in 4-H activities.

On third reading, coming up in regular order, with the right having been granted on yesterday, Tuesday, March 4, 2025, for amendments to be received on third reading, was read a third time.

On motion of Senator Rucker, the following amendments to the bill were reported by the Clerk and considered simultaneously:

On page 2, section 4, line 21, by striking out the word "and";

On page 2, section 4, after line 21, by inserting a new paragraph (H), to read as follows:

(H) Up to five college visits; and;

And,

By re-lettering the remaining paragraph.

Following discussion,

The question being on the adoption of Senator Rucker's amendments to the bill, the same was put and prevailed.

The bill, as just amended, was again ordered to engrossment.

Engrossed Committee Substitute for Senate Bill 581 was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 581) passed.

On motion of Senator Rucker, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Senate Bill 581—A Bill to amend and reenact §18-8-4 of the Code of West Virginia, 1931, as amended, relating to expanding the definition of excused absence; including up to five college visits in the definition of excused absence; including a student participating in a 4-H or FFA-sponsored activity or program in the definition of excused absence; providing that the student be credited as present in the same manner as a student participating in an educational field trip; providing that the student not be counted as absent; requiring a 4-H or FFA agent to provide documentation of a student's participation upon request of the principal or the principal's designee; addressing makeup of missed schoolwork and the student's class grades; and addressing 4-H or FFA program participation during any period of time the student has been suspended, expelled, or assigned to an alternative school or program.

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

Eng. Com. Sub. for House Bill 2354, Banning certain products from food in West Virginia.

On third reading, coming up in regular order, was read a third time.

At the request of Senator Morris, unanimous consent was granted to offer an amendment to the bill on third reading.

Thereupon, on motion of Senator Morris, the following amendment to the bill was reported by the Clerk and adopted:

On page 3, section 2, line 52, by striking out "2027" and inserting in lieu thereof "2028".

Engrossed Committee Substitute for House Bill 2354, as just amended, was then put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for House Bill 2354 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—31.

The nays were: Tarr and Woodrum—2.

Absent: Stuart—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2354) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Taylor, Thorne, Weld, Willis, Woelfel, and Smith (Mr. President)—31.

The nays were: Tarr and Woodrum—2.

Absent: Stuart—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2354) takes effect from passage.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 299, Modifying WV regulations on pubertal modulation, hormonal therapy, and gender reassignment.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 483, Increasing civil penalties for failure to file required campaign finance reports.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 22, Applying penalties for nonpayment of royalties under terms of oil and natural gas leases.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 117, Exempting certain physicians from specified traffic laws when responding to emergencies.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 267, Extending time for renewal and restoration of commercial driver's licenses.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 503, Allowing sheriffs to appoint more than one chief deputy with consent of county commission.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 573, Relating to restrictions on use or sale of motor vehicles based on power source.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 611, Excluding workers of ski area operators from maximum hour requirements.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the eleventh order of business and the introduction of guests.

The Senate then proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were removed as co-sponsors of the following bills on March 4, 2025:

Senate Bill 627: Senator Willis;

And,

Senate Bill 675: Senator Woelfel.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolution on March 4, 2025:

Senate Bill 21: Senator Rose;

Senate Bill 142: Senator Morris;

Senate Bill 155: Senator Deeds;

Senate Bill 196: Senator Willis;

Senate Bill 199: Senator Deeds;

Senate Bill 295: Senator Hart;

Com. Sub. for Senate Bill 439: Senator Hart;

Senate Bill 503: Senator Rose;

Senate Bill 510: Senator Hart;

Senate Bill 536: Senator Helton;

Senate Bill 564: Senators Maynard and Helton;

Senate Bill 566: Senators Morris, Garcia, Deeds, and Willis;

Senate Bill 609: Senator Oliverio;

Senate Bill 610: Senator Hart;

Senate Bill 647: Senator Oliverio;

Senate Bill 662: Senator Woelfel;

Senate Bill 664: Senator Roberts;

Senate Bill 667: Senator Bartlett;

Senate Bill 669: Senator Woelfel;

Senate Bill 672: Senators Woelfel and Bartlett;

Senate Bill 674: Senator Bartlett;

Senate Bill 675: Senator Bartlett;

Senate Bill 676: Senator Rose;

Senate Bill 678: Senator Thorne;

Senate Bill 682: Senator Thorne;

Senate Bill 686: Senator Rucker;

Senate Bill 689: Senator Rucker;

Senate Bill 690: Senators Woelfel, Thorne, and Clements;

Senate Bill 691: Senator Woelfel;

Senate Bill 692: Senator Bartlett;

And,

Senate Resolution 20: Senator Jeffries.

Pending announcement of meetings of standing and select committees of the Senate,

On motion of Senator Martin, at 12:18 p.m., the Senate adjourned until tomorrow, Thursday, March 6, 2025, at 11 a.m.

THURSDAY, MARCH 6, 2025

The Senate met at 11:23 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Pastor Mike Harper, North Hills Baptist Church, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable T. Kevan Bartlett, a senator from the eighth district.

Pending the reading of the Journal of Wednesday, March 5, 2025,

At the request of Senator Helton, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2158—A Bill to amend and reenact §19-14-5 of the Code of West Virginia, 1931, as amended, all relating to removal of the sunset clauses for registration fees on

bulk and non-bulk pet food payable to the West Virginia spay and neuter program.

Referred to the Committee on Agriculture; and then to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2360—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-11-27, relating to the definition of law-enforcement officers; clarifying that term includes chief executives, law-enforcement officials, and pre-certified law-enforcement officers for certain criminal offenses; and creating criminal penalties.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2434—A Bill to amend and reenact §55-3C-1 of the Code of West Virginia, 1931, as amended, and adding thereto a new article, designated §55-3D-1, §55-3D-2, §55-3D-3, and §55-3D-4, all relating to squatting; amending the definition of squatting; establishing the Stop Squatters Act; providing a limited alternative remedy to remove unauthorized persons from residential and commercial real properties; providing for the immediate removal by a law-enforcement agency upon request of the property owner of any person unlawfully occupying a residential dwelling or commercial building if certain conditions are met; providing a civil cause of action for wrongful removal; establishing misdemeanor and felony offenses for unlawfully occupying and intentionally damaging a residential dwelling or commercial building and providing penalties upon conviction thereof; establishing a misdemeanor offense for knowingly presenting a false document purporting to convey real property and providing penalties upon conviction thereof; and establishing a

felony offense for any person who knowingly lists or advertises residential real property or a commercial building for sale or renting without legal title or authority and providing penalties upon conviction thereof.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2437—A Bill to amend and reenact §60A-4-401 of the Code of West Virginia, 1931, as amended, relating to fentanyl; clarifying certain requirements for the enhanced sentencing of crimes involving fentanyl; and creating criminal penalties.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2511—A Bill to amend and reenact §47-20-2 and §60-7-12 of the Code of West Virginia, 1931 as amended; relating to charitable bingo and alcohol sales and consumption while such bingo is taking place; adding an exemption for the consumption or sale of alcohol at bingo games at a Veterans Service Organization; defining terms; and explicitly including a Veterans Service Organization as an entity which may conduct charitable bingo games.

Referred to the Committee on the Judiciary.

The Senate proceeded to the fourth order of business.

Senator Hart, from the Committee on Agriculture, submitted the following report, which was received:

Your Committee on Agriculture has had under consideration

Senate Bill 10, Exempting certain meat processes from consumers sales and service tax.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 10 (originating in the Committee on Agriculture)—A Bill to amend and reenact §11-15-9 of the Code of West Virginia, 1931, as amended, relating to exempting the processing of beef, pork, or lamb by a slaughterhouse from the consumers sales and service tax.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Craig A. Hart,
Chair.

The bill (Com. Sub. for S. B. 10), under the original double committee reference, was then referred to the Committee on Finance.

Senator Hart, from the Committee on Agriculture, submitted the following report, which was received:

Your Committee on Agriculture has had under consideration

Senate Bill 241, Exempting high tunnels and greenhouses from personal property taxes.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 241 (originating in the Committee on Agriculture)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-1C-15, relating to exempting high tunnels and greenhouses, whether heated or unheated, which are used on a farm or farming operation, from property taxation; and providing an effective date.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Craig A. Hart,
Chair.

The bill (Com. Sub. for S. B. 241), under the original double committee reference, was then referred to the Committee on Finance.

Senator Hart, from the Committee on Agriculture, submitted the following report, which was received:

Your Committee on Agriculture has had under consideration

Senate Bill 242, Equipment Right to Repair Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 242 (originating in the Committee on Agriculture)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §19-40-1, §19-40-2, §19-40-3, §19-40-4, §19-40-5, §19-40-6, §19-40-7, §19-40-8, and §19-40-9, relating to creation of the Equipment Right to Repair Act; creating a short title; defining terms; establishing jurisdiction of the Commissioner of Agriculture; establishing requirements; establishing limitations; providing for rulemaking; establishing violations; imposing civil penalties; authorizing civil actions, penalties, and injunctive relief; and providing for applicability and effective date of article.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Craig A. Hart,
Chair.

The bill (Com. Sub. for S. B. 242), under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 257, Providing protection for property owner when someone visiting private cemetery causes damage to property.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Azinger, from the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration

Senate Bill 501, Relating to loan form.

And,

Senate Bill 561, Relating to Uniform Special Deposits Act.

And reports the same back with the recommendation that they each do pass.

Respectfully submitted,

Michael T. Azinger,
Chair.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 521, Requiring party affiliations be listed for all candidates.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 521 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §3-1-16, §3-1-17, §3-4A-11a, §3-5-4, §3-5-6a, §3-5-6b, §3-5-6c, §3-5-6d, §3-5-6e, §3-5-7, §3-5-13, §3-5-13a, §3-10-3, §3-12-3, §3-12-6, §3-12-10, §3-12-11, §3-12-12, §3-12-14, §50-1-1, §50-1-6, §51-1-1, §51-2A-5, and §51-11-6 of the Code of West Virginia, 1931, as amended, relating to electoral reforms of the West Virginia judiciary; requiring the election of justices of the Supreme Court of Appeals, circuit court judges, family court judges, and magistrates to be in partisan primary and general elections; establishing ballot design and printing; requiring partisan ballots be used in judicial and magisterial elections; requiring separate nonpartisan ballots be used in county school board elections; defining "general election campaign period" and "primary election campaign period"; modifying judicial candidate entitlements under Public Campaign Financing Fund; and providing for the continuing applicability of the West Virginia Supreme Court of Appeals Public Campaign Financing Program.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Hart, from the Committee on Agriculture, submitted the following report, which was received:

Your Committee on Agriculture has had under consideration

Senate Bill 578, Relating to pet food packages.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Craig A. Hart,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 585, Relating to Craddock Student Athlete Safety Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 585 (originating in the Committee on the Judiciary)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-36-1, §18-36-2, §18-36-3, §18-36-4, §18-36-5, and §18-36-6, relating to school student athlete safety; establishing the Cohen Craddock Student Athlete Safety Act; providing legislative findings; defining terms; creating the Student Athlete Safety Advisory Committee; identifying composition of Student Athlete Safety Advisory Committee; providing duties of Student Athlete Safety Advisory Committee; requiring use of certain safety equipment during high school and middle school football practices; providing warranty and certification related to the usage of certain safety equipment; establishing the Cohen Craddock Memorial Grant Program and providing procedures; and creating the Cohen Craddock Memorial Grant Fund.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Mike Stuart,
Chair.

The bill (Com. Sub. for S. B. 585), under the original double committee reference, was then referred to the Committee on Finance.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senator Maynard:

Senate Bill 711—A Bill to amend and reenact §20-3-3a of the Code of West Virginia, 1931, as amended, relating to removing a prohibition against establishing additional trail systems within state parks and state forests.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Natural Resources.

By Senator Oliverio:

Senate Bill 712—A Bill to amend and reenact §5-10-2, §5-10-19, §5-10-27b, §5-10-48, §5-10C-4, §5-10D-6a, §7-14D-2, §7-14D-9b, §7-14D-24a, §8-22A-2, §8-22A-11, §8-22A-34, §15-2-45, §15-2A-2, §15-2A-6b, §16-5V-2, §16-5V-13, §16-5V-35, §18-7A-3, §18-7A-13a, §18-7A-28b, §18-7B-2, §18-7B-12a, §20-18-2, §20-18-14, §20-18-30, §51-9-1a, §51-9-10, and §51-9-12b of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §15-2A-6e, relating to retirement provisions of the West Virginia Public Employees Retirement System, the Deputy Sheriffs' Retirement System, the Municipal Police and Firefighters Retirement System, the West Virginia State Police Death, Disability, and Retirement System, the State Police Retirement System, the Emergency Medical Services

Retirement System, the Teachers Retirement System, the Teachers' Defined Contribution Retirement System, the Natural Resources Police Officers Retirement System, and the Judges' Retirement System; defining the terms "bona fide separation from service upon retirement", "participating public employer", and "retirant"; amending the definition of "required beginning date" to be consistent with federal law; clarifying notification by employer of retirant who returns to work by a participating public employer; adding the Emergency Medical Services Retirement System to the pick-up provisions of members' contributions by participating public employers; amending retired public safety officers provision to pay for qualified health insurance premiums from eligible retirement plans; and providing technical clean-up of provisions.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Charnock:

Senate Bill 713—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §21-5J-1, relating to creating the West Virginia Workplace Security Act; making certain acts unlawful; and prescribing means of enforcement and penalties for violations.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 714—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §31A-9-1, §31A-9-2, and §31A-9-3, relating to the creation of the Voluntary Portable Benefit Account Act; providing for a short title; creating definitions; and providing for enactment of the article for the creation of voluntary portable benefit accounts.

Referred to the Committee on Banking and Insurance.

By Senator Oliverio:

Senate Bill 715—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §5-10D-15, relating to personally identifiable information of a member, retirant, beneficiary, or alternate payee of a retirement system

administered by the Consolidated Public Retirement Board being confidential and exempt from disclosure.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Oliverio:

Senate Bill 716—A Bill to amend and reenact §8-22A-33a of the Code of West Virginia, 1931, as amended, relating to failure to pay the required contribution and interest payment for any police officer or firefighter who transferred from the Public Employees Retirement System to the Municipal Police Officers and Firefighters Retirement System.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Helton:

Senate Bill 717—A Bill to amend the Code of West Virginia, 1931, as amended, by adding five new sections, designated §33-15-24, §33-16-20, §33-24-46, §33-25-23, and §33-25A-37, relating to surprise billing of out-of-network ambulance services; clarifying what is considered full payment to an ambulance service, what the rate of payment is, and the most an ambulance service can be paid; prohibiting billing the insured for additional costs except for fees the insurer required the insured to pay; providing procedure for payment; providing exceptions when the insurer does not have to pay within 30 days; and requiring written notices for denied claims.

Referred to the Committee on Banking and Insurance; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 718—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-67-1, §16-67-2, §16-67-3, §16-67-4, §16-67-5, and §16-67-6, relating to hospital transparency; setting forth legislative findings; defining terms; setting forth duties of Insurance Commissioner; setting forth reports to be filed; setting forth the form of the reports to be filed;

requiring the submission of public payor information; and providing for penalties.

Referred to the Committee on Health and Human Resources.

By Senator Chapman:

Senate Bill 719—A Bill to amend and reenact §16-4-10, §16-30-3, §16-30C-6, §60-6-23, and §60A-5-504 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §16-30-26, relating to the age at which a minor can consent to certain medical decisions and services; changing the age a minor can consent to sexually transmitted disease care with parental notice; removing the definition of "mature minor" from the code; adding when a minor can consent to general health services for himself or herself with parental notice; detailing when parental notice is not required; removing the ability of a mature minor to consent to a do-not-resuscitate order by himself or herself; changing the age a minor can consent to alcohol addiction care with parental notice; and changing the age a minor can consent to controlled substance addiction care with parental notice.

Referred to the Committee on Health and Human Resources.

By Senators Clements and Rose:

Senate Bill 720—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §22C-9-7b, relating to requiring a declaration of pooled unit to be filed with the clerk of county commissions in which all wells in a unit are to be drilled; requiring information in the declarations; requiring declaration of pooled unit when unit boundary penetrated by wellbore and information necessary for same; requiring amended declaration of pooled unit in certain circumstances; requiring operator provide certain information regarding acreage upon request; and establishing process for lessor or royalty owner to cure non-compliance with section, including bringing civil action.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Hamilton:

Senate Bill 721—A Bill to amend and reenact §20-2-5j and §61-10-34 of the Code of West Virginia, 1931, as amended, relating to authorizing the use of unmanned aerial vehicles and dogs while hunting and describing their administration; adding to the definition of "critical infrastructure" certain licensed or commercial livestock and poultry facilities to protect them from unauthorized unmanned aerial vehicle surveillance or attack; and providing criminal penalties for damage to critical infrastructure or farm lands with fences, livestock, or agriculture land or crops, whether operated as a for-profit business or not-for-profit farming.

Referred to the Committee on Natural Resources; and then to the Committee on the Judiciary.

By Senators Jeffries, Phillips, Bartlett, Clements, Deeds, Grady, Helton, Morris, Queen, Rose, Taylor, Thorne, Weld, and Woodrum:

Senate Bill 722—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, §11-13NN-6, and §11-13NN-7, relating to creating the West Virginia Short Line Railroad Modernization Act; definitions; tax credit allowed and credit limitations; and review and accountability.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 16, US Army SPC Johnny Long Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 17, US Marine Corps PVT Arlie Haught Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Com. Sub. for Senate Bill 154, Prohibiting sexual orientation instruction in public schools.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Committee Substitute for Senate Bill 154 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: Garcia—1.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 154) passed with its title.

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

Eng. Com. Sub. for Senate Bill 299, Modifying WV regulations on pubertal modulation, hormonal therapy, and gender reassignment.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending extended discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 299 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woodrum, and Smith (Mr. President)—32.

The nays were: Garcia and Woelfel—2.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 299) passed.

On motion of Senator Chapman, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Senate Bill 299—A Bill to amend and reenact §30-1-26, §30-3-20, and §30-14-17 of the Code of West Virginia, 1931, as amended; and to amend the code by adding two new sections, designated §30-3E-20 and §30-7-15f, relating to prohibiting certain medical practices; requiring proposed legislative rule regarding telehealth practice by a telehealth practitioner to include a prohibition on prescribing or dispensing gender altering medication; defining terms; removing an exemption to prohibited practices; providing for an effective date; providing that violations of certain prohibited practices require revocation of professional license of allopathic physicians, osteopathic, physician assistants, and advanced practice registered nurses; providing for various forms of relief for violations of this article; providing for an exemption from the requirement for a certificate of merit; providing for the Attorney General to bring an enforcement action; permitting intervention in proceedings; applying the prohibited practices to allopathic physicians,

osteopathic, physician assistants, and advanced practice registered nurses; and providing effective dates.

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

At the request of Senator Oliverio, unanimous consent being granted, Senator Oliverio addressed the Senate regarding a statement made by Senator Garcia during the discussion of Engrossed Committee Substitute for Senate Bill 299.

Eng. Senate Bill 483, Increasing civil penalties for failure to file required campaign finance reports.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 483) passed with its title.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 22, Applying penalties for nonpayment of royalties under terms of oil and natural gas leases.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 117, Exempting certain physicians from specified traffic laws when responding to emergencies.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 267, Extending time for renewal and restoration of commercial driver's licenses.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 503, Allowing sheriffs to appoint more than one chief deputy with consent of county commission.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 552, Relating to Certified Business Expansion Development Program.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Phillips, the following amendments to the bill were reported by the Clerk and considered simultaneously:

On page 4, section 21, after line 81, by inserting a new subsection (f), to read as follows:

(f) Regulated electric utility customers shall not bear any construction, operational, or capacity-related costs associated with non-utility owned and operated electricity generation co-located with a high impact business development district. Any costs of this nature are to be borne by the customers situated within the high impact business development district that is to be co-located with onsite electricity generation.;

And,

By re-lettering the remaining subsection.

Following discussion,

The question being on the adoption of the amendments offered by Senator Phillips to the bill, the same was put and prevailed.

The bill (Com. Sub. for S. B. 552), as amended, was then ordered to engrossment and third reading.

On motion of Senator Martin, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

Engrossed Committee Substitute for Senate Bill 552 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: Hart and Phillips—2.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 552) passed.

On motion of Senator Phillips, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Senate Bill 552—A Bill to amend and reenact §5B-2-21 of the Code of West Virginia, 1931, as amended, relating to the Certified Business Industrial Expansion Development Program administered by the Department of Economic Development; renaming business expansion development program administered by the department; renaming high impact business development districts certified by the department; providing that any plant or facility may participate in the business expansion development program; removing requirement that high impact business development districts be located on certain lands; eliminating requirement that electrical service to business development districts be generated from renewable sources; and providing that regulated electric utility customers shall not bear any costs incurred by utility located in a high impact business development district.

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

Com. Sub. for Senate Bill 573, Relating to restrictions on use or sale of motor vehicles based on power source.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 611, Excluding workers of ski area operators from maximum hour requirements.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 121, Updating language and increasing penalties for indecent exposure.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 155, Establishing Summer Feeding for All Program.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 196, Increasing penalties for drug possession and updating list of offenses.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 199, Relating to elementary behavior intervention and safety.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 325, Department of Health rule relating to general provisions of Medical Cannabis Program.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 458, Universal Professional and Occupational Licensing Act of 2025.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 485, Exempting West Virginia Secretary of State from competitive bidding process.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 492, Removing outdated provisions governing political committees.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 522, Clarifying procedure for administrative dissolution of limited liability companies by Secretary of State.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 525, Clarifying procedure for administrative dissolution of nonprofit corporations by Secretary of State.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 565, Relating generally to practice of optometry.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 612, Making rules and regulations of PSC subject to legislative rule-making review procedures.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 627, Removing prohibition against leasing state-owned pore spaces underlying lands designated as state parks.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senators Phillips, Jeffries, Hart, and Tarr.

The Senate then proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills on March 5, 2025:

Senate Bill 43: Senators Roberts and Deeds;

Senate Bill 255: Senator Deeds;

Senate Bill 449: Senator Rose;

Senate Bill 521: Senator Taylor;

Senate Bill 578: Senator Hamilton;

Senate Bill 612: Senator Taylor;

Senate Bill 699: Senators Thorne and Rucker;

Senate Bill 705: Senator Thorne;

Senate Bill 706: Senators Rose, Thorne, and Bartlett;

And,

Senate Bill 707: Senators Thorne and Rucker.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 12:36 p.m., the Senate adjourned until tomorrow, Friday, March 7, 2025, at 10 a.m.

FRIDAY, MARCH 7, 2025

The Senate met at 10:22 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Reverend Robert Fulton, Madison United Methodist Church, Madison, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Jack David Woodrum, a senator from the tenth district.

Pending the reading of the Journal of Thursday, March 6, 2025,

At the request of Senator Boley, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2117—A Bill to amend and reenact §3-3-5 of the Code of West Virginia, 1931, as amended, relating to absentee ballots; requiring applications for absentee ballots to be available at the office of the county clerk and online at the Secretary of State's official website; permitting first responders to vote by electronic absentee ballot in certain emergency circumstances; defining "qualified first responder" and providing examples; providing for submittal and acceptance of qualified first responder absentee voting applications; providing for transmittal of ballots to qualified first responders; providing for processing of received electronic absentee ballots cast by qualified first responders; prohibiting an election official from providing an unsolicited application for absentee voting to any voter; prohibiting

any person from providing more than 10 unsolicited applications for absentee voting to any voter; creating a misdemeanor penalty upon conviction for such prohibited activity; providing exceptions; and changing the date when mail in ballots are due.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for Com. Sub. for House Bill 2441—A Bill to amend and reenact §21A-6-3 of the Code of West Virginia, 1931, as amended, relating to unemployment compensation; employee eligibility; and providing that an employee who fails random testing for alcohol or illegal controlled substances where alcohol or drug use creates an inherent risk to the health and safety of the employee or others, or the employee is employed in a safety-sensitive position is disqualified for benefits.

Referred to the Committee on the Workforce.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2444—A Bill to amend and reenact §29-22B-1406 of the Code of West Virginia, 1931, as amended, relating to limiting financial records of limited video lottery permittees that are subject to examination by Lottery Commission.

Referred to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2653—A Bill to amend and reenact §4-12-1, §4-12-2, §4-12-3, §4-12-4, §4-12-5, and §4-12-6 of the Code of West Virginia, 1931, as amended, all relating to updating the West Virginia Law Institute.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2709—A Bill to amend and reenact §3-1-41 of the Code of West Virginia, 1931, as amended, relating to permitting a voter with a change of address to vote in his or her current precinct without having to cast a provisional ballot.

Referred to the Committee on Government Organization.

The Senate proceeded to the fourth order of business.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 20, Requiring funding for increased costs to volunteer fire departments and EMS units.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 20 (originating in the Committee on Government Organization)—A Bill to amend and reenact §8-15-8b, §16-4C-24, §33-3-33, and §33-12C-7 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §15A-11-11a, relating to fire departments and emergency medical service units; providing that any increased costs or expenditures to volunteer fire departments that result from the implementation of a state legislative rule shall be funded respectively by the State Fire Commission and the Commissioner of the Bureau for Public Health; creating Fire Service Recruitment and Retention Fund; establishing that the purpose of the fund is to provide grants for recruitment and retention purposes; requiring the State Fire Commission to create a grant program; establishing considerations for awarding grants; providing for rulemaking;

requiring State Fire Commission verify eligibility of volunteer fire departments with Legislative Auditor; raising policy surcharge to one percent; allocating disbursements to various funds; raising policy surcharge for surplus lines policies to five percent; and setting internal effective dates.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

The bill (Com. Sub. for S. B. 20), under the original double committee reference, was then referred to the Committee on Finance.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 264, Allowing death penalty for intentionally killing law-enforcement officer or first responder in line of duty.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 264 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §61-2-2 and §62-3-15 of the Code of West Virginia, 1931, as amended; to amend the code by adding eleven new sections, designated §61-2-2a, §61-2-2b, §61-2-2c, §61-2-2d, §61-2-2e, §61-2-2f, §61-2-2g, §62-7-4, §62-7-5, §62-7-6, and §62-7-6a; and to repeal §61-11-2, relating to permitting the imposition of a death penalty for first degree murder when the victim is a law-enforcement officer or first responder murdered in the performance of his or her official duties; providing for sentencing procedures relating to imposition of death penalty, setting forth aggravating and mitigating circumstances for the

imposition of capital punishment; describing contents of sentencing verdict and requiring it be recorded; providing automatic review of death penalty sentence by the Supreme Court of Appeals; providing for forensic DNA testing in death penalty cases; directing the West Virginia Division of Corrections and Rehabilitation to carry out death sentence; authorizing West Virginia Division of Corrections and Rehabilitation to promulgate rules and emergency rules; providing exception for death penalty sentence in murder cases; providing for the execution of death sentence; providing for delivery of sentence of death; providing for transmission of certain court records to warden of the state correctional facility; transferring of person sentenced to death to the state correctional facility; providing for presence of certain persons at execution; providing for record of execution; and providing for disposition of deceased defendant's body.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Mike Stuart,
Chair.

The bill (Com. Sub. for S. B. 264), under the original double committee reference, was then referred to the Committee on Finance.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 280, Displaying official US motto in public schools.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Amy N. Grady,
Chair.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 500, Transferring audits of volunteer fire departments to Legislative Auditor.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 500 (originating in the Committee on Government Organization)—A Bill to amend and reenact §8-15-7a of the Code of West Virginia, 1931, as amended, relating to transferring audit authority for volunteer fire companies to the Legislative Auditor.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 532, Making ad valorem taxes on property payable only to county in which property is located.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 532 (originating in the Committee on Finance)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-13mm-8a, relating to clarifying the county to which ad valorem taxes should be paid when the seat of a well is in a different county than the location of the property from which the well draws; and defining terms.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 606, Relating to notification of breast density.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 606 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16-5A-6, relating to the notification of breast density; and providing for medical guidelines and information given to patients and health care providers.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

At the request of Senator Stuart, as chair of the Committee on the Judiciary, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on Health and Human Resources.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 646, Extending non-traditional instruction days for WV teachers from five to 10.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 646 (originating in the Committee on Education)—A Bill to amend and reenact §18-5-45 of the Code of West Virginia, 1931, as amended, relating to increasing from five to 10 the number of days, commonly referred to as non-traditional instruction days, a county board can deliver instruction through alternative methods when schools are closed due to inclement weather or other unforeseen circumstances and those days be considered instructional days, subject to approval of its plan by the state board; and prohibiting out-of-calendar days from being used to offset the loss of separate instructional days.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill (Com. Sub. for S. B. 646), under the original double committee reference, was then referred to the Committee on Finance.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 649, Supplementing and amending appropriations to Department of Health, Office of Inspector General.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Jason Barrett,
Chair.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 650, Relating to full-time interventionists.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Amy N. Grady,
Chair.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 652, Expanding cardiac arrest provisions to be applicable to elementary schools.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 652 (originating in the Committee on Education)—A Bill to amend and reenact §18-5-22e of the Code of West Virginia, 1931, as amended, relating to expanding provisions pertaining to cardiac arrest to be applicable to elementary schools; requiring cardiac response plans to be venue specific and practiced annually; requiring schools to develop a cardiac emergency response plan that addresses the appropriate use of school personnel to respond to incidents involving an individual experiencing sudden cardiac arrest or similar life-threatening emergency while on school grounds outside of athletic events; and imposing certain cardiac arrest-related requirements on coaches and any other personnel supervising a youth sports league team that plays or practices on school grounds.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill (Com. Sub. for S. B. 652), under the original double committee reference, was then referred to the Committee on Finance.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 710, Relating to the practice of teledentistry.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 710 (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §30-4-3 of the Code of West Virginia, 1931, as amended; and to

amend the code by adding a new section, designated §30-4-8b, relating to the practice of dentistry; defining terms; setting forth the requirements for teledentistry licensure or registration; setting forth the standard of care for teledentistry; setting forth the requirements to establish a provider-patient relationship for teledentistry; setting forth exceptions to the provider-patient relationship for teledentistry; setting forth prerequisites to services for teledentistry; setting forth required disclosures for teledentistry; setting forth informed consent for teledentistry; setting forth record-keeping requirements for teledentistry; setting forth patient privacy requirements for teledentistry; setting forth provider competency requirements for teledentistry; requiring rulemaking; setting forth disciplinary proceedings for teledentistry; and setting forth disciplinary procedures teledentistry.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill (Com. Sub. for S. B. 710), under the original double committee reference, was then referred to the Committee on Finance.

The Senate proceeded to the fifth order of business.

Senator Helton, from the Select Committee on Substance Use Disorder and Mental Health, submitted the following report, which was received:

Your Select Committee on Substance Use Disorder and Mental Health has had under consideration

Senate Bill 109, Neighborhood Assistance and Rejuvenation Compact Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 109 (originating in the Select Committee on Substance Use Disorder and Mental Health)—A Bill to amend the Code of West Virginia, 1931, as amended by adding two new articles, designated §11-18-1, §11-18-2, §11-18-3, §11-18-4, §15-1L-1, §15-1L-2, §15-1L-3, §15-1L-4, §15-1L-5, §15-1L-6, §15-1L-7, §15-1L-8, and §15-1L-9, relating to creating a program to reward citizens for information on drug trafficking; providing findings and intent; defining terms; creating an excise tax on opioid antagonists, opioid antagonist kits, and test strips; creating a special revenue account; providing a short title; setting out a purpose; providing definitions; establishing a program for providing rewards for pertinent information; placing the program with the State Police; giving the Secretary of Homeland Security jurisdiction over the program; setting out privacy requirements; providing for exclusions; authorizing funding; requiring an application; exempting the reward from taxation and other legal processes; and providing for rulemaking.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Brian Helton,
Chair.

The bill (Com. Sub. for S. B. 109), under the original double committee reference, was then referred to the Committee on Finance.

Senator Helton, from the Select Committee on Substance Use Disorder and Mental Health, submitted the following report, which was received:

Your Select Committee on Substance Use Disorder and Mental Health has had under consideration

Senate Bill 204, Making opioid treatment programs unlawful.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 204 (originating in the Select Committee on Substance Use Disorder and Mental Health)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-5EE-1, §16-5EE-2, §16-5EE-3, §16-5EE-4, and §16-5EE-5, relating to opioid treatment programs; defining terms; requiring opioid treatment programs to have an integrated care model; allowing for an administrative time frame for referral; requiring the imposition of fees for noncompliance; permitting injunctive relief; and requiring rulemaking.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Health and Human Resources.

Respectfully submitted,

Brian Helton,
Chair.

The bill (Com. Sub. for S. B. 204), under the original double committee reference, was then referred to the Committee on Health and Human Resources.

Senator Helton, from the Select Committee on Substance Use Disorder and Mental Health, submitted the following report, which was received:

Your Select Committee on Substance Use Disorder and Mental Health has had under consideration

Senate Concurrent Resolution 14, Requesting Joint Committee on Government and Finance study substance use disorder in WV.

And reports the same back with the recommendation that it be adopted.

Respectfully submitted,

Brian Helton,

Chair.

At the request of Senator Helton, unanimous consent being granted, the resolution (S. C. R. 14) contained in the foregoing report from the Select Committee on Substance Use Disorder and Mental Health was then referred to the Committee on Rules.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills and joint resolution were introduced, read by their titles, and referred to the appropriate committees:

By Senator Helton:

Senate Bill 723—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-5-29b, relating to clinical inpatient medical treatment centers for substance use disorder; defining terms; setting forth requirements for clinical inpatient medical treatment centers for substance use disorder; setting forth reporting requirements; and providing for revocation of license for non-compliance.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on Finance.

By Senator Barrett:

Senate Bill 724—A Bill to amend and reenact §11-6B-3 and §11-6B-7 of the Code of West Virginia, 1931, as amended; and to repeal §11-8-6e, relating to taxation; providing for a phased-in increase in the homestead exemption; providing that change to exemption is contingent on passage of constitutional amendment; and repealing limitation on levy rates resulting in property tax increase.

Referred to the Committee on Finance.

By Senator Grady:

Senate Bill 725—A Bill to amend and reenact §11-8-26 of the Code of West Virginia, 1931, as amended, relating to clarifying the

limitations under which local fiscal bodies may obligate funds beyond a period of one year.

Referred to the Committee on Finance.

By Senator Helton:

Senate Bill 726—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §16B-13-14 and §16B-13-15, relating to office-based, medication-assisted treatment programs and opioid treatment programs; requiring these facilities to provide basic medical services by October 1, 2025; requiring these facilities to offer comprehensive medical services by April 1, 2026; and requiring auditing of dosage levels for patients on a tapering protocol.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on Finance.

By Senator Stuart:

Senate Bill 727—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-5-34, relating to child welfare study; directing study of child welfare system be conducted by independent third party; identifying scope of study; requiring presentation of written report and findings by certain date; requiring confidentiality agreement of the independent third party; and requiring Department of Human Services to pay for study.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Barrett:

Senate Joint Resolution 14—Proposing an amendment to the Constitution of the State of West Virginia, amending section one-b, article X thereof, relating to phased-in homestead exemption increases; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 22, Applying penalties for nonpayment of royalties under terms of oil and natural gas leases.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 22) passed with its title.

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

Eng. Com. Sub. for Senate Bill 117, Exempting certain physicians from specified traffic laws when responding to emergencies.

On third reading, coming up in regular order, was read a third time.

Senator Takubo requested unanimous consent to offer an amendment to the bill on third reading.

Which consent was not granted, Senator Rose objecting.

Senator Takubo then moved to amend the bill on third reading.

The question being on the adoption of Senator Takubo's aforestated motion, the same was put.

The result of the voice vote being inconclusive, Senator Weld demanded a division of the vote.

A standing vote being taken, there were 19 "yeas" and 15 "nays".

Whereupon, less than two thirds of the members present and voting having voted in the affirmative, the President declared Senator Takubo's aforestated motion had not prevailed.

Engrossed Committee Substitute for Senate Bill 117 was then put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 117 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 117) passed with its title.

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

Eng. Com. Sub. for Senate Bill 267, Extending time for renewal and restoration of commercial driver's licenses.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 267) passed with its title.

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

Eng. Com. Sub. for Senate Bill 503, Allowing sheriffs to appoint more than one chief deputy with consent of county commission.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 503) passed with its title.

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

Eng. Com. Sub. for Senate Bill 573, Relating to restrictions on use or sale of motor vehicles based on power source.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 573) passed with its title.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 121, Updating language and increasing penalties for indecent exposure.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 155, Establishing Summer Feeding for All Program.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 196, Increasing penalties for drug possession and updating list of offenses.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 199, Relating to elementary behavior intervention and safety.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Grady, the following amendments to the bill were reported by the Clerk and considered simultaneously:

On page 2, section 1, lines 22 and 23, by striking out the words "or school psychologist" and inserting in lieu thereof the words "school psychologist, or behavior interventionist";

On page 4, section 1, lines 62 through 64, by striking out all of subsection (d) and inserting in lieu thereof a new subsection (d), to read as follows:

(d) Notwithstanding anything in this section to the contrary, nothing herein may be construed to conflict with or be applied to conflict with the provisions of the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.* or Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794.;

On page 6, section 1, lines 121 and 122, by striking out the words "or school psychologist" and inserting in lieu thereof the words "school psychologist, or behavior interventionist";

On page 6, section 1, line 123, by striking out the words "or school psychologist" and inserting in lieu thereof the words "school psychologist, or behavior interventionist";

On page 6, section 1, line 128, by striking out the words "or school psychologist" and inserting in lieu thereof the words "school psychologist, or behavior interventionist";

And,

On page 9, section 1, lines 206 and 207, by striking out the words "or school psychologists" and inserting in lieu thereof the words "school psychologists, or behavioral interventionists".

Following discussion,

The question being on the adoption of Senator Grady's amendments to the bill, the same was put and prevailed.

The bill (Com. Sub. for S. B. 199), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 325, Department of Health rule relating to general provisions of Medical Cannabis Program.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 458, Universal Professional and Occupational Licensing Act of 2025.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 485, Exempting West Virginia Secretary of State from competitive bidding process.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 492, Removing outdated provisions governing political committees.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 522, Clarifying procedure for administrative dissolution of limited liability companies by Secretary of State.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 525, Clarifying procedure for administrative dissolution of nonprofit corporations by Secretary of State.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 565, Relating generally to practice of optometry.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Takubo, the following amendment to the bill was reported by the Clerk:

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

ARTICLE 8. OPTOMETRISTS.

§30-8-9. Scope of practice.

(a) A licensee may:

(1) Examine, diagnose and treat diseases and conditions of the human eye and its appendage within the scope established in this article or associated rules;

(2) Administer or prescribe any drug for topical application to the anterior segment of the human eye for use in the examination,

diagnosis or treatment of diseases and conditions of the human eye and its appendages: *Provided*, That the licensee has first obtained a certificate;

(3)(A) Administer or prescribe any drug from the drug formulary, as established by the board pursuant to section six of this article, for use in the examination, diagnosis or treatment of diseases and conditions of the human eye and its appendages: *Provided*, That the licensee has first obtained a certificate;

(B) New drugs and new drug indications may be added to the drug formulary by approval of the board;

(4) Administer epinephrine by injection to treat emergency cases of anaphylaxis or anaphylactic shock;

(5) Prescribe and dispense contact lenses that contain and deliver pharmaceutical agents and that have been approved by the Food and Drug Administration as a drug;

(6) Prescribe, fit, apply, replace, duplicate or alter lenses, prisms, contact lenses, orthoptics, vision training, vision rehabilitation;

(7) Perform the following procedures:

(A) Remove a foreign body from the ocular surface and adnexa utilizing a nonintrusive method;

(B) Remove a foreign body, external eye, conjunctival, superficial, using topical anesthesia;

(C) Remove embedded foreign bodies or concretions from conjunctiva, using topical anesthesia, not involving sclera;

(D) Remove corneal foreign body not through to the second layer of the cornea using topical anesthesia;

(E) Epilation of lashes by forceps;

(F) Closure of punctum by plug; and

(G) Dilation of the lacrimal puncta with or without irrigation;

(8) Furnish or provide any prosthetic device to correct or relieve any defects or abnormal conditions of the human eye and its appendages;

(9) Order laboratory tests rational to the examination, diagnosis, and treatment of a disease or condition of the human eye and its appendages;

(10) Use a diagnostic laser; and

(11) A licensee is also permitted to perform those procedures authorized by the board prior to January 1, 2010.

(b) A licensee may not:

(1) Perform surgery except as provided in this article or by legislative rule;

(2) Use a therapeutic laser;

(3) Use Schedule II controlled substances. However, an oral pharmaceutical certified licensee may prescribe hydrocodone and hydrocodone containing drugs for a duration of no more than three days;

(4) Treat systemic disease; or

(5) Present to the public that he or she is a specialist in surgery of the eye.

(c) Any party including but not limited to the Board of Optometry shall submit a request to expand the scope of optometrists to include the delivery of specific therapeutic laser services to the Joint Standing Committee on Government Organization pursuant to §30-1A-1 *et seq.*

Following discussion,

The question being on the adoption of Senator Takubo's amendment to the bill (Com. Sub. for S. B. 565), and on this question, Senator Weld demanded the yeas and nays.

The roll being taken, the yeas were: Barrett, Bartlett, Boley, Charnock, Deeds, Fuller, Jeffries, Oliverio, Phillips, Queen, Stuart, Takubo, Tarr, Weld, and Woodrum—15.

The nays were: Azinger, Chapman, Clements, Garcia, Grady, Hamilton, Hart, Helton, Martin, Maynard, Morris, Roberts, Rose, Rucker, Taylor, Thorne, Willis, Woelfel, and Smith (Mr. President)—19.

Absent: None.

So, a majority of those present and voting not having voted in the affirmative, the President declared Senator Takubo's amendment to the bill rejected.

On motion of Senator Takubo, the following amendments to the bill (Com. Sub. for S. B. 565) were next reported by the Clerk and considered simultaneously:

On page 9, section 4, line 3, after the words "completion of" by striking out the word "the";

And,

On page 9, section 4, line 3, after the word "training" by inserting the words "including but not limited to a training requirement that at least 10 of each new procedure must be supervised for a total of 50 collective cases for each individual person proposing certification shall be proctored by an optometrist or ophthalmologist that already meets the above criteria and submitted to the board for review and any additional requirements as".

Following extended discussion,

The question being on the adoption of Senator Takubo's amendments to the bill, and on this question, Senator Weld demanded the yeas and nays.

The roll being taken, the yeas were: Barrett, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Grady, Jeffries, Morris, Oliverio, Phillips, Queen, Stuart, Takubo, Tarr, Weld, Woelfel, and Woodrum—19.

The nays were: Azinger, Chapman, Garcia, Hamilton, Hart, Helton, Martin, Maynard, Roberts, Rose, Rucker, Taylor, Thorne, Willis, and Smith (Mr. President)—15.

Absent: None.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Takubo's amendments to the bill adopted.

On motion of Senator Takubo, the following amendment to the bill (Com. Sub. for S. B. 565) was next reported by the Clerk:

On page 11, section 6, after line 13, by adding a new subsection, designated subsection (f), to read as follows:

(f) The certificate holder shall obtain an informed consent from the patient indicating that the patient has been informed that the certificate holder has not completed at least 10 of each new procedure for a total of 50 collective cases of the new procedures outlined in §30-8B-6 of this code.

At the request of Senator Takubo, and by unanimous consent, Senator Takubo's foregoing amendment to the bill was withdrawn.

The bill (Com. Sub. for S. B. 565), as amended, was then ordered to engrossment and third reading.

Senate Bill 611, Excluding workers of ski area operators from maximum hour requirements.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was referred to the Committee on Rules.

Senate Bill 612, Making rules and regulations of PSC subject to legislative rule-making review procedures.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 627, Removing prohibition against leasing state-owned pore spaces underlying lands designated as state parks.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

The Senate proceeded to the tenth order of business.

Senate Bill 257, Providing protection for property owner when someone visiting private cemetery causes damage to property.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 501, Relating to loan form.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 521, Requiring party affiliations be listed for all candidates.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 561, Relating to Uniform Special Deposits Act.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the eleventh order of business and the introduction of guests.

The Senate then proceeded to the twelfth order of business.

Remarks were made by Senator Helton.

The Senate next proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were removed as co-sponsors of the following bills on March 6, 2025:

Senate Bill 474: Senator Woelfel;

And,

Senate Bill 720: Senator Rose.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolution on March 6, 2025:

Senate Bill 20: Senators Rucker and Deeds;

Senate Bill 43: Senator Woodrum;

Senate Bill 264: Senator Deeds;

Senate Bill 280: Senators Hart, Bartlett, Deeds, and Martin;

Senate Bill 500: Senator Deeds;

Senate Bill 526: Senator Rose;

Com. Sub. for Senate Bill 585: Senator Deeds;

Senate Bill 652: Senator Deeds;

Senate Bill 699: Senator Rose;

Senate Bill 719: Senator Rose;

Senate Bill 721: Senator Thorne;

And,

Senate Joint Resolution 2: Senator Helton.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 11:52 a.m., the Senate adjourned until Monday, March 10, 2025, at 11 a.m.

MONDAY, MARCH 10, 2025

The Senate met at 11:02 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Honorable Vince S. Deeds, a senator from the tenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Anne B. Charnock, a senator from the seventeenth district.

At the request of Senator Azinger, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Senate Bill 490, Prohibiting ranked-choice voting in elections in West Virginia.

The Senate proceeded to the fourth order of business.

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

Senate Bill 658, Prohibiting certain persons from receiving compensation for advising or assisting with veterans' benefits.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 658 (originating in the Committee on Military)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §9A-7-1, §9A-7-2, §9A-7-3, §9A-7-4, and §9A-7-5, relating to creation of the Veterans' Empowerment and Trust Safeguard Act; defining terms; prohibiting a person from receiving compensation for assisting another in obtaining veterans' benefits, except as permitted by federal law; prohibiting a person from receiving compensation for referring an individual to another person to assist with obtaining veterans' benefits; prohibiting a person from receiving compensation for services rendered prior to action by the Department of Veterans Affairs; prohibiting a person from guaranteeing an individual is certain to receive specific veterans' benefits; prohibiting a person from receiving excessive or unreasonable fees for assisting another in obtaining veterans' benefits; prohibiting a person from receiving compensation for assisting another in obtaining veterans' benefits without a written fee agreement, to be filed with the Department of Veterans Affairs; prohibiting the provision of medical evidence or expert witness testimony in connection with a veterans' benefits matter where fees are not pre-determined; establishing violations of the West Virginia Consumer Credit and Protection Act; and providing for exceptions.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Ryan W. Weld,
Chair.

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

Eng. Com. Sub. for House Bill 2053, Relating to including the United States Space Force in the definition armed forces.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Ryan W. Weld,
Chair.

At the request of Senator Barrett, as chair of the Committee on Finance, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on Military.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senator Weld:

Senate Bill 728—A Bill to amend and reenact §36-12-9 of the Code of West Virginia, 1931, as amended, relating to the Uniform Real Property Transfer on Death Act; and setting forth the requisite capacity requirements for a transfer on death deed.

Referred to the Committee on the Judiciary.

By Senator Azinger:

Senate Bill 729—A Bill to amend and reenact §46A-4-107 of the Code of West Virginia, 1931, as amended, relating to regulated consumer lenders; setting a new maximum annual interest rate for regulated consumer lenders to charge on loans up to \$35,000; and removing a cap on nonrevolving loans when determining a finance charge.

Referred to the Committee on Banking and Insurance; and then to the Committee on Finance.

By Senators Tarr and Woodrum:

Senate Bill 730—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §19-1D-1, §19-1D-2, §19-1D-3, and §19-1D-4, relating to the establishment of a Forest Carbon Registry under the administration of the West Virginia Division of Forestry; providing for the registration of carbon offset agreements and projects affecting West Virginia forestlands; requiring the inclusion of geographic information system shapefiles for encumbered properties; assigning responsibility to purchasers and certain landowners to record such agreements or projects; establishing a deadline for recording; and imposing civil penalties for noncompliance.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 121, Updating language and increasing penalties for indecent exposure.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 121) passed with its title.

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

Eng. Com. Sub. for Senate Bill 155, Establishing Summer Feeding for All Program.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 155 pass?"

On the passage of the bill, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—30.

The nays were: Azinger, Martin, and Rose—3.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 155) passed with its title.

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

Eng. Com. Sub. for Senate Bill 199, Relating to elementary behavior intervention and safety.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo,

Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 199) passed.

On motion of Senator Grady, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Senate Bill 199—A Bill to amend and reenact §18A-5-1 of the Code of West Virginia, 1931, as amended, relating to addressing student behavior issues; modifying provisions pertaining to student disorderly conduct, interference with an orderly educational process, obstruction of the teaching or learning process of others, threat, abuse, intimidation, attempted intimidation, willful disobedience of a school employee, or abusive or profane language directed at a school employee; adding partnering with a licensed behavioral health agency as any option for county boards to use to correct student behaviors; requiring students in alternative learning centers, in alternative placements, or with a licensed behavioral health agency to meet regularly with a school social worker to address certain behavioral and mental health concerns and to assist in developing a transition plan back to the classroom and with that transition; clarifying that nothing herein may be construed to conflict with or be applied to conflict with certain federal laws; requiring that county board discipline action policies provide that school social workers provide the training of school personnel in alternatives to discipline practices; defining terms; specifying protocol for when a grade kindergarten through six teacher in an elementary setting determines that the behavior of the student is violent, threatening, or intimidating toward staff or peers, or creates an unsafe learning environment or impedes on the other students' ability to learn in a safe environment; specifying protocol for when a county board does not have access to a behavioral intervention program; requiring State

Board of Education rule which adopts a statewide disciplinary policy; and allowing school counselors, school social workers, school psychologists, or behavior interventionists to provide behavioral support.

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

Eng. Com. Sub. for Senate Bill 325, Authorizing Department of Health to promulgate legislative rules.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 325) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Clements—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 325) takes effect from passage.

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

Eng. Com. Sub. for Senate Bill 458, Universal Professional and Occupational Licensing Act of 2025.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 458) passed with its title.

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

Eng. Com. Sub. for Senate Bill 485, Exempting West Virginia Secretary of State from competitive bidding process.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr,

Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: Stuart—1.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 485) passed with its title.

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

Eng. Senate Bill 492, Removing outdated provisions governing political committees.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 492) passed with its title.

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

Eng. Com. Sub. for Senate Bill 565, Relating generally to practice of optometry.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending extended discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 565 pass?"

On the passage of the bill, the yeas were: Azinger, Bartlett, Chapman, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Queen, Roberts, Rose, Rucker, Taylor, Thorne, Willis, Woelfel, and Smith (Mr. President)—22.

The nays were: Barrett, Boley, Charnock, Deeds, Oliverio, Phillips, Stuart, Takubo, Tarr, Weld, and Woodrum—11.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 565) passed with its title.

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

Eng. Senate Bill 612, Making rules and regulations of PSC subject to legislative rule-making review procedures.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Willis, Woelfel, Woodrum, and Smith (Mr. President)—30.

The nays were: Charnock, Queen, and Weld—3.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 612) passed with its title.

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

Eng. Com. Sub. for Senate Bill 627, Removing prohibition against leasing state-owned pore spaces underlying lands designated as state parks.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 627 pass?"

On the passage of the bill, the yeas were: Barrett, Bartlett, Boley, Charnock, Deeds, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—29.

The nays were: Azinger, Chapman, and Rucker—3.

Absent: Clements and Hart—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 627) passed with its title.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 196, Increasing penalties for drug possession and updating list of offenses.

On second reading, coming up in regular order, was read a second time.

On motions of Senators Helton and Oliverio, the following amendment to the bill was reported by the Clerk:

On page 14, section 416, after line 29, by inserting a new subsection (e), to read as follows:

(e) The revisions to subsections (a), (b), (c), and (d) of this section enacted during the 2025 regular legislative session shall be known as Lauren's Law.

Following discussion,

The question being on the adoption of the amendment offered by Senators Helton and Oliverio to the bill, the same was put and prevailed.

The bill (Com. Sub. for S. B. 196), as amended, was then ordered to engrossment and third reading.

Senate Bill 257, Providing protection for property owner when someone visiting private cemetery causes damage to property.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 501, Relating to loan form.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 521, Requiring party affiliations be listed for all candidates.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 522, Clarifying procedure for administrative dissolution of limited liability companies by Secretary of State.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 525, Clarifying procedure for administrative dissolution of nonprofit corporations by Secretary of State.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 561, Relating to Uniform Special Deposits Act.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

The Senate proceeded to the tenth order of business.

Senate Bill 280, Displaying official US motto in public schools.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 500, Transferring audits of volunteer fire departments to Legislative Auditor.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 532, Making ad valorem taxes on property payable only to county in which property is located.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 606, Relating to notification of breast density.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 649, Supplementing and amending appropriations to Department of Health, Office of Inspector General.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 650, Relating to full-time interventionists.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Grady.

Thereafter, at the request of Senator Oliverio, and by unanimous consent, the remarks by Senator Grady were ordered printed in the Appendix to the Journal.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, a leave of absence for the day was granted Senator Clements.

Under the provisions of Rule 15 of the Rules of the Senate, the following senator was removed as a co-sponsor of the following bill on March 7, 2025:

Senate Bill 295: Senator Hart.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolution on March 7, 2025:

Senate Bill 191: Senator Oliverio;

Senate Bill 246: Senator Woodrum;

Senate Bill 579: Senator Woodrum;

Senate Bill 602: Senator Woodrum;

Senate Bill 723: Senators Woelfel and Roberts;

Senate Bill 725: Senator Woelfel;

Senate Bill 726: Senator Roberts;

Senate Bill 727: Senators Woelfel and Bartlett;

And,

Senate Joint Resolution 14: Senator Rucker.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 12:08 p.m., the Senate adjourned until tomorrow, Tuesday, March 11, 2025, at 11 a.m.

TUESDAY, MARCH 11, 2025

The Senate met at 11:02 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Honorable T. Kevan Bartlett, a senator from the eighth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Rupie Phillips, a senator from the seventh district.

Pending the reading of the Journal of Monday, March 10, 2025,

At the request of Senator Hart, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 456, Defining "men" and "women".

On motion of Senator Martin, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 4, section 4, line 5, following the word "circumstances" by inserting the words ": *Provided, That nothing in this article may be construed as authorizing any person other than a treating health care provider to visually or physically examine a minor child for purposes of verifying the biological sex of the child without the consent of the child's parent, guardian, or custodian*";

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 456—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5-32-1, §5-32-2, §5-32-3, §5-32-4, §5-32-5, §5-32-6, §5-32-7, §5-32-8, and §5-32-9, relating to sex definitions and single-sex spaces; providing purposes and general application; providing findings; creating definitions; establishing a standard of review; clarifying that the article does not authorize certain examinations of minor children; providing for certain standards applicable to domestic violence shelters, public schools, institutions of higher education, and correctional institutions;

clarifying certain sex-based data collection; and providing for severability.

On motion of Senator Martin, the following amendments to the House of Delegates amendments to the bill (Eng. Com. Sub. for S. B. 456) were reported by the Clerk and considered simultaneously:

On page 4, section 4, line 5, after the word "article" by striking the remainder of the proviso and inserting in lieu thereof the words "shall be construed as authorizing an examination of a minor for purposes of determining the minor's biological sex. The biological sex of a minor is determined by reference to the minor's biological sex recorded at the minor's time of birth.";

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 456—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5-32-1, §5-32-2, §5-32-3, §5-32-4, §5-32-5, §5-32-6, §5-32-7, §5-32-8, and §5-32-9, relating to sex definitions and single-sex spaces; providing purposes and general application; providing findings; creating definitions; establishing a standard of review; clarifying that the article does not authorize certain examinations of minor children; providing that determination of the biological sex of a minor is determined at the minor's time of birth; providing for certain standards applicable to domestic violence shelters, public schools, institutions of higher education, and correctional institutions; clarifying certain sex-based data collection; and providing for severability.

Following discussion,

The question being on the adoption of Senator Martin's amendments to the House of Delegates amendments to the bill, the same was put and prevailed.

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Senate Bill 456, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: Garcia—1.

Absent: Queen—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 456) passed with its Senate amended title.

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

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2129—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §49-12-1, §49-12-2, §49-12-3, §49-12-4, and §49-12-5 all relating to the Parents' Bill of Rights; creating a short title; providing legislative findings; creating definitions; creating a standard of review; clarifying parental rights; creating a defense; providing for certain injunctive relief; providing applicability; and providing certain limitations.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2267—A Bill to amend and reenact §64-7-1 et seq. of the Code of West Virginia, 1931, as amended, relating to authorizing certain agencies of the Department of Revenue to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee and as amended by the Legislature; authorizing the Alcohol Beverage Control Administration to promulgate a legislative rule relating to private clubs; authorizing the Alcohol Beverage Control Administration to promulgate a legislative rule relating to the sale of wine and hard cider; authorizing the Alcohol Beverage Control Administration to promulgate a legislative rule relating to tobacco products in vending machines; authorizing the Alcohol Beverage Control Administration to promulgate a legislative rule relating to distilleries, mini-distilleries, and micro-distilleries; authorizing the Alcohol Beverage Control Administration to promulgate a legislative rule relating to retail enforcement of select plant-based derivatives and derivative products, including hemp and kratom; authorizing the Alcohol Beverage Control Administration to promulgate a legislative rule relating to nonintoxicating beer licensing and operations procedures; authorizing the Insurance Commissioner to promulgate a legislative rule relating to Medicare Supplement Insurance; authorizing the Lottery Commission to promulgate a legislative rule relating to sports wagering; authorizing the Tax Division to promulgate a legislative rule relating to payment of taxes by electronic funds transfer; authorizing the Tax Division to promulgate a legislative rule relating to alternative resolution of tax disputes; authorizing the Tax Division to promulgate a legislative rule relating to consumer sales and service and use tax for drugs, durable medical goods, mobility enhancing equipment and prosthetic devices per se exemption and motor vehicle per se exemption; and authorizing the Tax Division to promulgate a legislative rule relating to the exchange of information pursuant to written agreement.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2560—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-2P-1 §5B-2P-2, and §5B-2P-3, relating to establishing Infrastructure Ready Jurisdictions; establishing the requirement for this designation; establishing rulemaking for these Infrastructure Ready Jurisdictions for the Department of Economic Development; awarding an additional five percent preferential scoring for entities on projects within these jurisdictions on all permissible grants; and providing that this is not available within an uncertified municipality even if the surrounding county or counties are certified.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2678—A Bill to amend and reenact §17C-6-1 of the Code of West Virginia, 1931, as amended, relating to clarifying that school zones include private schools that have requested the Division of Highways to designate a school zone.

Referred to the Committee on Transportation and Infrastructure.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2710—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §29-19A-1, §29-19A-2, §29-19A-3, §29-19A-4, and §29-19A-5, relating to the Truth in Giving Act; providing a short title and purpose; defining terms; requiring certain information to be disclosed by thrift operators to donors and customers; specifying

manner of disclosure; authorizing the Secretary of State to investigate violations; establishing criminal and civil penalties; providing for deposit of recovered funds; and authorizing Secretary of State to promulgate legislative rules.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for Com. Sub. for House Bill 2871—A Bill to amend and reenact §14-2A-3 of the Code of West Virginia, 1931, as amended, related to updating definitions to "criminally injurious conduct"; also to amend and reenact §17B-1A-1 of the Code of West Virginia, 1931, as amended, relating to the driver's license compact and clarifying that any conviction for an offense in another jurisdiction for the crimes contained within §17C-5-1 shall be subject to revocation; also to amend and reenact §17B-3-5 of the Code of West Virginia, 1931, as amended, relating to update that a conviction of any offense contained within 17C-5-1 shall be subject to revocation; also to amend and reenact §17C-5-1 of the Code of West Virginia, 1931, as amended, relating to adding an embryo as a protected person and subject to the protections of this section, establishing the crimes of vehicular homicide, aggravated vehicular homicide, vehicular homicide in a school zone, vehicular homicide in a construction zone, and establishing fines and penalties related thereto, and establishing the nexus between a conviction of any of these offenses and the revocation of a person's driver's license; also to amend and reenact §17C-5-3 of the Code of West Virginia, 1931, as amended, relating to reckless driving and updating and enhancing the fines and penalties relating thereto; also to amend and reenact §17C-14-15 of the Code of West Virginia, 1931, as amended, relating to amending the electronically distracted driving act to clarify that a person convicted of causing the death of another due to a violation shall now be guilty of vehicular homicide; also to amend and reenact §17E-1-13 of the Code of West Virginia, 1931, as amended, relating to updating the commercial drivers license process to clarify that a conviction of

an offense in 17C-5-1 shall disqualify a person from a commercial driver's license; also to amend and reenact §20-7-18a of the Code of West Virginia, 1931, as amended, relating to establishing the crimes of homicide by operation of motorized watercraft, aggravated homicide by operation of motorized watercraft, establishing fines and criminal penalties, and suspension of privileges to operate a motorboat or other motorized vessel upon conviction; also to amend and reenact §33-6A-1 of the Code of West Virginia, 1931, as amended, relating to cancellation and nonrenewal of automobile insurance premiums and updating to reflect the newly established crimes contained in §17C-5-1 of this code; also to amend and reenact §33-6A-1 of the Code of West Virginia, 1931, as amended, relating to clarifying that a conviction for a crime in the newly created §17C-5-1 of this code shall constitute a basis for failure renew an outstanding automobile liability or physical damage insurance policy which has been in existence for two consecutive years; also to amend and reenact §49-1-207 of the Code of West Virginia, 1931, as amended, relating to updating that definitions in court actions involving juveniles to clarify that newly created criminal provisions contained in §17C-5-1 are defined as a "Violation of a traffic law of West Virginia"; also to amend and reenact §61-2-30 of the Code of West Virginia, 1931, as amended, relating to recognition of an embryo or fetus as a distinct unborn victim of certain crimes of violence against the person and clarifying that this section shall now apply to the criminal offenses contained in §17C-5-1 of this code.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2942—A Bill to amend and reenact §22-34-5 of the Code of West Virginia, 1931, as amended, related to the administration of the West Virginia Department of Environmental Protection Design-Build Pilot Program, extending and revising the sunset provision to December 31, 2027.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2943—A Bill to amend and reenact §22-18-22 of the Code of West Virginia, 1931, as amended, related to extending the sunset date of the hazardous waste management fee for five years to allow the agency to generate the required revenue to cover the state match for federal grant funds.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

The Senate proceeded to the fourth order of business.

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Senate Bill 1, Requiring PSC to be clearinghouse for state road paving projects.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 1 (originating in the Committee on Transportation and Infrastructure)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §17-4-8a, relating to road paving and utility work coordination; defining terms; requiring reports by utilities; requiring report review by the Division of Highways and posting of information on its website; and requiring restoration work by utilities.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Government Organization.

Respectfully submitted,

Mark R. Maynard,
Chair.

The bill (Com. Sub. for S. B. 1), under the original double committee reference, was then referred to the Committee on Government Organization.

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Senate Bill 67, Allowing motor vehicle racing on county or municipal roads under certain circumstances.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 67 (originating in the Committee on Transportation and Infrastructure)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §17-2-3; and to repeal §7-1-3qq, relating to racing events; authorizing Department of Transportation to permit motor vehicle racing events and impose permit fee; defining terms; imposing permit issuance requirements; making certain laws inapplicable to racing events; and providing for liability and indemnification.

And,

Senate Bill 464, Creating license plate for recipients of Medal of Valor and their immediate family members.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 464 (originating in the Committee on Transportation and Infrastructure)—A Bill to amend and reenact §17A-3-14g of the Code of West Virginia, 1931, as amended, relating to the issuance of special plates to recipients of the distinguished Medal of Valor; providing for plate design by Division of Motor Vehicles; specifying fees; and providing application and qualification requirements.

With the recommendation that the two committee substitutes do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Mark R. Maynard,
Chair.

The bills (Com. Sub. for S. B. 67 and 464), under the original double committee references, were then referred to the Committee on Finance.

Senator Roberts, from the Committee on the Workforce, submitted the following report, which was received:

Your Committee on the Workforce has had under consideration

Senate Bill 263, Relating to use of criminal records as disqualification from authorization to practice particular profession.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 263 (originating in the Committee on the Workforce)—A Bill to amend and reenact §21-1-6, §21-5-5c, §21-14-6, §21-16-7, §29-3B-4, §29-3C-4, and §29-3D-6 of the Code of West Virginia, 1931, as amended, relating generally to the use of criminal records as disqualification from initial licensure or other authorization to practice certain professions or occupations regulated by the Division of Labor or the State Fire Marshal; prohibiting licensing authorities from disqualifying an applicant

from initial licensure because of a prior criminal conviction that remains unreversed unless that conviction is for a crime that directly and specifically relates to the activity requiring licensure such that granting the applicant licensure would pose a direct and substantial risk to the public because the applicant has not been rehabilitated; providing factors for a licensing authority to determine whether a criminal conviction directly and specifically relates to a profession or occupation; providing evidence of rehabilitation or treatment undertaken by the individual to be considered by a licensing authority in determining whether a criminal conviction directly and specifically relates to a profession or occupation; clarifying that a licensing authority may not disqualify an applicant from initial licensure because of a prior criminal conviction if certain criteria are met; authorizing an individual who has not previously held a license from the licensing authority to petition the authority for a determination of whether the individual's criminal record will disqualify the individual from obtaining a license; prohibiting a licensing authority from considering or from requiring an individual to disclose an arrest not followed by conviction in an application for initial licensure or determination of qualification for license; requiring licensing authorities to update licensure forms, relevant public-facing documents, and website; providing that the Commission of Labor may not disqualify an applicant from initial licensure as a psychophysiological detection of deception examiners because of a prior felony conviction that remains unreversed unless that conviction is for a crime that bears a rational nexus to practicing as an examiner; and clarifying the qualifications required to be licensed as a Class I or Class II psychophysiological detection of deception examiner.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Rollan A. Roberts,
Chair.

The bill (Com. Sub. for S. B. 263), under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Senate Bill 271, Natural Resources Anti-Commandeering Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 271 (originating in the Committee on Energy, Industry, and Mining)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §22-35-1, §22-35-2, §22-35-3, §22-35-4, and §22-35-5, relating generally to creating the Natural Resources Anti-Commandeering Act; stating legislative findings; prohibiting agencies of this state and political subdivisions or employees thereof from knowingly and willingly participating in the enforcement of any federal act, law, order, rule, or regulation relating to coal, oil, gas, timber, or other extractive resources which do not exist under the laws of this state; prohibiting assets or funds of the state from being used in activity assisting enforcement of any federal act, law, order, rule, or regulation relating to coal, oil, gas, timber, or other extractive resources which do not exist under the laws of this state; providing penalties therefor; and providing for severability.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Christopher A. Rose,
Chair.

The bill (Com. Sub. for S. B. 271), under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 474, Ending diversity, equity, and inclusion programs.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 474 (originating in the Committee on the Judiciary)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new articles, designated §5-33-1, §5-33-2, §5-33-3, §18B-1G-1, §18B-1G-2, §18B-1G-3, §18B-1G-4, §18B-1G-5; and to amend the code by adding four new sections, designated §18-2-9b, §18-5-29, §18B-14-5, and §18B-14-6, relating to the elimination of diversity, equity, and inclusion programs, trainings, activities, offices, and officers from the executive branch, primary and secondary schools, and institutions of higher education of the state; setting forth legislative findings; defining terms; providing for a complaint and appeals process for parents and guardians of students aggrieved under the bill; requiring reporting from school principals, county superintendents, and the state superintendent; providing county board and public charter school employees with immunity from civil liability; requiring institutions of higher education to report on its efforts to eliminate diversity, equity, and inclusion programs and offices; and requiring state institutions of higher education to reallocate any unexpended funds that would have been expended on diversity, equity, and inclusion projects.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Mike Stuart,
Chair.

The bill (Com. Sub. for S. B. 474), under the original double committee reference, was then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 513, Relating generally to video lottery.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 526, Creating the Pharmacist Prescribing Authority Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 526 (originating in the Committee on Government Organization)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §30-5A-1, §30-5A-2, §30-5A-3, and §30-5A-4, relating to creating the Pharmacist Prescribing Authority Act; authorizing pharmacists to prescribe low-risk medications to patients; listing the limitations of the prescriptions that fall under that authority; and exempting addition to scope of pharmacy practice from sunrise review.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Senate Bill 592, Relating generally to above ground storage tanks.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 592 (originating in the Committee on Energy, Industry, and Mining)—A Bill to amend and reenact §22-30-3, §22-30-5, and §22-30-6 of the Code of West Virginia, 1931, as amended, relating generally to aboveground storage tanks; modifying an exception to the definition of an aboveground storage tank to except out devices having a capacity of 210 barrels or less, containing brine water or other fluids produced in connection with hydrocarbon transmission and storage, as well as production activities, that are not located in a zone of critical concern; providing an exemption to devices having a capacity of 210 barrels or less and not located in a zone of critical concern, which is located at a lawfully permitted coal mining site; providing that the

secretary may not, as part of the regulatory program, require any regulated tanks to be lifted, moved, or otherwise physically altered in connection with a visual leak detection program in the absence of a confirmed release; providing that tanks used for hydrocarbon production, transportation, or storage activities and tanks used for roadway snow and ice pretreatment, as identified under certain sections of code that are located in a zone of critical concern, are exempt from inspection and certification by a third party, but must be self-inspected, self-certified, and reported to Department of Environmental Protection by its owner or operator at least once per year; and providing that tanks used for hydrocarbon production, transportation, and storage activities and tanks used for roadway snow and ice pretreatment, as identified under certain sections of code that are located in a zone of critical concern are required to have secondary containment inspections performed and documented by the owner or operator at least once per month.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Christopher A. Rose,
Chair.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 604, Requiring Department of Human Services to notify PSC that person is eligible for discount on utility bills.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 604 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §24-2A-1 and §24-2A-5 of the Code of West Virginia, 1931, as amended, relating to requiring the Department of Human Services to notify the Public Service Commission that a person is eligible for a discount on his

or her utility bills; requiring the commission to order the utility to apply the reduced rate without requiring an application from the customer; amending manner in which applicable monthly discount is calculated; clarifying that eligibility for discount is limited to named beneficiary recipients and their spouses; and requiring the Department of Health and the Public Service Commission to adopt rules to implement those requirements.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Mike Stuart,
Chair.

The bill (Com. Sub. for S. B. 604), under the original double committee reference, was then referred to the Committee on Finance.

Senator Roberts, from the Committee on the Workforce, submitted the following report, which was received:

Your Committee on the Workforce has had under consideration

Senate Bill 610, Abolishing tax on overtime pay.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 610 (originating in the Committee on the Workforce)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-21-12o, relating to exempting overtime compensation from the personal income tax.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Rollan A. Roberts,
Chair.

The bill (Com. Sub. for S. B. 610), under the original double committee reference, was then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 694, Protecting state and local government systems and data from foreign entities.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Oliverio, from the Committee on Pensions, submitted the following report, which was received:

Your Committee on Pensions has had under consideration

Senate Bill 712, Relating to retirement provisions of systems managed by CPRB.

And,

Senate Bill 716, Relating to failure to pay required contributions and interest payments for certain retirees who transfer between retirement systems.

And reports the same back with the recommendation that they each do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Michael A. Oliverio II,
Chair.

At the request of Senator Barrett, as chair of the Committee on Finance, unanimous consent was granted to dispense with the second committee references of the bills contained in the foregoing report from the Committee on Pensions.

Senator Oliverio, from the Committee on Pensions, submitted the following report, which was received:

Your Committee on Pensions has had under consideration

Senate Bill 715, Relating to personally identifiable information of member, retirant, beneficiary, or alternate payee of retirement system.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 715 (originating in the Committee on Pensions)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §5-10D-15, relating to personally identifiable information of a member, retirant, beneficiary, or alternate payee of a retirement system administered by the Consolidated Public Retirement Board being confidential and exempt from disclosure.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Michael A. Oliverio II,
Chair.

At the request of Senator Barrett, as chair of the Committee on Finance, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on Pensions.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 2042, Relating to allowing a guardian ad litem to request the appointment of a court appointed special advocate.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Mike Stuart,
Chair.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senator Rucker:

Senate Bill 731—A Bill to repeal §5-22A-1, §5-22A-2, §5-22A-3, §5-22A-4, §5-22A-5, §5-22A-6, §5-22A-7, §5-22A-8, §5-22A-9, §5-22A-10, §5-22A-11, §5-22A-12, §5-22A-13, §5-22A-14, §5-22A-15, and §5-22A-16 of the Code of West Virginia, 1931, as amended, relating to the Design Build Board and design-build projects.

Referred to the Committee on Government Organization.

By Senator Woodrum:

Senate Bill 732—A Bill to amend and reenact §16A-3-2, §16A-3-3, §16A-8-1, and §60A-9-4 of the Code of West Virginia, 1931, as amended, relating generally to medical cannabis; modifying allowable forms of medical cannabis to include edible form; specifying certain requirements applicable to medical cannabis dispensed in edible form; modifying the unlawful use of medical cannabis; relating to the Controlled Substance Monitoring Program Database; adding the reporting of dispensing medical cannabis to the Controlled Substance Monitoring Program Database; and requiring certain information for controlled substances monitoring.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 733—A Bill to amend and reenact §4-14-3 of the Code of West Virginia, 1931, as amended, relating to the membership composition of the Legislative Oversight Commission on Department of Transportation Accountability; and clarifying how to fill vacancies when a chamber has fewer than three minority party members.

Referred to the Committee on Transportation and Infrastructure.

By Senator Rucker:

Senate Bill 734—A Bill to repeal §22-15A-21 of the Code of West Virginia, 1931, as amended, relating to the A. James Manchin Rehabilitation Environmental Action Plan's procurement of recycled products.

Referred to the Committee on Government Organization.

By Senators Deeds, Fuller, and Woodrum:

Senate Bill 735—A Bill to amend and reenact the Code of West Virginia, 1931, as amended, by adding a new article, designated §5B-4-1, §5B-4-2, §5B-4-3, §5B-4-4, §5B-4-5, §5B-4-6, §5B-4-7,

§5B-4-8, §5B-4-9, §5B-4-10, §5B-4-11, §5B-4-12, §5B-4-13, §5B-4-14, §5B-4-15, §5B-4-16, §5B-4-17, §5B-4-18, §5B-4-19, §5B-4-20, §5B-4-21, §5B-4-22, and §5B-4-23, relating to the Broadband Development Program; providing a short title; providing legislative findings and purpose; providing definitions; establishing individual and joint powers of public agencies; creating a joint development between public agencies; providing appropriation of funds; exempting Division of Highways from broadband placement; creating a board and the composition, compensation, and duties associated with the board; providing an annual audit; providing eminent domain; providing competitive bids; clarifying costs; authorizing of and refunding of revenue bonds; providing a trust indenture; providing exemptions; authorizing a sinking fund; clarifying the collection of revenue and enforcement; creating a statutory mortgage lien; clarifying rates and charges; and establishing liability exemptions.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 736—A Bill to amend and reenact §6B-3-3 of the Code of West Virginia, 1931, as amended, relating to the publication of registered lobbyist information.

Referred to the Committee on Government Organization.

By Senators Hamilton, Deeds, Thorne, Woelfel, and Woodrum:

Senate Bill 737—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §19-40-1, §19-40-2, §19-40-3, and §19-40-4, relating to creating the West Virginia Farm Equipment Right to Repair Pilot Program; stating legislative findings; providing definitions; specifying pilot program parameters; and authorizing rulemaking.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 738—A Bill to repeal §5A-1A-1, §5A-1A-2, §5A-1A-3, §5A-1A-4, and §5A-1A-5 of the Code of West Virginia, 1931, as amended, relating to the Employee Suggestion Award Board.

Referred to the Committee on Government Organization.

Senators Helton, Rose, Azinger, Martin, Maynard, Phillips, Rucker, Taylor, and Thorne offered the following resolution:

Senate Concurrent Resolution 18—Recognizing an intent to create the West Virginia Coal Renaissance Act.

Which, under the rules, lies over one day.

Senator Smith (Mr. President) offered the following resolution:

Senate Resolution 21—Designating March 12, 2025, as West Virginia Tourism Day at the Legislature.

Which, under the rules, lies over one day.

Senators Chapman and Weld offered the following resolution

Senate Resolution 22—Recognizing the 175th anniversary of Wheeling Hospital in Wheeling, West Virginia.

Which, under the rules, lies over one day.

Senator Smith (Mr. President) offered the following resolution:

Senate Resolution 23—Memorializing the life of Janie Lou White, loving mother, sister, aunt, friend, and Executive Director of the Preston County Senior Citizens Program.

Which, under the rules, lies over one day.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 196, Lauren's Law.

On third reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, and by unanimous consent, further consideration of the bill was deferred until the conclusion of bills on today's third reading calendar.

Eng. Senate Bill 257, Providing protection for property owner when someone visiting private cemetery causes damage to property.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Queen—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 257) passed with its title.

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

Eng. Senate Bill 501, Relating to loan form.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Roberts, Rose, Rucker, Stuart, Takubo,

Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Queen—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 501) passed with its title.

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

Eng. Com. Sub. for Senate Bill 522, Clarifying procedure for administrative dissolution of limited liability companies by Secretary of State.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Queen—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 522) passed with its title.

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

Eng. Com. Sub. for Senate Bill 525, Clarifying procedure for administrative dissolution of nonprofit corporations by Secretary of State.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Queen—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 525) passed with its title.

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

Eng. Senate Bill 561, Relating to Uniform Special Deposits Act.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Queen—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 561) passed with its title.

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

The end of today's third reading calendar having been reached, the Senate returned to the consideration of

Eng. Com. Sub. for Senate Bill 196, Lauren's Law.

On third reading, coming up in deferred order, was read a third time and put upon its passage.

Pending extended discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 196 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: Garcia—1.

Absent: Queen—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 196) passed.

On motion of Senator Helton, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Senate Bill 196—A Bill to amend and reenact §60A-4-401, §60A-4-409, §60A-4-414, §60A-4-416, §61-11-8, and §62-12-2 of the Code of West Virginia, 1931, as amended, establishing Lauren's Law; relating to controlled substances violations; increasing sentences for certain controlled substances offenses; making certain offenses ineligible for suspension or probation, or alternative sentencing; declaring that minimum period of 10 years' incarceration for the offense of drug

delivery death; requiring inert substances mixed with controlled substances to be considered a controlled substance for purposes of weight measurement; setting forth method for measurement where more than one controlled substance is in a mixture; modifying sentences for certain offenses; updating list of offenses related to controlled substance that are qualifying offenses for recidivist sentencing enhancements; and declaring certain offenses to be ineligible for probation.

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

Thereafter, at the request of Senator Martin, and by unanimous consent, the remarks by Senators Stuart, Deeds, Woodrum, Helton, Oliverio, Garcia, and Fuller as to the passage of Engrossed Committee Substitute for Senate Bill 196 were ordered printed in the Appendix to the Journal.

The Senate proceeded to the ninth order of business.

Senate Bill 280, Displaying official US motto in public schools.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Azinger, the following amendment to the bill was reported by the Clerk and adopted:

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

CHAPTER 18. EDUCATION.

ARTICLE 9H. DISPLAY OF NATIONAL MOTTO.

§18-9H-1. Display of the National Motto in public schools.

(a) A public elementary or secondary school shall display in a conspicuous place in every classroom of the school a durable poster or framed copy of the United States national motto, "In God We Trust": *Provided*, That the poster or framed copy of the national

motto described in this section shall contain a representation of the United States flag centered under the national motto and may not depict any other words, images, or other information.

(b) The requirements of this section are subject to the durable posters or framed copies being donated or sufficient donations being made from which the durable posters or framed copies can be purchased.

(c) Notwithstanding any other provision of code to the contrary, this section applies to public charter schools authorized pursuant to §18-5G-1 *et seq.*

CHAPTER 18B. HIGHER EDUCATION.

ARTICLE 14. MISCELLANEOUS.

§18B-14-12. Display of the National Motto in institutions of higher education.

(a) A state institution of higher education, as defined by §18B-1-2 of this code, shall display in a conspicuous place in every classroom of the institution of higher education a durable poster or framed copy of the United States national motto, "In God We Trust": *Provided*, That the poster or framed copy of the national motto described in this section shall contain a representation of the United States flag centered under the national motto and may not depict any other words, images, or other information.

(b) The requirements of this section are subject to the durable posters or framed copies being donated or sufficient donations being made from which the durable posters or framed copies can be purchased.

The bill (S. B. 280), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 500, Transferring audits of volunteer fire departments to Legislative Auditor.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 521, Requiring party affiliations be listed for all candidates.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Tarr, the following amendment to the bill was reported by the Clerk:

On pages 21–32, after the article heading, by striking out all of §3-12-3, §3-12-6, §3-12-10, §3-12-11, §3-12-12, and §3-12-14 and inserting in lieu thereof the following:

§3-12-1. ~~Short title~~ West Virginia Supreme Court of Appeals Public Campaign Financing Program is abolished; remaining funds to general revenue fund.

~~This article is known as the "West Virginia Supreme Court of Appeals Public Campaign Financing Program." Any funds remaining in the West Virginia Supreme Court of Appeals Public Campaign Financing Fund following the amendments to this section adopted during the 2025 Regular Session shall be remitted to the general revenue fund.~~

§3-12-2. Legislative findings and declarations.

[Repealed].

§3-12-3. Definitions.

[Repealed].

§3-12-4. Alternative public campaign finance option.

[Repealed].

§3-12-5. Supreme Court of Appeals Public Campaign Financing Fund.

[Repealed].

§3-12-6. Sources of revenue for the fund.

[Repealed].

§3-12-7. Declaration of intent.

[Repealed].

§3-12-8. Exploratory period; contributions; expenditures.

[Repealed].

§3-12-9. Qualifying contributions.

[Repealed].

§3-12-10. Certification of candidates.

[Repealed].

**§3-12-11. Schedule and amount of Supreme Court of Appeals
Public Campaign Financing-Fund payments.**

[Repealed].

§3-12-12. Restrictions on contributions and expenditures.

[Repealed].

§3-12-13. Reporting requirements.

[Repealed].

**§3-12-14. Duties of the State Election Commission; Secretary
of State.**

[Repealed].

§3-12-15. Criminal penalties.

[Repealed].

§3-12-16. Civil penalties.

[Repealed].

Following discussion,

The question being on the adoption of Senator Tarr's amendment to the bill, the same was put and prevailed.

The bill (Com. Sub. for S. B. 521), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 532, Making ad valorem taxes on property payable only to county in which property is located.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 606, Relating to notification of breast density.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 649, Supplementing and amending appropriations to Department of Health, Office of Inspector General.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Barrett, the following amendment to the bill was reported by the Clerk and adopted:

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

That Chapter 11, Acts of the Legislature, Regular Session, 2024, known as the budget bill, fund 0437, fiscal year 2025, organization 0513, be supplemented and amended to read as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HEALTH

78 - Office of the Inspector General

(W.V. Code Chapter 16B)

Fund 0437 FY 2025 Org 0513

	Appro- piation	General Revenue Fund
Personal Services and		
Employee Benefits.....	00100	\$ 5,583,690
Unclassified.....	09900	57,469
Current Expenses	13000	1,583,603
Current Expenses – Surplus	13099	<u>2,000,000</u>
Total.....		\$ 9,224,762

From the above appropriation for Current Expenses (fund 0437, appropriation 13000), \$73,065 shall be used for informal dispute resolution relating to nursing home administrative appeals, and \$650,000 shall be transferred to OIG fund 5209.

Notwithstanding any provisions of this budget to the contrary, the Inspector General shall have the ability to transfer funds between all appropriations.

The bill (S. B. 649), as amended, was then ordered to engrossment and third reading.

Senate Bill 650, Relating to full-time interventionists.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 658, Prohibiting certain persons from receiving compensation for advising or assisting with veterans' benefits.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Eng. Com. Sub. for House Bill 2053, Relating to including the United States Space Force in the definition armed forces.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senators Clements and Rose.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, a leave of absence for the day was granted Senator Queen.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were removed as co-sponsors of the following bills on March 10, 2025:

Senate Bill 18: Senator Helton;

And,

Senate Bill 723: Senator Woelfel.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolution on March 10, 2025:

Senate Bill 271: Senator Hart;

Senate Bill 464: Senator Jeffries;

Senate Bill 471: Senator Roberts;

Senate Bill 505: Senator Taylor;

Senate Bill 513: Senator Chapman;

Senate Bill 526: Senator Willis;

Senate Bill 592: Senator Willis;

Senate Bill 604: Senator Willis;

Senate Bill 694: Senator Maynard;

Senate Bill 697: Senators Bartlett and Woelfel;

Senate Bill 727: Senator Willis;

Senate Bill 730: Senator Thorne;

And,

Senate Joint Resolution 14: Senator Willis.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 12:11 p.m., the Senate adjourned until tomorrow, Wednesday, March 12, 2025, at 11 a.m.

WEDNESDAY, MARCH 12, 2025

The Senate met at 11:11 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Pastor Tim Wotring, Mission: Take Back Ministries, Bruceton Mills, West Virginia.

Mountaineer ChalleNGe Academy Cadets from Kingwood, West Virginia, proceeded in the presenting of the Colors. The Honorable Vince S. Deeds, a senator from the tenth district, then led the Senate in the recitation of the Pledge of Allegiance.

Pending the reading of the Journal of Tuesday, March 11, 2025,

At the request of Senator Queen, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to the House of Delegates amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for Senate Bill 456, Defining "men" and "women".

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect July 1, 2025, and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2008—A Bill to amend and reenact §5B-1-1, §5B-1-2, §5B-2-1, §5B-2-2, §5B-2-3, §5B-2-3b, §5B-2-4, §5B-2-4a, §5B-2-5, §5B-2-6, §5B-2-6a, §5B-2-9a, §5B-2-10, §5B-2-14, §5B-2-16, §5B-2-17, §5B-2-18, §5B-2-19, §5B-2-20, §5F-1-2, §5F-2-1, §20-1-14, §29-1-8d, §31G-1A-1, §31G-1A-5, §31G-1A-6, and §31G-1A-7 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §15A-14-1; and to repeal §5F-1-3a and §5F-1-6, relating to the merging and reorganizing of the executive branch; reconstituting the Department of Economic Development as the Division of Economic Development and placing it within the Department of Commerce; specifying that starting on July 1, 2025, new hires and anyone who moves positions within the Department of Commerce shall be in the classified exempt service system and shall be exempt from the state grievance procedures; redesignating the Department of Economic Development as the Division of Economic Development under the Department of Commerce; correcting titles of the Division of Economic Development and Department of Commerce in several sections of code; specifying that starting on July 1, 2025, new hires and anyone who moves positions within the Division of Economic Development shall be in the classified exempt service system and shall be exempt from the state grievance procedures; correcting titles of affected

departments, divisions, and positions based on the redesignations; transferring Division of Natural Resources law enforcement to the Department of Homeland Security; clarifying that duties related to the officers' retirement system will transfer to the Department of Homeland Security; authorizing the Secretary of the Department of Homeland Security to promulgate rules; providing an effective date for the officers' transfer and technical cleanup of amended and reenacted sections.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect July 1, 2025, and requested the concurrence of the Senate in the passage of

Eng. House Bill 2009—A Bill to amend and reenact §5B-2I-2, §5B-2I-4, §5F-2-1, §10-5-2, §29-1-1, §29-1-1a, §29-1-2, §29-1-3, §29-1-4, §29-1-6, §29-1-7, §29-1-8, §29-1-8c, §29-1-8d, §29-1-9, §29-1-11, §29-1-12, §29-1-13, §29-1-14, and §29-1-15 of the Code of West Virginia, 1931, as amended; and to repeal §5F-1-3a, §5F-1-6, and §29-1-10, relating to the merging and reorganizing of the executive branch; abolishing the Department of Arts, Culture, and History and reorganizing its sections and commissions under the Department of Tourism; specifying the authority of the Secretary of the Department of Tourism over these sections and commissions; correcting titles of affected departments, divisions, and positions based on the redesignations; specifying that starting on July 1, 2025, new hires and anyone who moves positions within the Department of Tourism shall be in the classified exempt service system and shall be exempt from the state grievance procedures; governing and providing for the Secretary of the Department of Tourism authority to appoint the directors of the sections listed in §29-1-1(b) of this code; substituting the title of Secretary of the Department of Tourism for the Secretary of the Department of Arts, Culture, and History in several sections of code; granting Secretary of Tourism authority to approve or repeal rules promulgated by sections and commissions listed in §29-1-1(b) of this code; specifying that starting on July 1, 2025, new hires and employee that moves positions within the sections and commissions shall be in the classified exempt service system and

shall be exempt from the state grievance procedures; granting the Secretary of the Department of Tourism discretion to allow a person to serving in multiple positions or professions within the sections listed in §29-1-1(b) of this code; removing certain specific qualifications for persons appointed as directors of the various sections listed in §29-1-1(b) of this code; and technical cleanup of amended and reenacted sections.

Referred to the Committee on Government Organization.

The Senate proceeded to the fourth order of business.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 102, Modifying form of certain deeds.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 102 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §36-3-5 of the Code of West Virginia, 1931, as amended, relating to modifying the form of deeds; and requiring that all deeds except for a transfer on death deed and transfers between parents and children for consideration of less than \$2,000 contain a notarized acknowledgment of the grantee or grantees evidencing acceptance of the real property being conveyed.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 220, Authorizing child sexual abuse and sexual violence prevention program and in-service training in child sexual abuse prevention.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 220 (originating in the Committee on Education)—A Bill to amend and reenact §18-2-41 of the Code of West Virginia, 1931, as amended, relating to requiring in grades three through six at least annual age-appropriate instruction in child sexual abuse prevention; requiring in grades three through six at least annual instruction in personal safety and assault prevention; providing exception; requiring annual notice to parent or guardian at least one week prior to personal safety and assault prevention instruction; requiring in grades seven through 12 at least annual age-appropriate instruction in dating violence prevention and sexual violence prevention; and making requirements of section voluntary for public charter schools and nonpublic schools.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Amy N. Grady,
Chair.

At the request of Senator Stuart, as chair of the Committee on the Judiciary, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on Education.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 297, Requiring coverage for certain pediatric autoimmune neuropsychiatric disorders in certain circumstances.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 297 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding seven new sections, designated §5-16-7h, §9-5-34, §33-15-4y, §33-16-3ii, §33-24-7z, §33-25-8w, and §33-25A-8z, relating to requiring coverage for certain conditions; requiring coverage treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections; requiring coverage for treatment of pediatric acute onset neuropsychiatric syndrome; requiring a prior authorization to be obtained; and requiring that a physician demonstrate that all other treatments have been exhausted.

And,

Senate Bill 707, Providing increase in salary to WV Birth-to-Three contracted therapists and employees.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 707 (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §16-5K-6 of the Code of West Virginia, 1931, as amended, relating to professional services provided to the West Virginia Birth-to-Three program by therapists and other professionals who are not employed by a state agency; and providing a 25 percent increase payment for those services provided in person.

With the recommendation that the two committee substitutes do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bills (Com. Sub. for S. B. 297 and 707), under the original double committee references, were then referred to the Committee on Finance.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 449, Permitting compressed air and rimfire shooting teams in public schools.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 449 (originating in the Committee on Education)—A Bill to amend and reenact §61-7-11a of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-2-46, relating to permitting air rifles and rimfire rifles on school buses solely during transportation to or from a school-sponsored shooting team event, on the grounds of any primary or secondary educational facility of any type for shooting team purposes, and at a school-sponsored shooting team function that is taking place in a specific area that is owned, rented, or leased by West Virginia Department of Education, the West Virginia Secondary School Activities Commission, a county school board, or local public school; and requiring that during the school day or at any time other than school-sponsored team events or practices, the air rifles and rimfire rifles be locked up in a location where students do not have access.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Amy N. Grady,
Chair.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 546, Authorizing county commissions to levy additional excise tax on transferring real property to fund local economic development.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 546 (originating in the Committee on Government Organization)—A Bill to amend and reenact §11-22-2 of the Code of West Virginia, 1931, as amended, relating to authorizing county commissions to levy an additional county excise tax on the privilege of transferring real property for the purpose of funding local economic development.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

The bill (Com. Sub. for S. B. 546), under the original double committee reference, was then referred to the Committee on Finance.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 548, Creating Safety and Violence Education for Students Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 548 (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-36-1, §18-36-2, §18-36-3, §18-36-4, §18-36-5, and §18-36-6, relating to the creation of the Safety and Violence Education for Students Act; requiring all schools serving students grades six through 12 to provide to students at least one hour, or one standard class period, of evidence-based youth violence prevention training each school year; requiring all schools serving students grades K-12 to provide to students at least one hour, or one standard class period, of evidence-based social inclusion training each school year; requiring the West Virginia Department of Education to develop a list of evidence-based trainings and materials to fulfill the youth violence prevention training and the social inclusion training; allowing the West Virginia Department of Education to require all schools serving grades K-12 to designate a student-led violence prevention club; addressing costs associated with implementation; defining terms; and making requirements of article voluntary for public charter schools and nonpublic schools.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

At the request of Senator Barrett, as chair of the Committee on Finance, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on Education.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 577, Clarifying prohibited practices by manufacturer, factory branch, distributor, or distributor branch when providing new motor vehicle to dealer.

And,

Senate Bill 709, Repealing provisions of code that exempt Department of Transportation, Tax Division, and Bureau of Social Services from Division of Personnel.

And reports the same back with the recommendation that they each do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

The bills, under the original double committee references, were then referred to the Committee on Finance.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 614, Authorizing over-the-counter sale of ivermectin.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 614 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-5-37, relating to pharmacists dispensing Ivermectin; authorizing provision of Ivermectin with a collaborate pharmacy practice agreement; authorizing Ivermectin without a prescription upon federal regulations; clarifying liability and disciplinary action protections for pharmacists and health care

providers; authorizing rules; establishing effective dates; and establishing severability.

And,

Senate Bill 689, State Sovereignty Act of 2025.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 689 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §1-8-1 and §1-8-2, relating to creating the State Sovereignty Act of 2025; providing a title; and setting forth rejection of foreign entities' jurisdiction in the state.

With the recommendation that the two committee substitutes do pass; but under the original double committee references first be referred to the Committee on the Judiciary.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bills (Com. Sub. for S. B. 614 and 689), under the original double committee references, were then referred to the Committee on the Judiciary.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Joint Resolution 6, Elimination of Business Inventory Tax Amendment.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Joint Resolution 6 (originating in the Committee on the Judiciary)—Proposing an amendment to the Constitution of West Virginia, amending article X thereof, by adding thereto a new section, designated section 1d, providing that the Legislature may reduce or eliminate the ad valorem tax on automobiles and any other personal property, but must also provide an equal or greater revenue share to those counties or localities impacted by any associated reduction or elimination of these taxes; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

With the recommendation that the committee substitute be adopted; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Mike Stuart,
Chair.

The resolution (Com. Sub. for S. J. R. 6), under the original double committee reference, was then referred to the Committee on Finance.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senator Helton:

Senate Bill 739—A Bill to amend and reenact §16-59-1 and §16-59-2 of the Code of West Virginia, 1931, as amended; to amend the code by adding a new section, designated §16-59-1a; and to repeal §16-59-4 of the code, relating to recovery residences; setting forth legislative findings; removing data collection and required documentation from registered recovery residences; and repealing mandatory registration of recovery residences.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on the Judiciary.

By Senators Hamilton, Azinger, Bartlett, Charnock, Deeds, Fuller, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Takubo, Tarr, Taylor, Thorne, Willis, and Woodrum:

Senate Bill 740—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §55-3D-1, §55-3D-2, §55-3D-3, and §55-3D-4, relating to establishing the Stop Squatters Act; providing a limited alternative remedy to remove unauthorized persons from residential and commercial real properties; providing for the immediate removal by a law-enforcement agency upon request of the property owner of any person unlawfully occupying a residential dwelling or commercial building if certain conditions are met; providing a civil cause of action for wrongful removal; establishing misdemeanor and felony offenses for unlawfully occupying and intentionally damaging a residential dwelling or commercial building, and providing penalties upon conviction thereof; establishing a misdemeanor offense for knowingly presenting a false document purporting to convey real property, and providing penalties upon conviction thereof; and establishing a felony offense for any person who knowingly lists or advertises residential real property or a commercial building for sale or renting without legal title or authority, and providing penalties upon conviction thereof.

Referred to the Committee on the Judiciary.

By Senators Azinger, Oliverio, and Morris:

Senate Bill 741—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §32-4-402a, relating to authorizing the State Auditor as Commissioner under the Uniform Securities Act, or his or her designee, to conduct a fairness hearing for transactions involving the exchange of a security for one or more outstanding securities, claims or property interests or partly for cash.

Referred to the Committee on Banking and Insurance.

By Senators Azinger, Oliverio, Morris, and Charnock:

Senate Bill 742—A Bill to amend and reenact §50-2-1 and §50-4-4a of the Code of West Virginia, 1931, as amended, relating to increasing the jurisdictional limits of magistrate courts; clarifying the ability of a corporate party to appear through its agent or an attorney for claims affecting its rights in magistrate court; and preserving protections to prohibit magistrates from representing any party in a magistrate court proceeding.

Referred to the Committee on the Judiciary.

By Senators Jeffries, Grady, Helton, and Tarr:

Senate Bill 743—A Bill to amend and reenact §11-22-2 of the Code of West Virginia, 1931, as amended, relating to adjusting the percentage of tax retained by the clerk of the county commission for certain purposes; and authorizing the clerk to move funds between accounts with approval of the county commission.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 744—A Bill to repeal §5A-3A-1, §5A-3A-2, §5A-3A-3, §5A-3A-4, §5A-3A-5, and §5A-3A-6 of the Code of West Virginia, 1931, as amended, relating to the purchase of commodities and services from the handicapped.

Referred to the Committee on Government Organization.

By Senator Stuart:

Senate Bill 745—A Bill to amend and reenact §6B-3-1, §6B-3-2, §6B-3-3, §6B-3-3a, §6B-3-4, §6B-3-5, §6B-3-7, §6B-3-9, §6B-3-10, and §6B-3-11 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §6B-2-12, relating to enhancing transparency in lobbying; revising lobbying registration and reporting requirements; increasing the lobbyist registration fees; requiring the commission to publish an electronic photograph and information about registered lobbyists; modifying lobbyist reporting requirements; requiring distribution of lobbyist reports to

affected persons; requiring state agencies and municipal subdivisions to issue reports of lobbyist activities; prohibiting designated agencies and organizations from lobbying or paying lobbyists to lobby on their behalf; reducing financial thresholds for grass roots lobbying campaigns; updating document retention requirements; updating lobbyist duties; prohibiting lobbyist contingent fees; updating penalties; and requiring additional compliance audits.

Referred to the Committee on the Judiciary.

Senator Smith (Mr. President) offered the following resolution:

Senate Resolution 24—Designating March 13, 2025, as Tucker County Day at the Legislature.

Which, under the rules, lies over one day.

Senator Grady offered the following resolution:

Senate Resolution 25—Designating March 13, 2025, as Wear Red Day at the Capitol.

Which, under the rules, lies over one day.

Senators Weld and Smith (Mr. President) offered the following resolution:

Senate Resolution 26—Recognizing March 13, 2025, as National K9 Veterans Day at the Legislature.

Which, under the rules, lies over one day.

Senator Taylor offered the following resolution:

Senate Resolution 27—Congratulating the Taylor County Middle school football team for winning the 2024 Mid-8 Championship.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 18, Recognizing intent to create WV Coal Renaissance Act.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Energy, Industry, and Mining.

Senate Resolution 21, Designating March 12, 2025, as WV Tourism Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Grady, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Senate Resolution 22, Recognizing 175th anniversary of Wheeling Hospital.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Chapman, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Senate Resolution 23, Memorializing life of Janie Lou White.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Taylor, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

The Senate proceeded to the eighth order of business.

Eng. Senate Bill 280, Displaying official US motto in public schools.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: Garcia—1.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 280) passed.

On motion of Senator Azinger, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Senate Bill 280—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-9H-1; and to amend the code by adding a new article, designated §18B-14-12, relating to requiring public elementary and secondary schools and state institutions of higher education to display in every classroom a durable poster or framed copy of the United States motto, "In God We Trust"; imposing requirements for the durable poster or framed copy; making the requirements subject to donation; and applying requirement to public charter schools.

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

Eng. Com. Sub. for Senate Bill 500, Transferring audits of volunteer fire departments to Legislative Auditor.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 500) passed with its title.

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

Eng. Com. Sub. for Senate Bill 521, Requiring party affiliations be listed for all candidates.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending extended discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 521 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Charnock, Fuller, Grady, Hart, Helton, Martin, Maynard, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Tarr, Taylor, Thorne, Willis, and Smith (Mr. President)—22.

The nays were: Chapman, Clements, Deeds, Garcia, Hamilton, Jeffries, Morris, Oliverio, Takubo, Weld, Woelfel, and Woodrum—12.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 521) passed.

On motion of Senator Tarr, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Senate Bill 521—A Bill to amend and reenact §3-1-16, §3-1-17, §3-4A-11a, §3-5-4, §3-5-6a, §3-5-6b, §3-5-6c, §3-5-6d, §3-5-6e, §3-5-7, §3-5-13, §3-5-13a, §3-10-3, §3-12-3, §3-12-6, §3-12-10, §3-12-11, §3-12-12, §3-12-14, §50-1-1, §50-1-6, §51-1-1, §51-2A-5, and §51-11-6 of the Code of West Virginia, 1931, as amended, relating to electoral reforms of the West Virginia judiciary; requiring the election of justices of the Supreme Court of Appeals, circuit court judges, family court judges, and magistrates to be in partisan primary and general elections; establishing ballot design and printing; requiring partisan ballots be used in judicial and magisterial elections; requiring separate nonpartisan ballots be used in county school board elections; repealing the West Virginia Supreme Court of Appeals Public Campaign Financing Program; and requiring that any funds remaining in the West Virginia Supreme Court of Appeals Public Campaign Financing Fund shall be remitted to the general revenue fund.

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

Eng. Com. Sub. for Senate Bill 532, Making ad valorem taxes on property payable only to county in which property is located.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 532) passed with its title.

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

Eng. Com. Sub. for Senate Bill 606, Relating to notification of breast density.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 606) passed with its title.

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

Eng. Senate Bill 649, Supplementing and amending appropriations to Department of Health, Office of Inspector General.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 649) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 649) takes effect from passage.

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

Eng. Senate Bill 650, Relating to full-time interventionists.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller,

Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 650) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 650) takes effect from passage.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 658, Prohibiting certain persons from receiving compensation for advising or assisting with veterans' benefits.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Eng. Com. Sub. for House Bill 2053, Relating to including the United States Space Force in the definition armed forces.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 526, Creating Pharmacist Prescribing Authority Act.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 592, Relating generally to aboveground storage tanks.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 712, Relating to retirement provisions of systems managed by CPRB.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 715, Relating to personally identifiable information of member, retirant, beneficiary, or alternate payee of retirement system.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 716, Relating to failure to pay required contributions and interest payments for certain retirees who transfer between retirement systems.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Eng. Com. Sub. for House Bill 2042, Relating to allowing a guardian ad litem to request the appointment of a court appointed special advocate.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the eleventh order of business and the introduction of guests.

The Senate then proceeded to the thirteenth order of business.

The following communication was reported by the Clerk:

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



SEVEN CAPITAL, ROOM M-211
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305-0800
304.357.7800

March 12, 2025

The Honorable Patrick Morrisey
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Morrisey,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

Com. Sub. for S. B. 456, Defining "men" and "women";

And,

S. B. 490, Prohibiting ranked-choice voting in elections in West Virginia.

These bills are presented to you on this day, March 12, 2025.

Respectfully submitted,


Lee Cassis
Clerk of the Senate

C: The Honorable Jeffrey Pack
Clerk of the House of Delegates

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were removed as co-sponsors of the following bills and resolutions on March 11, 2025:

Senate Bill 577: Senator Morris;

Senate Bill 614: Senator Grady;

Senate Joint Resolution 6: Senator Willis;

And,

Senate Concurrent Resolution 14: Senator Jeffries.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on March 11, 2025:

Senate Bill 43: Senator Azinger;

Senate Bill 449: Senators Hart, Taylor, Morris, and Willis;

Senate Bill 514: Senator Takubo;

Senate Bill 530: Senator Hart;

Senate Bill 575: Senators Maynard and Azinger;

Com. Sub. for Senate Bill 604: Senators Deeds, Garcia, Chapman, and Bartlett;

Senate Bill 659: Senator Bartlett;

Senate Bill 689: Senators Willis and Taylor;

Senate Bill 697: Senator Rose;

Senate Bill 707: Senators Willis, Garcia, and Taylor;

Senate Bill 709: Senator Willis;

Senate Bill 727: Senators Deeds and Rucker;

Senate Bill 737: Senator Takubo;

Senate Joint Resolution 4: Senator Phillips;

Senate Joint Resolution 6: Senator Rucker;

Senate Concurrent Resolution 18: Senators Rucker and Phillips;

Senate Resolution 21: Senator Rucker;

Senate Resolution 22: Senator Rucker;

And,

Senate Resolution 23: Senator Taylor.

Pending announcement of meetings of standing and select committees of the Senate,

On motion of Senator Martin, at 12:25 p.m., the Senate adjourned until tomorrow, Thursday, March 13, 2025, at 11 a.m.

THURSDAY, MARCH 13, 2025

The Senate met at 11:03 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Dr. Jesse Waggoner, Senior Pastor, Mount Calvary Baptist Church, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Scott Fuller, a senator from the fifth district.

Pending the reading of the Journal of Wednesday, March 12, 2025,

At the request of Senator Helton, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

At the request of Senator Martin, and by unanimous consent, the provisions of Rule 54 of the Rules of the Senate, relating to persons entitled to the privileges of the floor, were suspended in order to grant Shannon Morrison privileges of the floor for the day.

The Clerk presented the following communication from a state agency as required by the provisions of law:

Health, Department of (Governor's Early Intervention Interagency Coordinating Council) (§16-5K-4)

The Senate proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 358, Authorizing Department of Transportation to promulgate legislative rules.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2190—A Bill to amend and reenact §18B-3D-6 of the Code of West Virginia, 1931, as amended, relating to adding Potomac State College of West Virginia University as an eligible institution for participation in the "Learn and Earn Program"; and removing reference to the program being a "pilot" program.

Referred to the Committee on Education; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage, to take effect from passage, of

Eng. Com. Sub. for House Bill 2233—A Bill to amend and reenact §64-3-1 *et seq.* of the Code of West Virginia, 1931, as amended, relating to authorizing certain agencies of the Department of Environmental Protection to promulgate legislative rules; authorizing the rules as filed, as modified, and as amended by the Legislative Rule-Making Review Committee, and as amended by the Legislature; directing the Department of Environmental Protection to amend current legislative rules; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to the hazardous waste management system; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to the ambient air quality standards; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to the standards of performance for new stationary sources; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to the control of air pollution from hazardous waste treatment, storage, and disposal facilities; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to the emissions standards for hazardous air pollutants; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to the requirements governing water quality standards; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to the underground injection control; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to the water pollution control permit fee schedules; and directing the Department of Environmental Protection to amend a legislative rule relating to the National Pollutant Discharge Elimination System (NPDES) Program.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2347—A Bill to amend and reenact §27-5-1, §27-5-1b, §27-5-2, and §27-5-4 of the Code of

West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §27-5-2b; to amend said code by adding a new article, designated §27-5A-1, §27-5A-2; and §27-5A-3; relating generally to the creation of mental hygiene regions by the Supreme Court of Appeals; clarifying that mental hygiene evaluations and proceedings may be conducted by video technology; granting civil immunity for mental health service providers who do involuntary commitment proceedings and setting out exceptions; creating a temporary observation release for mental hygiene respondents; clarifying that chief medical officer releases requiring approval of circuit court only apply to forensic patients; requiring hearings for any commitment period of longer than 90 days and prohibiting any person from being civilly committed to longer than 120 days without a hearing to determine whether the individual continues to meet commitment criteria; removing obsolete language regarding transcripts of proceedings to circuit court of county of residence; restructuring the mental hygiene commissioner system by authorizing new mental hygiene regions and full-time mental hygiene commissioners employed by the Supreme Court of Appeals; authorizing mental hygiene proceedings and evaluations by video and requiring facilities to provide technology that meets Supreme Court of Appeals specifications; authorizing statewide coverage for mental hygiene evaluations and permitting a mental hygiene commissioner to exclude evaluator testimony based on the West Virginia Rules of Evidence; and requiring each Comprehensive Community Mental Health Center to ensure that at least one examiner is available to provide uniform and continuous coverage in each region, including afterhours, weekends, and holidays.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2382—A Bill to amend and reenact §61-6-18 of the Code of West Virginia, 1931, as amended, relating to public camping on certain public property; creating findings; creating definitions; creating warnings and misdemeanor

offenses for camping or storing property on certain public property; clarifying that each day constitutes a new violation; requiring certain notifications to a person unlawfully camping; providing certain exceptions for violations; and creating criminal penalties.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2402—A Bill to amend and reenact §16-29-1 and §49-5-101 of the code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §16-29-3, relating to providing access to medical records; providing access to a minor's medical record; and providing access to the medical records of child in the custody of the state.

Referred to the Committee on Health and Human Resources.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2411—A Bill to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating to requiring all West Virginia high school students to pass a minimum of one credit of computer science; establishing requirements for the classes; establishing rulemaking; and creating teaching positions and requirements for those teaching positions.

Referred to the Committee on Education.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2473—A Bill to amend and reenact §11-27-10a of the Code of West Virginia, 1931, as amended, relating to increasing and maintaining the bracketed tax rates on the privilege of establishing or operating a health

maintenance organization; specifying effective dates; and providing a process for rates to be certified to the tax commissioner and notice to be provided.

Referred to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2501—A Bill to amend and reenact §38-10-4 of the Code of West Virginia, 1931, as amended, relating to exemptions from property of an estate in bankruptcy proceedings; providing for surviving spouse the ability to claim deceased spouse's exemption in joint residence so long as the home they owned together is owned by the surviving spouse; and exempting payment by any governmental entity to subsidize the adoption of a minor child.

Referred to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2634—A Bill to amend and reenact §61-8B-5, §61-8B-9, §61-8D-5 and §61-8D-6 of the Code of West Virginia, 1931, as amended, relating to increasing penalties for sexual assault in the third degree, sexual abuse in the third degree, sexual abuse by a parent, guardian, custodian or person in a position of trust to a child; parent, guardian, custodian or person in a position of trust allowing sexual abuse to be inflicted upon a child, and for sending, distributing, exhibiting, possessing, displaying or transporting material by a parent, guardian, or custodian, or person in a position of trust, depicting a child engaged in sexually explicit conduct.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2711—A Bill to amend and reenact §36-1A-1, §36-1A-2, §36-1A-5, §36-1A-6, and §36-1A-7, of the Code of West Virginia, 1931, as amended, by treating all future interests created through a chain of nongeneral or testamentary powers of appointment as if they were created at the time of the first such power, and establishing a rule of construction for interests that are subject to the rule against perpetuities.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2761—A Bill to amend and reenact §50-2-1 of the Code of West Virginia, 1931, as amended, relating to increasing the jurisdictional limits of magistrate courts in civil actions.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2774—A Bill to amend and reenact §61-2-15a of the Code of West Virginia, 1931, as amended, relating to crimes against athletic officials; clarifying that victims include participants; establishing minimum jail penalties; creation definitions; authorizing a person convicted of the offenses to be banned from certain sports events; requiring written notice to the person banned; establishing that a violation of the ban is a form of trespass; and creating criminal penalties.

Referred to the Committee on Education; and then to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2781—A Bill to amend and reenact §62-1C-1a of the Code of West Virginia, 1931, as amended, relating to requiring that judicial officers consider the residency status of a person charged with a criminal violation in determining bail and conditions of pretrial release.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2867—A Bill to amend and reenact §44-1A-2 of the Code of West Virginia, 1931, as amended, relating to precluding an estate with real property from being processed as a small estate.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 3030—A Bill to amend and reenact §22-11-10 of the Code of West Virginia, 1931, as amended, relating to the administration of the West Virginia Water Pollution Control Act; and eliminating fee caps on permits.

Referred to the Committee on Energy, Industry, and Mining.

Executive Communications

The Clerk presented the following communication from His Excellency, the Governor, regarding bills approved by him:



Patrick Morrisey
Governor of West Virginia

March 12, 2025

The Honorable Lee Cassis, Clerk
West Virginia Senate
State Capitol
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, is the following bill:

Senate Bill No. Four Hundred Fifty-Six (456), which was presented to me on March 12, 2025.

You will note that I have approved this bill on March 12, 2025.

Sincerely,


Patrick Morrisey
Governor

PM/an

cc: The Honorable Jeff Pack, Clerk

The Senate proceeded to the fourth order of business.

Senator Hamilton, from the Committee on Natural Resources, submitted the following report, which was received:

Your Committee on Natural Resources has had under consideration

Senate Bill 21, Assessing wildlife impact fee on wind power projects.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 21 (originating in the Committee on Natural Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §20-2-5m, relating to the assessment of a wildlife impact fee by the Director of the Division of Natural Resources on operators of wind power projects that injure or kill protected birds, wild birds, and bats; providing for wildlife impact fee; providing for criminal law exemption; and defining "wind turbine and tower and related components".

And,

Senate Bill 701, Classifying forestry equipment for levy purposes.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 701 (originating in the Committee on Natural Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §11-8-5a and §11-15-8e, relating to taxation; classifying forestry equipment as Class I property; recognizing forestry as a component of agriculture essential to this state's economy; defining forestry equipment; exempting the sale of forestry equipment from the consumers sales and service tax; and providing for effective dates.

With the recommendation that the two committee substitutes do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Bill Hamilton,
Chair.

The bills (Com. Sub. for S. B. 21 and 701), under the original double committee references, were then referred to the Committee on Finance.

Senator Hart, from the Committee on Agriculture, submitted the following report, which was received:

Your Committee on Agriculture has had under consideration

Senate Bill 295, Clarifying non-agricultural status of solar farms.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 295 (originating in the Committee on Agriculture)—A Bill to amend and reenact §11-1A-10 and §19-19-2 of the Code of West Virginia, 1931, as amended, relating to clarifying that certain solar generation facilities are not engaged in the business of farming for appraisal purposes and are not agricultural operations for purposes of agricultural production.

And,

Senate Bill 618, Relating generally to certain farmland tax exemptions and appraisals.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 618 (originating in the Committee on Agriculture)—A Bill to amend and reenact §11-1A-10 of the

Code of West Virginia, 1931, as amended, relating to allowing for reduced property valuation for certain farmland.

With the recommendation that the two committee substitutes do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Craig A. Hart,
Chair.

The bills (Com. Sub. for S. B. 295 and 618), under the original double committee references, were then referred to the Committee on Finance.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Com. Sub. for Senate Bill 586 (originating in the Committee on Government Organization), Relating to requirements for filling vacancies in certain elected federal, state, and county offices.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 586 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §3-10-3, §3-10-4, §3-10-5, §3-10-6, §3-10-7, and §3-10-8 of the Code of West Virginia, 1931, as amended, relating to requirements for filling vacancies in certain elected federal, state, and county offices; requiring appointments for the offices of Secretary of State, Auditor, Treasurer, Attorney General, Commissioner of Agriculture, Justice of the Supreme Court of Appeals, Judge of the Intermediate Court of Appeals, member of Congress, or in any office created or made elective to be filled by the voters of the entire state, or judge of a circuit court or judge of a family court, to be made from a list of persons of the same political party with which the person holding the office immediately preceding the

vacancy was affiliated at the time of the previous election for that office; authorizing the Governor to appoint an acting official to perform the duties of a constitutional officer until the office is filled by appointment; prohibiting the appointment of an individual to fill a vacant office if that person has not been a member of his or her registered political party for at least one year prior to the occurrence of the vacancy; requiring appointments for state Senate, House of Delegates, and circuit court judges be made from the political party with which the individual vacating the office was affiliated at the time of the previous election for that office; and providing that process to select candidates to fill state Senate and House of Delegates seats be governed by state executive committee for the respective political party.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Azinger, from the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration

Senate Bill 663, Creating Transparency in Financial Services Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 663 (originating in the Committee on Banking and Insurance)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §46A-6O-1, §46A-6O-2, §46A-6O-3, §46A-6O-4, and §46A-6O-5, relating to creating the Fair Access to Financial Services Act; providing a short title; providing definitions; prohibiting discrimination by financial institutions; requiring transparency

upon request; authorizing enforcement by certain persons and Attorney General; specifying penalties for violations and for recovery of attorney fees and litigation costs; and establishing statute of limitations.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Michael T. Azinger,
Chair.

The bill (Com. Sub. for S. B. 663), under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Hart, from the Committee on Agriculture, submitted the following report, which was received:

Your Committee on Agriculture has had under consideration

Senate Bill 686, Relating to WV commercial feed law.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 686 (originating in the Committee on Agriculture)—A Bill to amend and reenact §19-14-2 and §19-14-5 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Commercial Feed Law; providing that a person engaged in offering for sale, selling, exchanging, or bartering products or commodities produced exclusively on his or her own farm is not a distributor; and providing that a person engaged in offering for sale, selling, exchanging, or bartering products or commodities produced exclusively on his or her own farm is exempt from obtaining a commercial feed distributor permit.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Craig A. Hart,
Chair.

At the request of Senator Barrett, as chair of the Committee on Finance, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on Agriculture.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 2222, Relating to authorizing certain agencies of the Department of Administration to promulgate legislative rules.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Mike Stuart,
Chair.

The Senate proceeded to the fifth order of business.

Senator Helton, from the Select Committee on Substance Use Disorder and Mental Health, submitted the following report, which was received:

Your Select Committee on Substance Use Disorder and Mental Health has had under consideration

Senate Bill 723, Relating to clinical inpatient medical treatment centers for substance use disorder.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 723 (originating in the Select Committee on Substance Use Disorder and Mental Health)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-5-29b, relating to clinical inpatient medical treatment centers for substance use disorder; defining terms; setting forth requirements for clinical inpatient medical treatment centers for substance use disorder; setting forth reporting requirements; providing for revocation of license for noncompliance; requiring rulemaking; and providing effective date.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Brian Helton,
Chair.

The bill (Com. Sub. for S. B. 723), under the original double committee reference, was then referred to the Committee on Finance.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senator Rucker:

Senate Bill 746—A Bill to amend and reenact §18-2-5b of the Code of West Virginia, 1931, as amended, relating to allowing the state Board of Education to delegate its Medicaid provider status to public charter schools; updating obsolete references to regional education service agencies; requiring that the state Board of Education report to the Legislature containing certain specified Medicaid-related information also include that information on a

public charter school by public charter school basis; and requiring the health services advisory committee to advise the Secretary of the Department of Human Services and the State Superintendent of Schools on ways to improve the ability of public charter schools to provide Medicaid-eligible children with all the school-based Medicaid services for which they are eligible and to ensure that the school-based Medicaid service providers bill for and receive all the Medicaid reimbursement to which they are entitled.

Referred to the Committee on Government Organization.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 747—A Bill to amend and reenact §30-40-17 of the Code of West Virginia, 1931, as amended, relating to the Real Estate License Act; and creating an exception to the requirement that a real estate broker maintain a definite place of business within the state for nonresidents who maintain a definite place of business in their jurisdiction of residence.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senators Helton and Clements:

Senate Bill 748—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §7-28-1, §7-28-2, §7-28-3, §7-28-4, §7-28-5, §7-28-6, and §7-28-7, relating to creating the Safer Communities Act; stating legislative findings and declarations; providing definitions; authorizing counties to levy a public safety sales or amusement tax; requiring notification to certain offices; providing for severability; and providing exclusions.

Referred to the Committee on Finance.

By Senator Rucker:

Senate Bill 749—A Bill to amend and reenact §18-5G-3, §18-5G-7, and §18-5G-8 of the Code of West Virginia, 1931, as amended; and to amend the code by adding two new sections, designated §18-5G-14a and §18-5G-18, relating to public charter

schools; modifying criteria public charter school must meet pertaining to tuition; authorizing public charter school employment of personnel to perform services relating to managing participation in a retirement system or insurance plan; providing that the school district of the student's county of residence becomes responsible to track the students for all purposes when the student is withdrawn from a public charter school and returns to the public school district of that county; authorizing public charter school teachers to proctor state assessments whether the teachers are certified or licensed or not; allowing members of a public charter school governing board to be removed by a vote of the governing board; allowing a public charter school to submit to its authorizer a proposed amendment to any information in its application at any time; allowing authorization and funding of alternative high-risk population public charter schools; providing eligibility requirements; specifying which students are included as high risk; requiring West Virginia Board of Education rule setting forth requirements for alternative high-risk population charter school funding; allowing an institution of higher education to apply to an authorizer to establish virtual or on-campus public charter microschools; and allowing any public charter school to partner with learning pods and microschools to provide instruction to those learning pods and microschools.

Referred to the Committee on Education.

By Senator Woelfel:

Senate Bill 750—A Bill to amend and reenact §3-5-13a and §24-1-3 of the Code of West Virginia, 1931, as amended; and to amend the code by adding two new sections, designated §3-5-6f and §24-1-3a, relating to the Public Service Commission; eliminating appointment process for commission members; providing for expiration date of terms of appointed members; providing that commission members be elected to nonpartisan six-year terms; providing for staggered terms in initial election; providing for regular election procedures; and providing for appointments to fill vacancies.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Hart:

Senate Bill 751—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16-7-12, relating to prohibiting the manufacture, sale, or distribution of cultivated meat products; defining term; establishing prohibition; providing for penalties; providing for food establishment permit suspension process; clarifying lack of prohibition on research related to cultivated meat products; providing for rulemaking; and establishing effective and sunset dates.

Referred to the Committee on Agriculture; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 752—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §20-2-43, relating to establishing Class WV resident and Class WV nonresident wildlife view stamps; and authorizing the Division of Natural Resources to propose legislative rules for the cost of the stamps and the appropriate uses thereof.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senators Rose, Roberts, and Charnock:

Senate Bill 753—A Bill to amend and reenact §19-23-3, §19-23-7, §19-23-12b, §29-22A-3, §29-22A-7, §29-22A-12§29-22C-3, §29-22C-8, and §29-22C-10 of the Code of West Virginia, 1931, as amended, relating to dog racing requirements; modifying certain definitions; eliminating the requirement that an applicant for a dog racing license race a minimum number of dates to qualify for such a license; eliminating the requirement that an applicant for a dog racing license race a minimum number of dates to contract to receive telecasts and accept wagers; providing that a dog racetrack is required to hold a racing license to conduct simulcast racing regardless of whether the racetrack continues to conduct live dog racing; authorizing the West Virginia Racing Commission to promulgate rules, including emergency rules, regarding licensure of dog racetracks conducting only simulcast racing; eliminating the requirement that a video lottery licensee at a dog track must hold a

racing license to renew a video lottery license or racetrack table games license; permitting a dog racetrack to continue to operate operational video lottery and racetrack table games in a location where live racing was previously conducted; and eliminating the requirement that a racetrack table games licensee at a dog racetrack must race a minimum number of dates.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 754—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §20-20-1, §20-20-2, §20-20-3, §20-20-4, and §20-20-5, relating to the creation of the Outdoor West Virginians With Disabilities Act; providing for a short title; establishing definitions; providing updates to travel management plans and motor vehicle use plans; clarifying motor vehicle use maps and designation of certain public land as open, limited, or closed to off-road vehicles; and clarifying the effect of the article.

Referred to the Committee on Natural Resources; and then to the Committee on the Judiciary.

Senator Bartlett offered the following resolution:

Senate Resolution 28—Designating March 14, 2025, as West Virginia State University Day at the Legislature.

Which, under the rules, lies over one day.

Senator Takubo offered the following resolution:

Senate Resolution 29—Designating March 14, 2025, as West Virginia American Academy of Pediatrics Child Health Advocacy Day at the Legislature.

Which, under the rules, lies over one day.

Senator Queen offered the following resolution:

Senate Resolution 30—Recognizing the 80th anniversary of the Claude Worthington Benedum Foundation.

Which, under the rules, lies over one day.

Senator Weld offered the following resolution:

Senate Resolution 31—Designating March 14, 2025, as Suicide Prevention Awareness Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Resolution 24, Designating March 13, 2025, as Tucker County Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Taylor, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Senate Resolution 25, Designating March 13, 2025, as Wear Red Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Grady, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Senate Resolution 26, Recognizing March 13, 2025, as National K9 Veterans Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Weld, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

The question being on the adoption of the resolution, and on this question, Senator Phillips demanded the yeas and nays.

The roll being taken, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: Azinger—1.

Absent: None.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 26) adopted.

Senate Resolution 27, Congratulating Taylor County Middle school football team for winning 2024 Mid-8 Championship.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Taylor, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 658, Prohibiting certain persons from receiving compensation for advising or assisting with veterans' benefits.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 658 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 658) passed with its title.

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

Eng. Com. Sub. for House Bill 2053, Relating to including the United States Space Force in the definition armed forces.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: Willis—1.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2053) passed with its title.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 526, Creating Pharmacist Prescribing Authority Act.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 592, Relating generally to aboveground storage tanks.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 712, Relating to retirement provisions of systems managed by CPRB.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Oliverio, the following amendments to the bill were reported by the Clerk and considered simultaneously:

On page 12, section 27b, line 64, by striking out "(A) or (B) below";

And,

On page 25, section 2, line 122, by striking out "(u)" and inserting in lieu thereof "(v)";

And,

On page 32, section 9b, line 63, by striking out "(A) or (B) below";

And,

On page 35, section 2, line 13, after the word "Guard" by inserting a comma and the words "Space Force,";

And,

On page 46, section 11, line 63, by striking out "(A) or (B) below";

And,

On page 50, section 45, line 73, by striking out "(A) or (B) below";

And,

On page 51, section 2, line 5, after the word "Marines" by inserting a comma and the words "Space Force,";

And,

On page 58, section 6b, line 58, by striking out "(A) or (B) below";

And,

On page 73, section 13, line 63, by striking out "(A) or (B) below";

And,

On page 85, section 28b, line 64 by striking out "(A) or (B) below";

And,

On page 92, section 12a, line 67, by striking out "(A) or (B) below";

And,

On page 105, section 14, line 62, by striking out "(A) or (B) below";

And,

On page 108, section 10, lines 8 – 16, by striking out subsection (b) and inserting in lieu thereof a new subsection (b), to read as follows:

(b) The Legislature recognizes and acknowledges the authority of the West Virginia Supreme Court of Appeals to recall retired circuit court judges, family court judges, judges of the Intermediate Court of Appeals, and justices of the Supreme Court of Appeals for temporary assignment and to create a panel of such senior judges and justices to serve in certain circumstances including, but not limited to, serving temporarily in the event of a protracted illness or medical condition, lengthy suspension, or other unfilled vacancy; serving temporarily in a circuit to assist with an excess of pending matters identified by the administrative director through statistical analysis; mentoring or assisting a sitting judge as directed by the administrative director; serving temporarily in a circuit in the event of a recusal or disqualification of a judge or justice; or presiding over cases as a member of the mass litigation or business court: *Provided*, That extended assignment of retired judges and justices must not be utilized in such a way as to threaten the qualified status of the Judges' Retirement System under applicable provisions of the Internal Revenue Code, including Treasury Regulation §1.401(a)-1(b)(1) requiring that a qualified plan must be established primarily to provide payment of definitely determinable benefits to its employees after retirement or attainment of normal retirement age.;

And,

On page 109, section 10, line 29, after the word "protracted" by striking out the comma and the words "but temporary,";

And,

On page 113, section 12b, line 58, by striking out "(A) or (B) below".

At the request of Senator Charnock, and by unanimous consent, Senator Charnock was excused from voting on any matter

pertaining to the bill under Rule 43 of the Rules of the Senate, as she is a hearing examiner contracted by the Consolidated Public Retirement Board.

The question being on the adoption of Senator Oliverio's amendment to the bill, the same was put and prevailed.

The bill (S. B. 712), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 715, Relating to personally identifiable information of member, retirant, beneficiary, or alternate payee of retirement system.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 716, Relating to failure to pay required contributions and interest payments for certain retirees who transfer between retirement systems.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Eng. Com. Sub. for House Bill 2042, Relating to allowing a guardian ad litem to request the appointment of a court appointed special advocate.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

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

ARTICLE 4. COURT ACTIONS.

PART VI. PROCEDURES IN CASES OF CHILD NEGLECT OR ABUSE.

§49-4-601. Petition to court when child believed neglected or abused; venue; notice; right to counsel; continuing legal education; findings; proceedings; procedure.

(a) *Petitioner and venue.* — If the department or a reputable person believes that a child is neglected or abused, the department or the person may present a petition setting forth the facts to the circuit court in the county in which the child resides, or if the petition is being brought by the department, in the county in which the custodial respondent or other named party abuser resides, or in which the abuse or neglect occurred, or to the judge of the court in vacation. Under no circumstance may a party file a petition in more than one county based on the same set of facts.

(b) *Contents of Petition.* — The petition shall be verified by the oath of some credible person having knowledge of the facts. The petition shall allege specific conduct including time and place, how the conduct comes within the statutory definition of neglect or abuse with references thereto, any supportive services provided by the department to remedy the alleged circumstances and the relief sought.

(c) *Court action upon filing of petition.* — Upon filing of the petition, the court shall set a time and place for a hearing and shall appoint counsel for the child. When there is an order for temporary custody pursuant to this article, the preliminary hearing shall be held within ten days of the order continuing or transferring custody, unless a continuance for a reasonable time is granted to a date certain, for good cause shown.

(d) *Department action upon filing of the petition.* — At the time of the institution of any proceeding under this article, the department shall provide supportive services in an effort to remedy circumstances detrimental to a child.

(e) *Notice of hearing.* —

(1) The petition and notice of the hearing shall be served upon both parents and any other custodian, giving to the parents or

custodian at least five days' actual notice of a preliminary hearing and at least ten days' notice of any other hearing.

(2) Notice shall be given to the department, any foster or preadoptive parent, and any relative providing care for the child.

(3) In cases where personal service within West Virginia cannot be obtained after due diligence upon any parent or other custodian, a copy of the petition and notice of the hearing shall be mailed to the person by certified mail, addressee only, return receipt requested, to the last known address of the person. If the person signs the certificate, service shall be complete and the certificate shall be filed as proof of the service with the clerk of the circuit court.

(4) If service cannot be obtained by personal service or by certified mail, notice shall be by publication as a Class II legal advertisement in compliance with article three, chapter fifty-nine of this code.

(5) A notice of hearing shall specify the time and place of the hearing, the right to counsel of the child and parents or other custodians at every stage of the proceedings and the fact that the proceedings can result in the permanent termination of the parental rights.

(6) Failure to object to defects in the petition and notice may not be construed as a waiver.

(f) *Right to counsel.* —

(1) In any proceeding under this article, the child, his or her parents and his or her legally established custodian or other persons standing in *loco parentis* to him or her has the right to be represented by counsel at every stage of the proceedings and shall be informed by the court of their right to be so represented and that if they cannot pay for the services of counsel, that counsel will be appointed.

(2) Counsel shall be appointed in the initial order. For parents, legal guardians, and other persons standing in *loco parentis*, the

representation may only continue after the first appearance if the parent or other persons standing in *loco parentis* cannot pay for the services of counsel.

(3) Counsel for other parties shall only be appointed upon request for appointment of counsel. If the requesting parties have not retained counsel and cannot pay for the services of counsel, the court shall, by order entered of record, appoint an attorney or attorneys to represent the other party or parties and so inform the parties.

(4) Under no circumstances may the same attorney represent both the child and the other party or parties, nor may the same attorney represent both parents or custodians. However, one attorney may represent both parents or custodians where both parents or guardians consent to this representation after the attorney fully discloses to the client the possible conflict and where the attorney assures the court that she or he is able to represent each client without impairing her or his professional judgment; however, if more than one child from a family is involved in the proceeding, one attorney may represent all the children.

(5) A parent who is a copetitioner is entitled to his or her own attorney. The court may allow to each attorney so appointed a fee in the same amount which appointed counsel can receive in felony cases.

(g) *Continuing education for counsel.* — Any attorney representing a party under this article shall receive a minimum of eight hours of continuing legal education training per reporting period on child abuse and neglect procedure and practice. In addition to this requirement, any attorney appointed to represent a child must first complete training on representation of children that is approved by the administrative office of the Supreme Court of Appeals. The Supreme Court of Appeals shall develop procedures for approval and certification of training required under this section. Where no attorney has completed the training required by this subsection, the court shall appoint a competent attorney with demonstrated knowledge of child welfare law to represent the parent or child. Any attorney appointed pursuant to this section

shall perform all duties required of an attorney licensed to practice law in the State of West Virginia.

(h) *Right to be heard.* — In any proceeding pursuant to this article, the party or parties having custodial or other parental rights or responsibilities to the child shall be afforded a meaningful opportunity to be heard, including the opportunity to testify and to present and cross-examine witnesses. Foster parents, preadoptive parents, and relative caregivers shall also have a meaningful opportunity to be heard.

(i) *Findings of the court.* — Where relevant, the court shall consider the efforts of the department to remedy the alleged circumstances. At the conclusion of the adjudicatory hearing, the court shall make a determination based upon the evidence and shall make findings of fact and conclusions of law as to whether the child is abused or neglected and whether the respondent is abusing, neglecting, or, if applicable, a battered parent, all of which shall be incorporated into the order of the court. The findings must be based upon conditions existing at the time of the filing of the petition and proven by clear and convincing evidence.

(j) *Priority of proceedings.* — Any petition filed and any proceeding held under this article shall, to the extent practicable, be given priority over any other civil action before the court, except proceedings under section three hundred nine, article twenty-seven, chapter forty-eight of this code and actions in which trial is in progress. Any petition filed under this article shall be docketed immediately upon filing. Any hearing to be held at the end of an improvement period and any other hearing to be held during any proceedings under this article shall be held as nearly as practicable on successive days and, with respect to the hearing to be held at the end of an improvement period, shall be held as close in time as possible after the end of the improvement period and shall be held within thirty days of the termination of the improvement period.

(k) *Procedural safeguards.* — The petition may not be taken as confessed. A transcript or recording shall be made of all proceedings unless waived by all parties to the proceeding. The rules of evidence shall apply. Following the court's determination,

it shall be inquired of the parents or custodians whether or not appeal is desired and the response transcribed. A negative response may not be construed as a waiver. The evidence shall be transcribed and made available to the parties or their counsel as soon as practicable, if the same is required for purposes of further proceedings. If an indigent person intends to pursue further proceedings, the court reporter shall furnish a transcript of the hearing without cost to the indigent person if an affidavit is filed stating that he or she cannot pay therefor.

(l) CASA. — The department, guardian ad litem, or any parent as defined in §49-1-204 of this code who is a party to a proceeding instituted pursuant to the provisions of this section, may file a petition in accordance with the Rules of Procedure for Child Abuse and Neglect Proceedings requesting the appointment of a court appointed special advocate, which the circuit court may appoint if a court appointed special advocate provides services to the circuit court with jurisdiction over the proceedings instituted pursuant to this section.

The bill (Eng. Com. Sub. for H. B. 2042), as amended, was then ordered to third reading.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 102, Modifying form of certain deeds.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 220, Authorizing child sexual abuse and sexual violence prevention program and in-service training in child sexual abuse prevention.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 449, Permitting compressed air and rimfire shooting teams in public schools.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 548, Creating Safety and Violence Education for Students Act.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the eleventh order of business and the introduction of guests.

The Senate then proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on March 12, 2025:

Senate Bill 295: Senator Willis;

Senate Bill 472: Senator Maynard;

Senate Bill 543: Senator Deeds;

Senate Bill 632: Senator Helton;

Senate Bill 663: Senator Willis;

Senate Bill 686: Senator Willis;

Senate Bill 697: Senator Willis;

Senate Bill 701: Senator Deeds;

Senate Bill 740: Senators Clements and Woelfel;

Com. Sub. for Senate Joint Resolution 6: Senators Hart, Deeds, Bartlett, Azinger, and Stuart;

Senate Resolution 24: Senators Jeffries and Taylor;

Senate Resolution 25: Senator Rucker;

Senate Resolution 26: Senators Jeffries and Rucker;

And,

Senate Resolution 27: Senators Martin and Jeffries.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 11:44 a.m., the Senate adjourned until tomorrow, Friday, March 14, 2025, at 10 a.m.

FRIDAY, MARCH 14, 2025

The Senate met at 10:10 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Dr. Bill J. Bartlett, Pastor Emeritus, Maranatha Baptist Church, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Michael A. Oliverio II, a senator from the thirteenth district.

Pending the reading of the Journal of Thursday, March 13, 2025,

At the request of Senator Queen, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Clerk presented the following communication from a state agency as required by the provisions of law:

Health, Department of (Office of Emergency Medical Services) (§16-4C-6b)

The Senate proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 138, Enhancing penalties for fleeing officer.

On motion of Senator Martin, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

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

**"CHAPTER 17C. TRAFFIC REGULATIONS
AND LAWS OF THE ROAD.**

ARTICLE 5. SERIOUS TRAFFIC OFFENSES.

§17C-5-2. Driving under influence of alcohol, controlled substances, or drugs; penalties.

(a) Definitions. —

(1) "Impaired state" means a person:

(A) Is under the influence of alcohol;

(B) Is under the influence of any controlled substance;

(C) Is under the influence of any other drug or inhalant substance;

(D) Is under the combined influence of alcohol and any controlled substance or any other drug; or

(E) Has an alcohol concentration in his or her blood of eight hundredths of one percent or more, by weight.

(2) "Bodily injury" means injury that causes substantial physical pain, illness, or any impairment of physical condition.

(3) "Controlled substance" has the meaning provided in §60A-1-101 of this code.

(4) "Serious bodily injury" means bodily injury that creates a substantial risk of death, that causes serious or prolonged disfigurement, prolonged impairment of health, or prolonged loss or impairment of the function of any bodily organ.

(5) "Test and lock program" means the Motor Vehicle Test and Lock Program, established in §17C-5A-3a and administered by the Division of Motor Vehicles.

(b) Any person who drives a vehicle in this state while he or she is in an impaired state, and such impaired state proximately causes the death of any person, including an embryo or fetus as defined in §61-2-30 of this code, is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for not less than three nor more than 15 years and shall be fined not less than \$1,000 nor more than \$3,000, and 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 10 years or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code: *Provided*, That any death charged under this subsection must occur within one year of the offense: *Provided, however*, That if the person has previously been convicted under this section, the person shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for life or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code.

(c) Any person who drives a vehicle in this state while he or she is in an impaired state, and such impaired state proximately causes serious bodily injury to any person, including an embryo or

fetus as defined in §61-2-30 of this code, other than himself or herself, is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for not less than two nor more than 10 years and shall be fined not less than \$1,000 nor more than \$3,000, and 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 five years or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code: *Provided*, That if the person has previously been convicted under this section, the person shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for life or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code.

(d) Any person who drives a vehicle in this state while he or she is in an impaired state, and such impaired state proximately causes a bodily injury to any person other than himself or herself, is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not less than one day nor more than one year and shall be fined not less than \$200 nor more than \$1,000, and 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 two years or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code: *Provided*, That if the person has previously been convicted under this section, the person shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for life or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code. Any jail term imposed pursuant to this subsection shall include actual confinement of not less than 24 hours: *Provided, however*, That a person sentenced pursuant to this subsection shall receive credit for any period of actual confinement he or she served upon arrest for the subject offense.

(e) Any person who drives a vehicle on any public highway or private road in this state: (1) while he or she is in an impaired state; or (2) while he or she is in an impaired state but has an alcohol

concentration in his or her blood of less than fifteen hundredths of one percent, by weight, is guilty of a misdemeanor and, upon conviction thereof, may be confined in jail for up to six months and shall be fined not less than \$100 nor more than \$500, and 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 six months or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code: *Provided*, That a person sentenced pursuant to this subsection shall receive credit for any period of actual confinement he or she served upon arrest for the subject offense.

(f) Any person who drives a vehicle on any public highway or private road in this state while he or she has an alcohol concentration in his or her blood of fifteen hundredths of one percent or more, by weight, is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not less than two days nor more than six months, which jail term is to include actual confinement of not less than 24 hours, and shall be fined not less than \$200 nor more than \$1,000, and 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 or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code. A person sentenced pursuant to this subsection shall receive credit for any period of actual confinement he or she served upon arrest for the subject offense.

(g) Any person who, being a habitual user of narcotic drugs or amphetamines, or any derivative thereof, drives a vehicle on any public highway or private road in this state is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not less than one day nor more than six months, which jail term is to include actual confinement of not less than 24 hours, and shall be fined not less than \$100 nor more than \$500, and 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 six months. A person sentenced pursuant to this subsection shall

receive credit for any period of actual confinement he or she served upon arrest for the subject offense.

(h) Any person who knowingly permits his or her vehicle to be driven on any public highway or private road in this state by any other person who is in an impaired state is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not more than six months and shall be fined not less than \$100 nor more than \$500, and 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 six months or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code.

(i) Any person who knowingly permits his or her vehicle to be driven on any public highway or private road in this state by any other person who is a habitual user of narcotic drugs or amphetamines, or any derivative thereof, is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not more than six months and shall be fined not less than \$100 nor more than \$500, and 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 six months.

(j) (1) Any person under the age of 21 years who drives a vehicle on any public highway or private road in this state while he or she has an alcohol concentration in his or her blood of two hundredths of one percent or more, by weight, but less than eight hundredths of one percent, by weight, for a first offense under this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$25 nor more than \$100, and have his or her license to operate a motor vehicle suspended by the Commissioner of the Division of Motor Vehicles for a period of 60 days or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code. For a second or subsequent offense under this subsection, the person is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for 24 hours and shall be fined not less than \$100 nor more than \$500, and 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 or until the person's 21st birthday, whichever period is longer, or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code. A person who is charged with a first offense under the provisions of this subsection may move for a continuance of the proceedings, from time to time, to allow the person to participate in the test and lock program as provided in §17C-5A-3a of this code. Upon successful completion of the program, the court shall dismiss the charge against the person and expunge the person's record as it relates to the alleged offense. In the event the person fails to successfully complete the program, the court shall proceed to an adjudication of the alleged offense. A motion for a continuance under this subsection may not be construed as an admission or be used as evidence.

(2) (A) Notwithstanding subdivision (1) of this subsection, a person shall have his or her license to operate a motor vehicle suspended or revoked for a minimum period of one year or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code, if the person:

(i) Has previously been convicted under this subsection and is subsequently convicted of an offense under another subsection of this section; or

(ii) Is convicted under this subsection and has previously been convicted of an offense under another subsection of this section.

(B) Nothing in this subdivision permits a shorter period of license revocation, license suspension, or participation in the test and lock program than is mandatory for the specific offense for which the person is convicted.

(3) A person arrested and charged with an offense under the provisions of this subsection or subsection (b), (c), (d), (e), (f), (g), (h), or (i) of this section may not also be charged with an offense under this subsection arising out of the same transaction or occurrence.

(k) Any person who drives a vehicle on any public highway or private road in this state while he or she is in an impaired state and has within the vehicle one or more other persons who are unemancipated minors who have not yet reached their 16th birthday is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not less than two days nor more than 12 months, and shall be fined not less than \$200 nor more than \$1,000, and 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 or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code: *Provided*, That such jail term shall include actual confinement of not less than 48 hours: *Provided, however*, That a person sentenced pursuant to this subsection shall receive credit for any period of actual confinement he or she served upon arrest for the subject offense.

(l) A person convicted of an offense under this section, who has previously been convicted of any offense under this section on one occasion, is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not less than six months nor more than one year, may be fined not less than \$1,000 nor more than \$3,000, and shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for 10 years or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code: *Provided*, That if the second conviction is for an offense as described in subsections (b), (c), or (d) of this section and the subsection creating the offense requires a period of incarceration, period of license revocation, or fine that is greater than what is required for a conviction under this subsection, the greater period of incarceration, period of revocation, or fine shall be imposed: *Provided, however*, That this section does not apply to a second conviction that is subject to a period of license revocation under subsection (j) of this section.

(m) A person convicted of an offense under this section, who has previously been convicted of any offense under this section on two or more occasions, is guilty of a felony and, upon conviction

thereof, shall be imprisoned in a state correctional facility for not less than two nor more than five years, shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for life or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code, and the court may, in its discretion, impose a fine of not less than \$3,000 nor more than \$5,000: *Provided*, That if the third or subsequent conviction is for an offense as described in subsections (b), (c), or (d) of this section and the subsection creating the offense requires a period of incarceration, period of license revocation, or fine that is greater than what is required for a conviction under this subsection, the greater period of incarceration, period of revocation, and fine shall be imposed: *Provided, however*, That this section does not apply to a third or subsequent conviction that is subject to a period of license revocation under subsection (j) of this section.

(n) For purposes of subsections (l) and (m) of this section relating to second, third, and subsequent offenses, the following events shall be regarded as offenses and convictions under this section:

(1) Any conviction under the provisions of subsection (b), (c), (d), (e), (f), (g), (h), or (i) of this section, or under a prior enactment of this section, for an offense which occurred within the 10-year period immediately preceding the date of arrest in the current proceeding;

(2) Any conviction under a municipal ordinance of this state or any other state or a statute of the United States or of any other state of an offense which has the same elements as an offense described in subsection (b), (c), (d), (e), (f), (g), (h), or (i) of this section, which offense occurred within the 10-year period immediately preceding the date of arrest in the current proceeding; ~~and~~

(3) Any period of conditional probation imposed pursuant to §17C-5-2b of this code for violation of subsection (e) of this section, which violation occurred within the 10-year period immediately preceding the date of arrest in the current proceeding; and

(4) Any conviction under the provisions of §61-5-17(j) of this code or under a prior enactment of that subsection, for an offense which occurred within the 15-year period immediately preceding the date of arrest in the current proceeding.

(o) A person may be charged in a warrant, indictment, or information for a second or subsequent offense, as described in subsection (j), (l), or (m) of this section, if the person has been previously arrested for, or charged with, a violation of this section which is alleged to have occurred within the applicable time period for prior offenses, notwithstanding the fact that there has not been a final adjudication of the charges for the alleged previous offense. In that case, the warrant or indictment or information must set forth the date, location, and particulars of the previous offense or offenses. No person may be convicted of a second or subsequent offense under this section unless the conviction for the previous offense has become final, or the person has previously had a period of conditional probation imposed pursuant to §17C-5-2b of this code.

(p) The fact that any person charged with a violation of subsection (b), (c), (d), (e), (f), or (g) of this section, or any person permitted to drive as described under subsection (h) or (i) of this section, is or has been legally entitled to use alcohol, a controlled substance, or a drug does not constitute a defense against any charge of violating subsection (b), (c), (d), (e), (f), (g), (h), or (i) of this section.

(q) The sentences provided in this section upon conviction for a violation of this article are mandatory and are not subject to suspension or probation: *Provided*, That the court may apply the provisions of §62-11A-1 *et seq.* of this code to a person sentenced or committed to a term of one year or less for a first offense under this section: *Provided, however*, That the court may impose a term of conditional probation pursuant to §17C-5-2b of this code to persons adjudicated thereunder. An order for home detention by the court pursuant to the provisions of §62-11B-1 *et seq.* of this code may be used as an alternative sentence to any period of incarceration required by this section for a first or subsequent offense: *Provided further*, That for any period of home

incarceration ordered for a person convicted of a second offense under this section, electronic monitoring shall be required for no fewer than five days of the total period of home confinement ordered and the offender may not leave home for those five days notwithstanding the provisions of §62-11B-5 of this code: *And provided further*, That for any period of home incarceration ordered for a person convicted of a third or subsequent violation of this section, electronic monitoring shall be included for no fewer than 10 days of the total period of home confinement ordered and the offender may not leave home for those 10 days notwithstanding §62-11B-5 of this code.

(r) A person whose license to operate a motor vehicle has been revoked or suspended by the Commissioner of the Division of Motor Vehicles pursuant to this section must complete a comprehensive safety and treatment program as set forth in §17C-5A-3 of this code before his or her license to operate a motor vehicle can be reinstated and his or her driving privileges restored.

(s) For any offense for which an alternative revocation period is permitted conditioned upon participation in the test and lock program, an alternative sentence may not be imposed without the consent of the driver.

(t) Upon entering the order of conviction for an offense under this section, or the imposition of conditional probation as provided in §17C-5-2b of this code, the clerk of the court shall immediately transmit the order to the Commissioner of the Division of Motor Vehicles.

(u) The amendments made to this section during the 2020 regular session of the Legislature shall become effective on July 1, 2020.

CHAPTER 61. CRIMES AND THEIR PUNISHMENT.

ARTICLE 5. CRIMES AGAINST PUBLIC JUSTICE.

§61-5-17. Obstructing officer; fleeing from officer; making false statements to officer; interfering with emergency communications; penalties; definitions.

(a) A person who by threats, menaces, acts, or otherwise forcibly or illegally hinders, or obstructs, or attempts to hinder or obstruct a law-enforcement officer, probation officer, parole officer, courthouse security officer, correctional officer, the State Fire Marshal, or a full-time deputy or assistant fire marshal acting in his or her official capacity is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$50 nor more than \$500 or confined in jail not more than one year, or both fined and confined.

(b) A person who intentionally disarms or attempts to disarm a law-enforcement officer, correctional officer, probation officer, parole officer, courthouse security officer, the State Fire Marshal, or a full-time deputy or assistant fire marshal acting in his or her official capacity is guilty of a felony and, upon conviction thereof, shall be ~~imprisoned~~ confined in a state correctional facility not less than one nor more than five years.

(c) A person who, with intent to impede or obstruct a law-enforcement officer, the State Fire Marshal, or a full-time deputy or assistant fire marshal in the conduct of an investigation of a misdemeanor or felony offense, knowingly and willfully makes a materially false statement is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$25 nor more than \$200, or confined in jail for five days, or both fined and confined. The provisions of this section do not apply to statements made by a spouse, parent, stepparent, grandparent, sibling, half-sibling, child, stepchild, or grandchild, whether related by blood or marriage, of the person under investigation. Statements made by the person under investigation may not be used as the basis for prosecution under this subsection. For purposes of this subsection, "law-enforcement officer" does not include a watchman, a member of the West Virginia State Police, or college security personnel who is not a certified law-enforcement officer. A criminal charge under this subsection relating to the investigation of a misdemeanor offense may not be used to seek or support a secured bond or pre-trial incarceration.

(d) A person who intentionally flees or attempts to flee by any means other than the use of a vehicle from a law-enforcement

officer, probation officer, parole officer, courthouse security officer, correctional officer, the State Fire Marshal, or a full-time deputy or assistant fire marshal acting in his or her official capacity who is attempting to make a lawful arrest of or to lawfully detain the person, and who knows or reasonably believes that the officer is attempting to arrest or lawfully detain him or her, is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$50 nor more than \$500 ~~or confined in jail not more than one year, or both fined and confined~~ and confined in jail for 10 days. A person convicted of a second offense violation of this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$250 nor more than \$1,000 and confined in jail for 30 days. A person who is convicted of a third or subsequent offense in violation of this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$2,000 and confined in jail not less than 60 days nor more than one year.

(e) A person who intentionally flees or attempts to flee in a vehicle from a law-enforcement officer, probation officer, or parole officer acting in his or her official capacity after the officer has given a clear visual or audible signal directing the person to stop is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$500 nor more than \$1,000 and shall be confined in jail not more than one year. A person who is convicted of a second offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$2,000 or shall be confined in a state correctional facility for not less than one year nor more than three years, or both fined and confined. A person who is convicted of a third or subsequent offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be fined not less than \$2,000, nor more than \$5,000 and shall be confined in a state correctional facility not less than two nor more than five years, or both fined and confined.

(f) A person who intentionally flees or attempts to flee in a vehicle from a law-enforcement officer, probation officer, or parole officer acting in his or her official capacity after the officer has

given a clear visual or audible signal directing the person to stop, and who operates the vehicle in a manner showing a reckless indifference to the safety of others, is guilty of a felony and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$2,000 and shall be ~~imprisoned~~ confined in a state correctional facility not less than one nor more than five years. A person who is convicted of a second offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$2,000 or shall be confined in a state correctional facility for not less than two nor more than 10 years, or both fined and confined. A person who is convicted of a third or subsequent offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be fined not less than \$2,000 nor more than \$5,000 and shall be confined in a state correctional facility not less than three nor more than 15 years, or both fined and confined.

(g) A person who intentionally flees or attempts to flee in a vehicle from a law-enforcement officer, probation officer, or parole officer acting in his or her official capacity after the officer has given a clear visual or audible signal directing the person to stop, and who causes damage to the real or personal property of a person during or resulting from his or her flight, is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$3,000 and shall be confined in jail for not less than six months nor more than one year. A person who is convicted of a second offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be fined not less than \$3,000 nor more than \$5,000 or shall be confined in a state correctional facility for not less than one year nor more than three years, or both fined and confined. A person who is convicted of a third or subsequent offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be fined not less than \$5,000 nor more than \$8,000 and shall be confined in a state correctional facility not less than two nor more than five years, or both fined and confined.

(h) A person who intentionally flees or attempts to flee in a vehicle from a law-enforcement officer, probation officer, or parole

officer acting in his or her official capacity after the officer has given a clear visual or audible signal directing the person to stop, and who causes bodily injury to a person during or resulting from his or her flight, is guilty of a felony and, upon conviction thereof, shall be ~~imprisoned~~ confined in a state correctional facility not less than three nor more than 10 years. A person who is convicted of a second offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be confined in a state correctional facility for not less than five years nor more than 10 years. A person who is convicted of a third or subsequent offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be confined in a state correctional facility not less than five nor more than 15 years.

(i) A person who intentionally flees or attempts to flee in a vehicle from a law-enforcement officer, probation officer, or parole officer acting in his or her official capacity after the officer has given a clear visual or audible signal directing the person to stop, and who causes death to a person during or resulting from his or her flight, is guilty of a felony and, upon conviction thereof, shall be ~~imprisoned~~ confined in a state correctional facility for not less than five nor more than 15 years. A person who is convicted of a second offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be confined in a state correctional facility for not less than 15 years nor more than life. A person who is convicted of a third or subsequent offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be confined in a state correctional facility for life. A person ~~imprisoned~~ confined pursuant to this subsection is not eligible for parole prior to having served a minimum of three years of his or her sentence or the minimum period required by §62-12-13 of this code, whichever is greater.

(j) A person who intentionally flees or attempts to flee in a vehicle from a law-enforcement officer, probation officer, or parole officer acting in his or her official capacity after the officer has given a clear visual or audible signal directing the person to stop, and who is under the influence of alcohol, controlled substances, or drugs, is guilty of a felony and, upon conviction thereof, shall be

~~imprisoned~~ confined in a state correctional facility not less than three nor more than 10 years. A person who is convicted of a second offense of violation of this subsection is guilty of a felony and shall be confined in a state correctional facility for not less than five years nor more than 15 years. A person who is convicted of a third or subsequent offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be confined in a state correctional facility not less than 10 nor more than 20 years. A conviction for a violation of this subsection may be used as a predicate offense for driving under the influence, second offense driving under the influence, or third offense driving under the influence, and it shall be treated as a driving under the influence conviction for licensure purposes by the Division of Motor Vehicles.

(k) For purposes of this section, the term "vehicle" includes any motor vehicle, motorcycle, motorboat, all-terrain vehicle, or snowmobile, as those terms are defined in §17A-1-1 of this code, whether or not it is being operated on a public highway at the time and whether or not it is licensed by the state.

(l) For purposes of this section, the terms "flee", "fleeing", and "flight" do not include a person's reasonable attempt to travel to a safe place, allowing the pursuing law-enforcement officer to maintain appropriate surveillance, for the purpose of complying with the officer's direction to stop.

(m) The revisions to subsections (e), (f), (g), and (h) of this section enacted during the 2010 regular legislative session shall be known as the Jerry Alan Jones Act.

(n) (1) ~~No~~ A person, with the intent to purposefully deprive another person of emergency services, may not interfere with or prevent another person from making an emergency communication, which a reasonable person would consider necessary under the circumstances, to law-enforcement, fire, or emergency medical services personnel.

(2) For the purpose of this subsection, the term "interfere with or prevent" includes, but is not limited to, seizing, concealing,

obstructing access to, or disabling or disconnecting a telephone, telephone line, or equipment or other communication device.

(3) For the purpose of this subsection, the term "emergency communication" means communication to transmit warnings or other information pertaining to a crime, fire, accident, power outage, disaster, or risk of injury or damage to a person or property.

(4) A person who violates this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for a period of not less than one day nor more than one year, or shall be fined not less than \$250 nor more than \$2,000, or both fined and confined.

(5) A person who is convicted of a second offense under this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not less than three months nor more than one year, or fined not less than \$500 nor more than \$3,000, or both fined and confined.

(6) A person who is convicted of a third or subsequent offense under this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail not less than six months nor more than one year or fined not less than \$500 nor more than \$4,000, or both fined and confined.

~~(7) In determining the number of prior convictions for purposes of imposing punishment under this subsection, the court shall disregard all such prior convictions occurring more than 10 years prior to the offense in question.~~

(o) A person is guilty of filing a false complaint against a law-enforcement officer when, knowing the information reported is false or baseless, he or she:

(1) Initiates a false complaint of improper action of a law-enforcement officer relating to an incident or other circumstance;
or

(2) Reports, by word or action, to any official or quasi-official agency, or organization having the function of dealing with

conduct of law-enforcement officers which did not occur, does not in fact exist; or

(3) Reports to a law-enforcement officer or agency the alleged occurrence of any offense or incident which did not in fact occur.

Any person who violates this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000 or confined in jail not more than six months, or both fined and confined.

(p) In determining the number of prior convictions for purposes of imposing punishment under this section, the court shall disregard all such prior convictions occurring more than 15 years prior to the offense in question.

ARTICLE 11. GENERAL PROVISIONS CONCERNING CRIMES.

§61-11-18. Punishment for second or third offense of felony.

(a) For purposes of this section, "qualifying offense" means any offense or an attempt or conspiracy to commit any of the offenses in the following provisions of this code:

- (1) §60A-4-401(a)(i) and §60A-4-401(a)(ii);
- (2) §60A-4-406;
- (3) §60A-4-409(b)(1) and §60A-4-409 (b)(2);
- (4) §60A-4-411;
- (5) §60A-4-414;
- (6) §60A-4-415;
- (7) §60A-4-416(a);
- (8) §61-2-1;
- (9) §61-2-4;

- (10) §61-2-7;
- (11) §61-2-9(a);
- (12) §61-2-9a(d) and §61-2-9a(e);
- (13) §61-2-9b;
- (14) §61-2-9c;
- (15) §61-2-9d;
- (16) §61-2-10;
- (17) §61-2-10b(b) and §61-2-10b(c);
- (18) Felony provisions of §61-2-10b(d);
- (19) §61-2-12;
- (20) Felony provisions of §61-2-13;
- (21) §61-2-14;
- (22) §61-2-14a(a) and §61-2-14a(d);
- (23) §61-2-14c;
- (24) §61-2-14d(a) and §61-2-14d(b);
- (25) §61-2-14f;
- (26) §61-2-14h(a), §61-2-14h(b), and §61-2-14h(c);
- (27) §61-2-16a(a) and §61-2-16a(b);
- (28) Felony provisions of §61-2-16a(c);
- (29) §61-2-28(d);
- (30) §61-2-29(d) and §61-2-29(e);
- (31) §61-2-29a;

- (32) §61-3-1;
- (33) §61-3-2;
- (34) §61-3-3;
- (35) §61-3-4;
- (36) §61-3-5;
- (37) §61-3-6;
- (38) §61-3-7;
- (39) §61-3-11;
- (40) Felony violation of 61-3-12;
- (41) §61-3-13(a);
- (42) Felony violation of §61-3-18;
- (43) Felony violation of §61-3-19;
- (44) Felony violation of §61-3-20;
- (45) Felony violation of §61-3-20a;
- (46) Felony violation of §61-3-21;
- (47) §61-3-22;
- (48) Felony violation of §61-3-24;
- (49) Felony violation of §61-3-24a;
- (50) §61-3-27;
- (51) §61-3-54;
- (52) §61-3C-14b;
- (53) §61-3E-5;

(54) Felony violation of §61-5-10;

(55) ~~§61-5-17(b), §61-5-17(f), §61-5-17(h), and §61-5-17(i);~~
Felony violations of §61-5-17;

(56) §61-5-27;

(57) §61-6-24;

(58) Felony provisions of §61-7-7;

(59) §61-7-12;

(60) §61-7-15;

(61) §61-7-15a;

(62) §61-8-12;

(63) §61-8-19(b);

(64) §61-8A-2;

(65) §61-8A-4;

(66) §61-8A-5;

(67) §61-8B-3;

(68) §61-8B-4;

(69) §61-8B-5;

(70) §61-8B-7;

(71) §61-8B-10;

(72) §61-8B-11b;

(73) §61-8C-2;

(74) §61-8C-3;

(75) §61-8C-3a;

- (76) §61-8D-2;
- (77) §61-8D-2a;
- (78) §61-8D-3;
- (79) §61-8D-3a;
- (80) §61-8D-4;
- (81) §61-8D-4a;
- (82) §61-8D-5;
- (83) §61-8D-6;
- (84) §61-10-31;
- (85) §61-11-8;
- (86) §61-11-8a;
- (87) §61-14-2; and
- (88) §17C-5-2(b), driving under the influence causing death.

(b) Except as provided by subsection (c) of this section, when any person is convicted of a qualifying offense and is subject to imprisonment in a state correctional facility for the qualifying offender and it is determined, as provided in §61-11-19 of this code, that the person had been previously convicted in the United States of a crime punishable by imprisonment in a state or federal correctional facility, the court shall, if the sentence to be imposed is for a definite term of years, add five years to the time for which the person is or would be otherwise sentenced. Whenever in that case the court imposes an indeterminate sentence, the minimum term shall be twice the term of years otherwise provided for under the sentence.

(c) Notwithstanding any provision of this code to the contrary, when any person is convicted of first degree murder or second degree murder or a violation of §61-8B-3 of this code and it is

determined, as provided in §61-11-19 of this code, that the person had been previously convicted in this state of first degree murder, second degree murder, or a violation of §61-8B-3 of this code, or has been so convicted under any law of the United States or any other state for an offense which has the same or substantially similar elements as any offense described in this subsection, the person shall be punished by imprisonment in a state correctional facility for life and is not eligible for parole.

(d) When it is determined, as provided in §61-11-19 of this code, that the person has been twice previously convicted in the United States of a crime punishable by imprisonment in a state or federal correctional facility which has the same or substantially similar elements as a qualifying offense, the person shall be sentenced to imprisonment in a state correctional facility for life: *Provided*, That prior convictions arising from the same transaction or series of transactions shall be considered a single offense for purposes of this section: *Provided, however*, That the most recent previous qualifying offense which would otherwise constitute a qualifying offense for purposes of this subsection may not be considered if more than 20 years have elapsed between: (1) The release of the person from his or her term of imprisonment or period of supervision resulting from the most recent qualifying offense or the expiration of a period of supervised release resulting from the offense; and (2) the conduct underlying the current charge.";

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 138—A Bill to amend and reenact §17C-5-2, §61-5-17, and §61-11-18 of the Code of West Virginia, 1931, as amended, relating to creating offenses for second, and third or subsequent offenses of fleeing from an officer; establishing criminal penalties for the new offenses; extending the period for which prior convictions may be used; specifying that the new offenses are qualifying offenses for recidivist sentencing enhancement purposes; clarifying that a conviction for fleeing in a

vehicle while under the influence of alcohol, controlled substance, or drugs is treated as a driving under the influence offense for criminal enhancement purposes; clarifying that a conviction for fleeing in vehicle while under the influence of alcohol, controlled substances, or drugs is treated as a driving under the influence for licensure purposes; and creating criminal penalties.

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 138, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Helton, Jeffries, and Thorne—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 138) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 240, Updating crime of sexual extortion.

On motion of Senator Martin, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, section 13, line 3, by striking "spouse or child" and inserting the following language in lieu thereof:

"spouse, child, or family or household member, as defined in §48-27-204 of this code, residing in the household at the time of the offense";

On page 3, section 6, line 23, by inserting the following language after the word "victim,":

"any member of the victim's family or household, as defined in §48-27-204 of this code, residing in the household at the time of the offense,";

and

On page 3, section 6, line 39, by inserting the following language after the word "victim,":

"any member of the victim's family or household, as defined in §48-27-204 of this code, residing in the household at the time of the offense,".

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 240, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Helton, Jeffries, and Thorne—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 240) passed with its title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body to the title of the bill, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 291, Extending time frame for pharmacies to register from annually to biennially.

On motion of Senator Martin, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the title of the bill was reported by the Clerk:

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 291—A Bill to amend and reenact §30-5-22 of the Code of West Virginia, 1931, as amended, relating to registration of pharmacies; and extending time frame for pharmacies to register from annually to biennially.

On motion of Senator Martin, the Senate concurred in the House of Delegates amendment to the title of the bill.

Engrossed Senate Bill 291, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Martin, Maynard, Morris, Oliverio,

Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Helton, Jeffries, and Thorne—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 291) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 443, Authorizing Speech-Language Pathology and Audiology Board of Examiners to conduct criminal background checks for licensing.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 462, Permitting Board of Occupational Therapy to require criminal history record checks.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendment, as to

Eng. Com. Sub. for House Bill 2354, Banning certain products from food in West Virginia.

On motion of Senator Martin, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendment to the bill were reported by the Clerk:

By striking the period inserting a semicolon and the following:

"And, On page 3, line 52, after the period by inserting:

'§16-7-4. Penalty for adulterating food or drugs, or for manufacturing or selling adulterated food or drugs.

(a) Whoever, by himself or herself or his or her agents, knowingly adulterates or causes to be adulterated any article of food or drug, or knowingly manufactures for sale, offers for sale, or sells, within this state, any article of food or drug which is adulterated within the meaning of this article, without making the same known to the buyer, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not exceeding \$500, or confined in jail not more than one year, or both, in the discretion of the court; and in addition to the penalties hereinbefore provided, he or she shall be adjudged to pay the cost and expense of analyzing such adulterated food or drug, as set forth in the certificate of the person making the analysis, not exceeding \$25 in any one case, which shall be included in the costs of such prosecution and taxed in favor of the state department of health or the West Virginia Board of Pharmacy, as the case may be; and if he or she be a registered pharmacist or assistant pharmacist, his or her name shall be stricken from the register. The adulterated article shall be forfeited and destroyed.

(b) This section does not apply to any person who offers for sale, or sells, within this state, less than \$5,000, in aggregate, of adulterated food, per month, when the food is adulterated by including of butylated hydroxyanisole, propylparaben, FD&C Blue No. 1, FD&C Blue No. 2, FD&C Green No. 3, FD&C Red No. 3, FD&C Red No. 40, FD&C Yellow No. 5, or FD&C Yellow No. 6."

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for House Bill 2354—A Bill to amend and reenact §16-7-2 and §16-7-4 of the Code of West Virginia, 1931, as amended, and to amend the code by adding a new section, designated §18-5D-3A, relating to prohibiting certain products that are injurious to health; setting forth criteria considered adulterated; prohibiting certain unsafe food additives in school nutrition programs; providing exceptions; exempting criminal penalties; and setting effective dates.

On motion of Senator Martin, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendment to the bill.

Engrossed Committee Substitute for House Bill 2354, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Taylor, Weld, Willis, and Smith (Mr. President)—26.

The nays were: Takubo, Tarr, Woelfel, and Woodrum—4.

Absent: Helton, Jeffries, Stuart, and Thorne—4.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2354) passed with its House of Delegates amended title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Taylor, Weld, Willis, and Smith (Mr. President)—26.

The nays were: Takubo, Tarr, Woelfel, and Woodrum—4.

Absent: Helton, Jeffries, Stuart, and Thorne—4.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2354) takes effect from passage.

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

The Senate proceeded to the fourth order of business.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 37 (originating in the Committee on Education), Allowing certain Teachers Retirement System members to exchange unused leave for monetary compensation.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 37 (originating in the Committee on Finance)—A Bill to amend and reenact §18A-4-10a of the Code of West Virginia, 1931, as amended, relating to providing classroom teachers who first became a member of the Teachers Retirement System on or after July 1, 2015, the opportunity to sell up to 10 of his or her unused days of personal leave back to the county board in exchange for monetary compensation paid on or before June 30; and providing that once the days are forfeited they are no longer available to the classroom teacher.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 83, Allowing Foster Care Ombudsman access to child protective records.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 83 (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §49-5-101 of the Code of West Virginia, 1931, as amended, relating to adding the Foster Care Ombudsman, or his or her designee, as a person to have access to confidential records concerning a child or juvenile in cases involving child abuse or neglect, or both, and in cases where there is a child fatality, or near fatality when the Foster Care Ombudsman, or his or her designee, are acting in the course of their official duties.

And,

Senate Bill 719, Relating to age at which minor can consent to certain medical decisions and services.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 719 (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §16-4-10, §16-30-3, §16-30C-6, §60-6-23, and §60A-5-504 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §16-30-26, relating to the age at which a minor can consent to certain medical decisions and services; changing the age a minor can consent to sexually transmitted disease care with notice; removing the definition of "mature minor" from the code; adding when a minor can consent to general health services for himself or herself with notice; detailing when notice is not required; removing the ability of a

mature minor to consent to a do-not-resuscitate order by himself or herself; changing the age a minor can consent to alcohol addiction care with notice; and changing the age a minor can consent to controlled substance addiction care with notice.

With the recommendation that the two committee substitutes do pass.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 450, Establishing WV Guardian Program.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Jason Barrett,
Chair.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 477, Requiring ambulance at middle school or high school football game.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 477 (originating in the Committee on Education)—A Bill to amend and reenact §18-2-25c of the Code

of West Virginia, 1931, as amended, relating to requiring an ambulance, if available, at any middle school or high school football game under the control, supervision, and regulation of the West Virginia Secondary School Activities Commission; and providing that if the ambulance is required to leave due to being called away on an emergency, the game can continue.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill (Com. Sub. for S. B. 477), under the original double committee reference, was then referred to the Committee on Finance.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 516, Providing extra state aid to school districts for students enrolled in extremely remote schools.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 516 (originating in the Committee on Education)—A Bill to amend and reenact §18-9A-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-9A-13, relating to providing extra state aid to school districts for students enrolled in extremely remote schools; defining "extremely remote school"; stating purpose; prohibiting a county board from closing an extremely remote school during any fiscal year it is accepting the additional aid for that school; requiring county board submission of certain

documentation; establishing reporting requirements; and allowing a waiver from any requirement to be submitted.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill (Com. Sub. for S. B. 516), under the original double committee reference, was then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 538, Allowing certain entities to purchase qualifying tax-delinquent properties before they are offered at public auction.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 538 (originating in the Committee on Government Organization)—A Bill to amend and reenact §31-18E-9 of the Code of West Virginia, 1931, as amended, relating to removing the sunset date on the provision granting the right of first refusal to land reuse agencies and municipal land banks for acquiring certain tax-delinquent properties that permits these entities to purchase qualifying tax-delinquent properties before they are offered at public auction; modifying criteria that allow land bank or land reuse agency to refuse to sell property to adjacent property owner; revising reporting requirements; and allowing Joint Committee on Government and Finance to subpoena land bank or land reuse agency for purposes of conducting audit.

Senate Bill 731, Repealing article creating Design Build Procurement Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 731 (originating in the Committee on Government Organization)—A Bill to amend and reenact §5-22A-2, §5-22A-3, §5-22A-4, §5-22A-9a, and §5-22A-12 of the Code of West Virginia, 1931, as amended; and to repeal §5-22A-5, relating to termination of the Design-Build Board; and making technical and conforming amendments to allow the continued use of the Design-Build project delivery method.

And,

Senate Bill 736, Relating to publication of registered lobbyist information.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 736 (originating in the Committee on Government Organization)—A Bill to amend and reenact §6B-3-3 of the Code of West Virginia, 1931, as amended, relating to the publication of registered lobbyist information.

With the recommendation that the three committee substitutes do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 547, Creating Charter Schools Startup Fund.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 547 (originating in the Committee on Finance)—A Bill to amend and reenact §18-5G-17 of the Code of West Virginia, 1931, as amended, relating to modifying the Charter Schools Startup Fund; changing the name of the fund; requiring submission of application to the West Virginia Professional Charter School Board in order to receive funds from the Charter Schools Startup Fund; requiring notice to potential applicants; requiring certain contents be included in application; expanding the uses for the funds; requiring distribution of money to qualifying charter school applicants and charter schools, subject to availability of funding; allowing the West Virginia Professional Charter School Board to establish competitive process when the number of applicants exceed funding; eliminating criteria an applicant must demonstrate as a condition of receiving funds; modifying time frame for distribution of funds; requiring repayment in certain circumstances; and specifying manner of distribution.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 594, Relating to right to try individualized treatments.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 598, Permitting judges to refer parents to prosecuting attorney for making certain false allegations in child custody proceedings.

And,

Senate Bill 621, Authorizing digital court records.

And reports the same back with the recommendation that they each do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 631, Relating to eligibility for WV Invests Grant Program.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance.

Senator Jeffries, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Senate Bill 639, Creating WV Small Business Appreciation and Acknowledgement Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 639 (originating in the Committee on Economic Development)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-13NN-1, relating to taxes; providing a title; providing findings and purpose; providing definitions; creating a tax credit against personal income tax or corporation net income tax; establishing gross receipts threshold requirements for tax credit; tying dollar figures to inflation; and providing for July 1, 2025, effective date.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Glenn D. Jeffries,
Chair.

The bill (Com. Sub. for S. B. 639), under the original double committee reference, was then referred to the Committee on Finance.

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

Senate Bill 666, Updating definition of disabled veteran taxpayer.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Ryan W. Weld,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 734, Repealing section creating A. James Manchin Rehabilitation Environmental Action Plan.

And,

Senate Bill 738, Terminating Employee Suggestion Award Board.

And reports the same back with the recommendation that they each do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Senate Concurrent Resolution 18, Recognizing intent to create WV Coal Renaissance Act.

And reports the same back with the recommendation that it be adopted.

Respectfully submitted,

Christopher A. Rose,
Chair.

The Senate proceeded to the fifth order of business.

Senator Helton, from the Select Committee on Substance Use Disorder and Mental Health, submitted the following report, which was received:

Your Select Committee on Substance Use Disorder and Mental Health has had under consideration

Senate Bill 726, Relating to office-based, medication-assisted treatment programs and opioid treatment programs.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 726 (originating in the Select Committee on Substance Use Disorder and Mental Health)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16B-13-14, relating to medication-assisted treatment programs; requiring these facilities to provide an integrated-care model; requiring these facilities to expand their offering of medical services; requiring informed consent by trained professional; requiring rulemaking; and requiring reporting.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Brian Helton,
Chair.

The bill (Com. Sub. for S. B. 726), under the original double committee reference, was then referred to the Committee on Finance.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senators Fuller, Deeds, Hamilton, and Morris:

Senate Bill 755—A Bill to amend of the Code of West Virginia, 1931, as amended, by adding a new article, designated §30-20B-1, §30-20B-2, §30-20B-3, §30-20B-4, §30-20B-5, §30-20B-6, and §30-20B-7, relating to the creation of the West Virginia Secondary School Athletic Trainer and Career Technical Education Program Act; providing for a short title; providing for findings and a purpose; providing for establishment of the five-year program; providing for career and technical education programs; ensuring compliance with West Virginia Secondary School Activities Commission regulations; providing for workforce recruitment and financial incentives; and providing for a timeline and effective date.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 756—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, 2025, to the Department of Commerce, Division of Natural Resources – License Fund – Wildlife Resources, fund 3200, fiscal year 2025, organization 0310, by increasing and decreasing appropriations for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Garcia, Helton, Rose, Rucker, Taylor, and Woelfel:

Senate Bill 757—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §55-7-33, relating to actions for injuries; creating a private cause of action for the deprivation of a right granted by the state Constitution or by state law; creating penalties; and providing for court costs and certain fees.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senators Taylor and Stuart:

Senate Bill 758—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-9H-1, §16-9H-2, §16-9H-3, §16-9H-4, §16-9H-5, §16-9H-6, §16-9H-7, §16-9H-8, §16-9H-9, and §16-9H-10, relating to regulating locations, operating requirements, and property standards for smoke shops and vape shops; establishing safe advertising that does not appeal to minors; and setting standards for inspections, fines for violations, and appeals.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 759—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §49-2-106A, relating to having no requirement for immunization; providing various types of persons not be required to be immunized to be considered for child placement; requiring that no immunization records be provided in specified circumstances; and

requiring that the immunization status of specified individuals not preclude them from child placement.

Referred to the Committee on Health and Human Resources.

By Senator Chapman:

Senate Bill 760—A Bill to amend and reenact §29-22C-26 of the Code of West Virginia, 1931, as amended, relating to modifying the rate of tax due on a licensee's adjusted gross receipts.

Referred to the Committee on Finance.

By Senator Stuart:

Senate Bill 761—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §27-5A-1, §27-5A-2, §27-5A-3, §27-5A-4, §27-5A-5, and §27-5A-6, relating to establishing the Joel Archer Substance Abuse Intervention Act; providing for involuntary treatment of a dependent or spouse for substance use disorder; setting forth criteria for treatment; setting forth process for initiation of proceedings; setting forth who may file a petition; setting forth contents of petition; setting forth court proceedings; setting forth time frames; requiring examination; permitting emergency involuntary treatment; permitting summons to be issued if individual fails to attend examination; addressing transportation; and addressing payment for transportation.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on the Judiciary.

At the request of Senator Phillips, unanimous consent being granted, the provisions of Joint Rule 31 were suspended in order to permit the introduction of a timely requested naming resolution after the twenty-fifth day.

Senators Phillips and Stuart offered the following resolution:

Senate Concurrent Resolution 19—Requesting the Division of Highways name bridge number 23-016/83-000.02 (23A157) (37.75836, -81.84628) locally known as BULL HOLLOW BEAM SPAN, crossing BUFFALO CREEK, the "U.S. Army ST4 Gregory K. Stephens Memorial Bridge".

Which, under the rules, lies over one day.

By Senator Smith (Mr. President) offered the following resolution:

Senate Concurrent Resolution 20—Recognizing and commending the National Conference of State Legislatures on its 50th anniversary in 2025.

Which, under the rules, lies over one day.

Senator Weld offered the following resolution:

Senate Resolution 32—Designating March 17, 2025, as Domestic Violence Awareness Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Resolution 28, Designating March 14, 2025, as West Virginia State University Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Bartlett, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Senate Resolution 29, Designating March 14, 2025, as WV American Academy of Pediatrics Child Health Advocacy Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Senate Resolution 30, Recognizing 80th anniversary of Claude Worthington Benedum Foundation.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Queen, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Senate Resolution 31, Designating March 14, 2025, as Suicide Prevention Awareness Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Weld, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 592, Relating generally to aboveground storage tanks.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 592 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Charnock, Clements, Fuller, Grady, Hart, Helton, Martin, Maynard, Morris, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, and Smith (Mr. President)—25.

The nays were: Bartlett, Deeds, Garcia, Hamilton, Oliverio, Woelfel, and Woodrum—7.

Absent: Jeffries and Thorne—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 592) passed with its title.

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

Eng. Senate Bill 712, Relating to retirement provisions of systems managed by CPRB.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Having previously granted Senator Charnock's request to be excused from voting under Rule 43 of the Rules of the Senate,

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Jeffries and Thorne—2.

Excused from voting: Charnock—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 712) passed.

On motion of Senator Oliverio, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Senate Bill 712—A Bill to amend and reenact §5-10-2, §5-10-19, §5-10-27b, §5-10-48, §5-10C-4, §5-10D-6a, §7-14D-2, §7-14D-9b, §7-14D-24a, §8-22A-2, §8-22A-11, §8-22A-34, §15-2-45, §15-2A-2, §15-2A-6b, §16-5V-2, §16-5V-13, §16-5V-35, §18-7A-3, §18-7A-13a, §18-7A-28b, §18-7B-2, §18-7B-12a, §20-18-2, §20-18-14, §20-18-30, §51-9-1a, §51-9-10, and §51-9-12b of

the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §15-2A-6e, relating to retirement provisions of the West Virginia Public Employees Retirement System, the Deputy Sheriffs' Retirement System, the Municipal Police and Firefighters Retirement System, the West Virginia State Police Death, Disability, and Retirement System, the State Police Retirement System, the Emergency Medical Services Retirement System, the Teachers Retirement System, the Teachers' Defined Contribution Retirement System, the Natural Resources Police Officers Retirement System, and the Judges' Retirement System; defining the terms "bona fide separation from service upon retirement", "participating public employer", and "retirant"; amending the definition of "active military duty" to include the United States Space Force in certain retirement systems; amending the definition of "required beginning date" to be consistent with federal law; clarifying notification by employer of retirant who returns to work by a participating public employer; adding the Emergency Medical Services Retirement System to the pick-up provisions of members' contributions by participating public employers; amending retired public safety officers provision to pay for qualified health insurance premiums from eligible retirement plans; clarifying recall provisions for retired members of the Judges' Retirement System; and providing technical clean-up of provisions.

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

Eng. Com. Sub. for Senate Bill 715, Relating to personally identifiable information of member, retirant, beneficiary, or alternate payee of retirement system.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo,

Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Thorne—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 715) passed with its title.

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

Eng. Senate Bill 716, Relating to failure to pay required contributions and interest payments for certain retirees who transfer between retirement systems.

On third reading, coming up in regular order, was read a third time and put upon its passage.

At the request of Senator Charnock, and by unanimous consent, Senator Charnock was excused from voting on any matter pertaining to the bill under Rule 43 of the Rules of the Senate, as she is a hearing examiner contracted by the Consolidated Public Retirement Board.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Jeffries and Thorne—2.

Excused from voting: Charnock—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 716) passed with its title.

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

Eng. Com. Sub. for House Bill 2042, Relating to allowing a guardian ad litem to request the appointment of a court appointed special advocate.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Thorne—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2042) passed.

The following amendment to the title of the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 2042—A Bill to amend §49-4-601 of the Code of West Virginia, 1931, as amended, relating to procedures in cases of child neglect or abuse; allowing a prosecuting attorney on behalf of the Department of Human Services, attorneys for a parent, or a guardian ad litem to file a petition requesting the appointment of a court appointed special advocate if that circuit court is serviced by a court appointed special advocate.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 102, Modifying form of certain deeds.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 220, Authorizing child sexual abuse and sexual violence prevention program and in-service training in child sexual abuse prevention.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 449, Permitting compressed air and rimfire shooting teams in public schools.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 526, Creating Pharmacist Prescribing Authority Act.

On second reading, coming up in regular order, was read a second time.

On motions of Senators Takubo, Tarr, and Weld, the following amendment to the bill was reported by the Clerk:

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

ARTICLE 5A. PHARMACIST PRESCRIBING AUTHORITY
ACT.

§30-5A-1. Short title.

This act shall be known and may be cited as the Pharmacist Prescribing Authority Act.

§30-5A-2. Purpose.

The purpose of this act is to authorize pharmacists to practice the full extent of their education and training to prescribe low-risk medications to patients.

§30-5A-3. Practice of pharmacy.

(a) The scope of the practice of pharmacy includes all of §30-5-1 et seq. of this code, as well as the prescribing of drugs or devices, excluding controlled substances, that are prescribed in accordance with the product's federal Food and Drug Administration-approved labeling, provided that all of the following requirements have been met:

(1) The pharmacist administers a test of a self-limiting condition that is used to guide diagnosis or clinical decision-making and that has been waived under the federal Clinical Laboratory Improvement Amendments of 1988;

(2) That test is positive for a self-limiting condition;

(3) The pharmacist completes a comprehensive medication and medical history review prior to prescribing a permissible drug or device; and

(4) The pharmacist notifies the patient's primary care provider of record of the positive test and any permissible drug and/or device prescribed within seventy-two hours;

(5) Further, the same condition shall not be subsequently treated by a pharmacist within ninety days of a prescription issued pursuant to this act.

(b) A pharmacist may refill an expired prescription for an epinephrine injection device without meeting the requirements of subsection (a) of this section provided that the pharmacist notifies

the patient's primary care provider of record within seventy-two hours of that prescription.

Following discussion,

(Senator Barrett in the Chair.)

Following discussion,

(Senator Smith, Mr. President, in the Chair.)

Following discussion,

The question being on the adoption of the amendment offered by Senators Takubo, Tarr, and Weld to the bill (Com. Sub. for S. B. 526), and on this question, Senator Woelfel demanded the yeas and nays.

Senator Oliverio arose to a point of order stating the demand for the yeas and nays was not in order because it was untimely made.

Which point of order, the President ruled not well taken, pursuant to Article VI, Section 41 of the Constitution of West Virginia, which states in part " . . . the yeas and nays on any question, if called for by one tenth of those present shall be entered on the journal."

The roll being taken, the yeas were: Boley, Clements, Deeds, Garcia, Hamilton, Morris, Oliverio, Phillips, Queen, Takubo, Tarr, Weld, Woelfel, and Woodrum—14.

The nays were: Azinger, Barrett, Bartlett, Chapman, Charnock, Fuller, Grady, Hart, Helton, Martin, Maynard, Roberts, Rose, Rucker, Taylor, Willis, and Smith (Mr. President)—17.

Absent: Jeffries, Stuart, and Thorne—3.

So, a majority of those present and voting not having voted in the affirmative, the President declared the amendment offered by Senators Takubo, Tarr, and Weld to the bill rejected.

The bill (Com. Sub. for S. B. 526) was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 548, Creating Safety and Violence Education for Students Act.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

The Senate proceeded to the tenth order of business.

Com. Sub. for Com. Sub. for Senate Bill 586, Relating to requirements for filling vacancies in certain elected federal, state, and county offices.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 686, Relating to WV commercial feed law.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Eng. Com. Sub. for House Bill 2222, Relating to authorizing certain agencies of the Department of Administration to promulgate legislative rules.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senators Takubo and Rucker.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, leaves of absence for the day were granted Senators Jeffries and Thorne.

The following communication was reported by the Clerk:

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



SENATE CHAMBER, ROOM M-211
1900 KANAWHA BOULEVARD EAST
CHARLESTON, WV 25305-0800
304-357-7800

March 14, 2025

The Honorable Patrick Morrisey, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Morrisey,

The following bill, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, has been examined and found truly enrolled:

Com. Sub. for S. B. 358, Authorizing Department of Transportation to promulgate legislative rules.

This bill is presented to you on this day, March 14, 2025.

Respectfully submitted,

A handwritten signature in blue ink, reading "Lee Cassis".

Lee Cassis
Clerk of the Senate

C: The Honorable Jeffrey Pack
Clerk of the House of Delegates

Under the provisions of Rule 15 of the Rules of the Senate, the following senator was removed as a co-sponsor of the following bill on March 13, 2025:

Senate Bill 513: Senator Chapman.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on March 13, 2025:

Com. Sub. for Senate Bill 37: Senator Barrett;

Senate Bill 43: Senator Maynard;

Senate Bill 77: Senator Hart;

Senate Bill 83: Senators Deeds and Garcia;

Senate Bill 505: Senators Hart and Willis;

Senate Bill 516: Senators Deeds, Taylor, and Hart;

Senate Bill 531: Senators Oliverio and Hamilton;

Senate Bill 547: Senator Rose;

Senate Bill 594: Senator Willis;

Senate Bill 598: Senators Deeds and Willis;

Senate Bill 651: Senator Hamilton;

Senate Bill 659: Senator Hart;

Senate Bill 731: Senator Willis;

Senate Bill 750: Senator Garcia;

Senate Concurrent Resolution 18: Senators Hart and Willis;

Senate Resolution 28: Senators Thorne, Jeffries, Grady, and Rucker;

Senate Resolution 30: Senators Morris and Jeffries;

And,

Senate Resolution 31: Senators Jeffries, Grady, and Rucker.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 12:14 p.m., the Senate adjourned until Monday, March 17, 2025, at 11 a.m.

MONDAY, MARCH 17, 2025

The Senate met at 11:04 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Jeb Brady, Youth Pastor, Gateway Christian Church, St. Albans, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Scott Fuller, a senator from the fifth district.

Pending the reading of the Journal of Friday, March 14, 2025,

At the request of Senator Boley, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the fourth order of business.

Senator Jeffries, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Senate Bill 570, Requiring economic impact statements for certain legislative rules.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 570 (originating in the Committee on Economic Development)—A Bill to amend and reenact §29A-1-2, §29A-3-11, and §29A-3-15 of the Code of West Virginia, 1931, as amended, relating to the submission of legislative rules; requiring the inclusion of economic impact statements with certain proposed legislative rules; authorizing the request of economic impact statements; defining "economic impact statement"; and providing for sunset provisions.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Government Organization.

Respectfully submitted,

Glenn D. Jeffries,
Chair.

The bill (Com. Sub. for S. B. 570), under the original double committee reference, was then referred to the Committee on Government Organization.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senators Hart, Helton, and Phillips:

Senate Bill 762—A Bill to amend and reenact §18-9D-15 of the Code of West Virginia, 1931, as amended, relating to the creation of the Support for Neglected Schools Act.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senators Hart, Smith (Mr. President), Helton, Phillips, and Rose:

Senate Bill 763—A Bill to amend and reenact §24-2-1 of the Code of West Virginia, 1931, as amended, relating to the creation of the Public Electrical Savings Act.

Referred to the Committee on Energy, Industry, and Mining.

By Senators Hart, Fuller, and Helton:

Senate Bill 764—A Bill to amend and reenact §18-5-13a of the Code of West Virginia, 1931, as amended, relating to the creation of the Community School Parents' Choice Act; ensuring that parents of students in schools under consideration for closure and consolidation shall be provided with a means to prevent closure or consolidation; and providing for a 10-year sunset date.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Willis:

Senate Bill 765—A Bill to amend and reenact §18A-3-1 and §18A-3-2a of the Code of West Virginia, 1931, as amended, relating to establishing the Troops-to-Teachers Program.

Referred to the Committee on Military; and then to the Committee on Education.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 766—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, State Excess Lottery Revenue Fund, by adding a new item of appropriation to the Department of Human Services, fund 5365, fiscal year 2025, organization 0511, for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 767—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 Human Services, Bureau for Medical Services – Policy and Programming, fund 0484, fiscal year 2025, organization 0511, by adding a new item of appropriation for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 768—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 2025, organization 0608, and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Bureau of Juvenile Services, fund 0570, fiscal year 2025, organization 0608, by increasing the appropriations for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 769—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 Administration, Office of the Secretary, fund 0186, fiscal year 2025, organization 0201, by increasing an existing item of appropriation for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 770—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 2025, organization 0432, by adding a new item of appropriation for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 771—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 2025, organization 0402, by adding a new item and increasing an existing item of appropriation for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 772—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 Health Facilities, Health Facilities – Welch Community Hospital, fund 0412, fiscal year 2025, organization 0512, and increasing an existing item of appropriation to the Department of Health, Office of the Inspector General, fund 0437, fiscal year 2025, organization 0513, by supplementing and amending appropriations for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 773—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, Lottery Net Profits, by adding a new item of appropriation to the State Board of Education, fund 3951, fiscal year 2025, organization 0402, for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 774—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, 2025, to the Department of Health, West Virginia Birth-to-Three Fund, fund 5214, fiscal year 2025, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 775—A Bill expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2025, in the amount of \$28,564,089.61 from the balance of moneys remaining as an unappropriated balance in the West Virginia Economic Development Authority, Economic Development Project Bridge Loan Fund, fund 9066, organization 0944.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 776—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5A-13-1,

§5A-13-2, §5A-13-3, §5A-13-4, §5A-13-5, and §5A-13-6, relating to the Firearms Industry Nondiscrimination Act; establishing the short title; defining terms; establishing application of act to certain government contracts; providing an exception; setting forth when certain contracts are void; prohibiting financial institutions from discriminating against a firearm entity or firearm trade association; specifying the applicability of the prohibition; providing civil remedies for a violation by an individual; providing for enforcement by the Attorney General; providing that an enforcement action by the Attorney General does not prohibit a civil action by an individual; creating civil penalties; providing remedies in an action by the Attorney General; requiring the Attorney General to submit names of financial institutions in violation to the Governor and to request that the state terminate any business relationship with the financial institution; providing a statute of limitations for actions; and providing exceptions to the prohibition.

Referred to the Committee on Banking and Insurance; and then to the Committee on the Judiciary.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 777—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2025, to the Department of Veterans' Assistance, Department of Veterans' Assistance Fund, fund 8858, fiscal year 2025, organization 0613, by increasing an existing appropriation for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 778—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 Human Services, Bureau for Social Services – Office of the Commissioner,

fund 0486, fiscal year 2025, organization 0511, and to the Department of Human Services, Bureau for Social Services – Child Protective Services Case Workers, fund 0493, fiscal year 2025, organization 0511, and to the Department of Human Services, Bureau for Social Services – Social Services Case Workers, fund 0494, fiscal year 2025, organization 0511, and to the Department of Human Services, Bureau for Social Services – Adult Protective Services Case Workers, fund 0495, fiscal year 2025, organization 0511, and to the Department of Human Services, Bureau for Social Services – Youth Service Case Workers, fund 0496, fiscal year 2025, organization 0511, by increasing existing items of appropriation for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 779—A Bill supplementing, amending, and increasing an existing item of appropriation from the State Road Fund to the Department of Transportation, Division of Motor Vehicles, fund 9007, fiscal year 2025, organization 0802, for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 780—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, 2025, to the Department of Human Services – Temporary Assistance for Needy Families, fund 8816, fiscal year 2025, organization 0511, by supplementing and amending the appropriations for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 781—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, State Excess Lottery Revenue Fund, by decreasing an existing item of appropriation to the Economic Development Authority – Economic Development Project Fund, fund 9065, fiscal year 2025, organization 0944, and increasing an existing item of appropriation to the Department of Human Services, fund 5365, fiscal year 2025, organization 0511, for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 782—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, 2025, to the W.V. Board of Licensed Dietitians – Dietitians Licensure Board Fund, fund 8680, fiscal year 2025, organization 0936, by supplementing and amending the appropriations for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 783—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, the Department of Administration, Public Defender Services, fund 0226, fiscal year 2025, organization 0221, by increasing existing items of appropriation for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 784—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 2025, organization 0211, by supplementing and amending the appropriations for the fiscal year ending June 30, 2025, by adding a new item of appropriation.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 785—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, 2025, to the Department of Homeland Security, Fire Commission – Fire Marshal Fees, fund 6152, fiscal year 2025, organization 0619, by increasing the appropriations for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 786—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 State Board of Education – State Department of Education, fund 0313, fiscal year 2025, organization 0402, by increasing an existing item of appropriation for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 787—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2025, to the Department of Health, Office of the Inspector General, fund 8211, fiscal year 2025, organization 0513, by supplementing and amending the appropriations for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 788—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2025, to the Department of Human Services, fund 8722, fiscal year 2025, organization 0511, by increasing existing items of appropriation for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 789—A Bill supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2024, known as the Budget Bill, in Title II, from the appropriations of public moneys out of the Treasury from the balance remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Commerce – Office of the Secretary, fund 0606, fiscal year 2025, organization 0327, by supplementing and amending the appropriations for the fiscal year ending June 30, 2025, by adding a new item of appropriation.

Referred to the Committee on Finance.

By Senator Maynard:

Senate Bill 790—A Bill to amend and reenact §16-13A-1a, §24-1-1, and §24-1-3 of the Code of West Virginia, 1931, as amended, relating to increasing the oversight and regulatory authority of the Public Service Commission over public service districts; and providing for structured guidelines, mandatory auditing, continuing education requirements, regular inspections, and funding transparency.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 791—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 Health, Bureau for Public Health – Office of Maternal, Child, and Family Health – West Virginia Birth-to-Three, fund 0426, fiscal year 2025, organization 0506, by increasing an existing item of appropriation for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senator Maynard:

Senate Bill 792—A Bill to amend and reenact §17C-12-1 of the Code of West Virginia, 1931, as amended, relating to requiring motor vehicle drivers to observe the same safety requirements when approaching a railroad crossing when on-track railroad equipment is present or approaching as is required when a railroad train is present or approaching; providing that violation thereof is a misdemeanor; and providing criminal penalties for violation thereof.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 793—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §5A-3-52a, relating to creating reporting requirements for the use of aircraft by state agencies.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 794—A Bill to amend and reenact §17-2A-8 of the Code of West Virginia, 1931, as amended, relating to the powers and duties of the Commissioner of the Division of Highways; and authorizing the commissioner to erect signs on certain roads that

are not well-maintained warning that only high clearance 4 x 4 vehicles are permitted on those roads.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 795—A Bill to amend and reenact §17C-14-9a of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §17C-1-71, relating to traffic safety; creating a definition for the term "maintenance vehicle"; and listing additional categories of vehicles for which motorists shall slow down and, if possible, move over.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on the Judiciary.

Senator Rucker offered the following resolution:

Senate Resolution 33—Designating March 18, 2025, as West Virginia Homeschool Day at the Legislature.

Which, under the rules, lies over one day.

Senator Roberts offered the following resolution:

Senate Resolution 34—Expressing support for President Felix Tshisekedi and the citizens of the Democratic Republic of the Congo.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 18, Recognizing intent to create WV Coal Renaissance Act.

On unfinished business, coming up in regular order, was reported by the Clerk.

The question being on the adoption of the resolution, the same was put and prevailed.

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

Senate Concurrent Resolution 19, US Army ST4 Gregory Kent Stephens Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 20, Recognizing and commending NCSL on its 50th anniversary.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

The question being on the adoption of the resolution, the same was put and prevailed.

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

Senate Resolution 32, Designating March 17, 2025, as Domestic Violence Awareness Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Weld, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 102, Modifying form of certain deeds.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 102) passed with its title.

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

Eng. Com. Sub. for Senate Bill 449, Permitting compressed air and rimfire shooting teams in public schools.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 449) passed with its title.

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

Eng. Com. Sub. for Senate Bill 526, Creating Pharmacist Prescribing Authority Act.

On third reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was referred to the Committee on Rules.

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 220, Authorizing child sexual abuse and sexual violence prevention program and in-service training in child sexual abuse prevention.

On second reading, coming up in regular order, was reported by the Clerk.

Senator Martin requested unanimous consent that the bill be referred to the Committee on Rules.

Which consent was not granted, Senator Woelfel objecting.

Senator Martin then moved that the bill be referred to the Committee on Rules.

Following discussion,

The question being on the adoption of Senator Martin's aforesated motion, the same was put and prevailed.

Whereupon, the bill (Com. Sub. for S. B. 220) was then referred to the Committee on Rules.

Com. Sub. for Senate Bill 548, Creating Safety and Violence Education for Students Act.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Grady, the following amendment to the bill was reported by the Clerk:

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

**ARTICLE 36. SAFETY AND VIOLENCE EDUCATION
FOR STUDENTS ACT.**

§18-36-1. Student safety and violence prevention training.

(a) The Department of Education shall require that all schools serving students grades six through 12 provide to students at least one hour, or one standard class period, of evidence-based youth violence prevention training each school year. The training may be delivered in-person, live-virtual, or digitally.

(1) Training shall begin within two years of the development of the list required in this section.

(2) Training programs which combine the training requirements set forth in this section, may be used to fulfill the training requirements of this section.

(b) The Department of Education shall, within one year of this law taking effect, develop a list of evidence-based trainings and materials, including no-cost programming, if any, to fulfill the requirements of this section. Trainings shall, at a minimum, teach students the following:

(1) How to identify observable warning signs and signals of an individual who may be at risk of harming themselves or others;

(2) The importance of taking threats seriously and seeking help; and

(3) The steps they can take to report dangerous, violent, threatening, harmful, or potentially harmful activity.

(c) The Department of Education shall make the list of evidence-based youth violence prevention trainings, including no-cost programming, if any, publicly available on its website. The

Department of Education shall keep the list of available training options updated in a timely manner by reviewing the list, at a minimum, every 36 months.

§18-36-2. Student training on combatting social isolation.

(a) The Department of Education shall require that all schools serving students grades K-12 provide to students at least one hour, or one standard class period, of evidence-based training on combatting social isolation each school year. The training may be delivered in-person, live-virtual, or digitally.

(1) Training shall begin within two years of the development of the list required in this section.

(b) The Department of Education shall, within one year of this law taking effect, develop a list of evidence-based trainings and materials, including no-cost programming, if any, to fulfill the requirements of this section. Trainings shall, at a minimum, teach students the following:

(1) What social isolation is and how to identify social isolation in others;

(2) The importance of taking social isolation seriously and seeking help for peers; and

(3) How to utilize strategies to combat social isolation in the classroom and community and to establish connections with peers.

(c) The Department of Education shall make the list of evidence-based trainings on combatting social isolation, including no-cost programming, if any, publicly available on its website. The Department of Education shall keep the list of available training options updated in a timely manner by reviewing the list, at a minimum, every 36 months.

§18-36-3. Student-led violence prevention clubs.

(a) The Department of Education may require all schools serving students grades K-12, to designate a student-led violence prevention club. Any club designated pursuant to this section shall:

(1) Be open to all members of the student body; and

(2) Have at least one identified adult advisor.

(b) Any student violence prevention club designated pursuant to this section shall, at a minimum, do at least one of the following:

(1) Sustain awareness activities related to suicide prevention, violence prevention, or trainings on combatting social isolation; and

(2) Foster opportunities for student leadership development.

§18-36-4. State and federal funding.

To offset any costs associated with the implementation of the requirements of this article, the Department of Education is encouraged to apply for any state or federal funding made available to it for the purposes of increasing school safety.

§18-36-5. Definitions.

"Department of Education" means the West Virginia Department of Education.

"Evidence-based" as used in this article means a program or practice that:

(1) Demonstrates a statistically significant effect on relevant outcomes based on:

(A) Strong evidence from not less than one well-designed and well-implemented experimental study;

(B) Moderate evidence from not less than one well-designed and well-implemented quasi-experimental study; or

(C) Promising evidence from not less than one well-designed and well-implemented correlational study with statistical controls for selection bias; or

(2) Demonstrates a rationale based on high-quality research findings or positive evaluation that such program or practice, is likely to improve relevant outcomes, and includes ongoing efforts to examine the effects of the program or practice.

§18-36-6. Voluntary application for public charter schools and nonpublic schools.

The requirements of this article are voluntary for public charter schools and nonpublic schools.

Following discussion,

The question being on the adoption of Senator Grady's amendment to the bill, the same was put and prevailed.

The bill (Com. Sub. for S. B. 548), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Com. Sub. for Senate Bill 586, Relating to requirements for filling vacancies in certain elected federal, state, and county offices.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 686, Relating to WV commercial feed law.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Eng. Com. Sub. for House Bill 2222, Relating to authorizing certain agencies of the Department of Administration to promulgate legislative rules.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

The Senate proceeded to the tenth order of business.

Com. Sub. for Com. Sub. for Senate Bill 37, Allowing certain Teachers Retirement System members to exchange unused leave for monetary compensation.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 83, Allowing Foster Care Ombudsman access to child protective records.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 450, Establishing WV Guardian Program.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 538, Allowing certain entities to purchase qualifying tax-delinquent properties before they are offered at public auction.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 547, Creating Charter Schools Startup Fund.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 598, Permitting judges to refer parents to prosecuting attorney for making certain false allegations in child custody proceedings.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 621, Authorizing digital court records.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 719, Relating to age at which minor can consent to certain medical decisions and services.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 731, Terminating Design Build Board.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 734, Repealing section creating A. James Manchin Rehabilitation Environmental Action Plan.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 736, Relating to publication of registered lobbyist information.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 738, Terminating Employee Suggestion Award Board.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the eleventh order of business and the introduction of guests.

The Senate then proceeded to the twelfth order of business.

Remarks were made by Senator Stuart.

The Senate next proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were removed as co-sponsors of the following bill on March 14, 2025:

Senate Bill 757: Senators Rucker and Rose.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolution on March 14, 2025:

Senate Bill 23: Senator Hart;

Senate Bill 37: Senators Hamilton and Queen;

Senate Bill 43: Senators Fuller and Bartlett;

Senate Bill 450: Senator Hamilton;

Com. Sub. for Senate Bill 710: Senator Roberts;

Senate Bill 749: Senator Helton;

Senate Bill 755: Senator Woelfel;

Senate Bill 759: Senator Rucker;

And,

Senate Resolution 32: Senators Woelfel and Rucker.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 11:43 a.m., the Senate adjourned until tomorrow, Tuesday, March 18, 2025, at 11 a.m.

TUESDAY, MARCH 18, 2025

The Senate met at 11:15 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Pastor Josh Rhodes, Chestnut Ridge Church, Morgantown, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Joey Garcia, a senator from the thirteenth district.

Pending the reading of the Journal of Monday, March 17, 2025,

At the request of Senator Chapman, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

At the request of Senator Martin, and by unanimous consent, the provisions of Rule 54 of the Rules of the Senate, relating to persons entitled to the privileges of the floor, were suspended in order to grant Rollan A. Roberts II, son of the Honorable Rollan A. Roberts, a senator from the ninth district, and Angie Nseliema privileges of the floor for the day.

The Senate proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 487, Removing ineligible voters from active voter rolls.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2131—A Bill to amend and reenact §3-1-45 of the Code of West Virginia, 1931, as amended, relating to legal standing of the West Virginia Legislature in court actions related to unauthorized changes to election laws and rules; and defining its right to intervene in such litigation.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2143—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-3-13, relating to requiring elementary school teachers to receive an endorsement in the science of reading.

Referred to the Committee on Education.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for Com. Sub. for House Bill 2164—A Bill to amend and reenact §15-2D-3 and §61-7-11a of the Code of West Virginia, 1931, as amended; and by adding thereto a new section, designated §18-5-52, all relating to creating school safety officers; requiring the director of the Division of Protective Services to establish standards for school safety officers and issue a certificate; providing definitions; authorizing local school boards, public charter schools, and private or religious schools to employ school safety officers; providing standards for a school safety officer to carry a firearm on school grounds; requiring a background check; specifying the detention powers of a school safety officer and limitations on detention powers; requiring data sharing with the Division of Protective Services; specifying payment for equipment; requiring insurance for schools employing a school safety officer; clarifying that the prohibitions on carry a firearm in a school zone do not apply to certified school safety officers; providing that all school safety officers are subject to the Law

Enforcement Officers Safety Act ("LEOSA"); clarifying the liability and responsibility of school safety officers; and providing for annual training in conjunction with the local county sheriffs' department.

Referred to the Committee on Education; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2165—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17A-3-15a, relating to disabled veterans and veterans who received the Purple Heart may park free at metered parking spaces at any municipality in the state.

Referred to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2172—A Bill to amend and reenact §30-20-4 of the Code of West Virginia, 1931, as amended, relating to the Board of Physical Therapy; adding an athletic trainer to the board; and establishing a process to break a tie vote.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2358—A Bill to amend and reenact §61-12-10 of the Code of West Virginia, 1931, as amended, relating to postmortem examinations.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2387—A Bill to repeal §20-2-42L of the Code of West Virginia, 1931, as amended; relating to repeal of the Class A-1 small arms hunting stamp.

Referred to the Committee on Natural Resources.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2513—A Bill to amend and reenact §18-5-1a and §18-5-4 of the Code of West Virginia, 1931, as amended, relating to adding to topics required to be covered by the county board of education member orientation; requiring that any county board of education member who is unable to attend the initial orientation training for good cause complete a make-up orientation training within 30 days of being sworn in; requiring any appointed member to attend and complete a make-up orientation training within 30 days of being sworn in; increasing annual hours of training required of county board of education members; modifying topics required to be covered by training; allowing the State Board of Education to require a county board of education member to attend additional training under certain conditions; creating an exception to the requirement that a county board of education member satisfy the annual training requirement before January 1; adding certain non-voting ex officio members to the County Board Member Training Standards Review Committee; requiring the State Superintendent of Schools to report to the Legislative Oversight Commission on Education Accountability certain county board of education related information; and setting the county board of education member compensation rate at \$260 per meeting attended unless the board votes to approve a lower rate.

Referred to the Committee on Education.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2516—A Bill to repeal §18-1-4, §18-2-16, §18-2-16a, §18-2-39, §18-2A-1, §18-2A-2, §18-2A-3, §18-2A-4, §18-2A-5, §18-2A-6, §18-2A-7, §18-2A-8, §18-5B-1, §18-5B-2, §18-5B-3, §18-5B-4, §18-5B-5, §18-5B-6, §18-5B-7, §18-5B-8, §18-5B-9, §18-5B-10, §18-5B-11, §18-5B-12, §18-5B-13, §18-5B-14, §18-10H-6 and §18-10H-7 of the Code of West Virginia, 1931, as amended; relating to repeal of antiquated and inoperative provisions of code.

Referred to the Committee on Education.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2635—A Bill to amend and reenact §18-5-18a of the Code of West Virginia, 1931, as amended, relating to making classroom sizes equal so that aides can be best utilized and one-on-one time with teachers and students can be maximized without losing the use of an aide.

Referred to the Committee on Education; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2659—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §60-7-8h, relating to adding a special permit for a non-profit entity to be a qualified permit holder in a private outdoor designated area.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2702—A Bill to amend and reenact §3-10-3, §3-10-4, §3-10-5, §3-10-6, §3-10-7, and §3-10-8 of the Code of West Virginia, 1931, as amended, and to amend and reenact §50-1-6 of said Code; all relating to requirements for filling vacancies in certain elected federal, state, and county offices; prohibiting the appointment of an individual to fill a vacant office if that person has not been a member of his or her registered political party for at least one year prior to the occurrence of the vacancy; authorizing the Governor to appoint an acting official to perform the duties of a constitutional officer until the office is filled by appointment; relating to filling vacancies in the office of magistrate; providing that vacancies in the office of magistrate with an unexpired term of more than two years are filled by subsequent nonpartisan judicial election held concurrently with the primary or general election, whichever occurs first; excluding vacancies in the office of magistrate from certain other provisions relating to process for filling vacancies; authorizing prospective vacancy due to upcoming resignation or retirement of a magistrate to be filled by circuit judge or chief circuit judge; and requiring generally that partisan office appointments be made from the political party with which the individual vacating the office was affiliated at the time of the previous election for that office.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2742—A Bill to amend and reenact §24-2-11 of the Code of West Virginia, 1931, as amended, relating to creating limited waiver from certificate of public convenience and necessity requirement for certain water or sewer services projects.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3017—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §3-4A-13a, relating to electronic voting systems; requiring county commission inspections and secretary of state audits of ballot tabulation equipment to ensure compliance with state law prohibition against any connectivity to the internet; requiring reports of the inspections and audits; and providing for monitoring of future threats.

Referred to the Committee on Government Organization.

The Senate proceeded to the fourth order of business.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 75, Changing distribution of income from excess lottery fund.

Com. Sub. for Senate Bill 76, Increasing WV Natural Resources Police Officer Retirement System accrued benefit for certain members.

Senate Bill 615, Eliminating accelerated tax payment requirements.

And,

Com. Sub. for Senate Bill 710, Relating to the practice of teledentistry.

And reports the same back with the recommendation that they each do pass.

Respectfully submitted,

Jason Barrett,
Chair.

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Senate Bill 274, Prohibiting parking fee for accessible parking space bearing international symbol of access.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 274 (originating in the Committee on Transportation and Infrastructure)—A Bill to amend and reenact §17C-13-6 of the Code of West Virginia, 1931, as amended, relating to prohibiting public entities from requiring certain persons with a mobility impairment who are unable to walk from having to pay for accessible parking at parking meters that are inaccessible; defining terms; specifying parameters of prohibition and entitlement for payment exemption; making penalty of false swearing applicable for false certification of inability to access parking meter without unreasonable effort; prohibiting citations; and providing for prima facie evidence.

Senate Bill 298, Relating to roadable aircraft on WV highways.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 298 (originating in the Committee on Transportation and Infrastructure)—A Bill to amend and reenact §17A-1-1, §17A-3-15, §17A-10-1, §17A-10-3, §17B-1-1, §17B-2-7b, and §17C-15-44 of the Code of West Virginia, 1931, as amended; and to amend the code by adding five new sections, designated §11-5-16, §17A-3-14j, §17C-1-71, §17C-14-16, and §17C-16-10, relating to roadable aircraft; specifying taxation of roadable aircraft, defining terms; requiring special registration plates for roadable aircraft and establishing annual fee per plate; regulating display of registration plates; classifying roadable aircraft for purpose of registration and establishing registration fee;

correcting citation cross references; exempting roadable aircraft operators from motorcycle examination, licensing, and endorsement requirements; clarifying that a roadable aircraft is considered a motor vehicle if it is operated on a highway for purposes of traffic regulations and laws of the road; prohibiting roadable aircraft from taking off from or landing on any highway except if landing due to an emergency; exempting persons with a valid driver's license who are operating or riding in a fully enclosed roadable aircraft from the motorcycle helmet requirement; exempting roadable aircraft from the vehicle inspection requirement under certain circumstances; imposing duties on the Division of Motor Vehicles related to roadable aircraft and authorizing collection of fees; and authorizing rulemaking by the Division of Motor Vehicles related to roadable aircraft.

And,

Senate Bill 681, Providing internet service providers be considered telecommunications utility by PSC.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 681 (originating in the Committee on Transportation and Infrastructure)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §24-2-1s, relating to providing the Public Service Commission jurisdiction over internet service providers; stating legislative findings; defining term; specifying duties and authority of commission; authorizing fines; and allowing rulemaking.

With the recommendation that the three committee substitutes do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Mark R. Maynard,
Chair.

The bills (Com. Sub. for S. B. 274, 298, and 681), under the original double committee references, were then referred to the Committee on Finance.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 589, Providing pay increases to members of judiciary.

And reports the same back without recommendation as to passage; but with the recommendation that it first be referred to the Committee on Pensions.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Barrett, unanimous consent being granted, the bill (Com. Sub. for S. B. 589) contained in the foregoing report from the Committee on Finance was then referred to the Committee on Pensions.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 601, Relating to fees and charges for municipality-provided fire services.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 601 (originating in the Committee on Government Organization)—A Bill to amend and reenact §7-17-12 and §8-13-13 of the Code of West Virginia, 1931, as amended, relating to fees and charges for municipality-provided

fire services; requiring county commission approval before such fees are imposed on individuals or businesses located outside the municipality; and providing a process for individuals or businesses located outside the municipality to challenge fees imposed for municipality-provided fire services.

Senate Bill 683, Relating to land sales by Auditor.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 683 (originating in the Committee on Government Organization)—A Bill to amend and reenact §11A-2-14, §11A-3-2, §11A-3-44, §11A-3-45, §11A-3-46, §11A-3-55, and §11A-3-65 of the Code of West Virginia, 1931, as amended, relating to the sale of certain properties subject to delinquent tax liens; modifying the dates designated for certain actions required in the said sale process; requiring the sheriff's office to deliver certified notices of impending sale by personal service to certain owners of record, residents, or occupants prior to selling delinquent property; allowing the State Auditor to engage a private auctioneer for selling certain tax delinquent properties; requiring highest bidder to pay 10 percent buyer's fee to private auctioneer under certain circumstances; requiring highest bidder to pay \$50 of total bid amount to State Auditor and remainder of bid amount to county sheriff; modifying the process for providing notice to redeem to certain delinquent taxpayers; and modifying the distribution of surplus proceeds obtained from certain tax delinquent property sales.

And,

Senate Bill 746, Allowing State Board of Education to delegate its Medicaid provider status to public charter schools.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 746 (originating in the Committee on Government Organization)—A Bill to amend and reenact §18-2-5b of the Code of West Virginia, 1931, as amended, relating to

allowing the State Board of Education to delegate its Medicaid provider status to public charter schools; updating obsolete references to regional education service agencies; requiring that the State Board of Education include public charter school information in its annual Medicaid-related report to the Legislature; and requiring the Health Services Advisory Committee to advise the Secretary of the Department of Human Services and the State Superintendent of Schools on ways to improve the ability of public charter schools to provide Medicaid-eligible children with all the school-based Medicaid services for which they are eligible and to ensure that the public charter schools bill for and receive all the Medicaid reimbursement to which they are entitled.

With the recommendation that the three committee substitutes do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Senate Bill 678, Establishing Coal Based Affordable Electricity and Economic Growth Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 678 (originating in the Committee on Energy, Industry, and Mining)—A Bill to amend and reenact §5B-20-1, §5B-20-2, §5B-20-3, and §5B-20-4 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §5B-20-5, relating to establishing the Affordable Electricity and Economic Growth Act of 2025 to facilitate coke production and steelmaking in the state.

And,

Senate Bill 708, Providing state mine inspectors with raise.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 708 (originating in the Committee on Energy, Industry, and Mining)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §22A-1-10a, relating to providing a \$4,000 salary increase to certain state inspectors.

With the recommendation that the two committee substitutes do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Christopher A. Rose,
Chair.

The bills (Com. Sub. for S. B. 678 and 708), under the original double committee references, were then referred to the Committee on Finance.

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Senate Bill 733, Relating to membership composition of Legislative Oversight Commission on Department of Transportation Accountability.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Mark R. Maynard,
Chair.

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Senate Concurrent Resolution 3, US Army Warrant Officer Joseph Rose III Memorial Bridge.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Concurrent Resolution 3 (originating in the Committee on Transportation and Infrastructure)—Requesting the Division of Highways name bridge numbers 17.079/00-111.91 NB (17A246) and 17.079/00-111.91 SB (17A247), locally known as Brown's Creek Bridge Northbound and Southbound, carrying Interstate 79 over Brown's Creek in Harrison County, the "U.S. Army Warrant Officer Joseph Rose III Memorial Bridge".

With the recommendation that the committee substitute be adopted.

Respectfully submitted,

Mark R. Maynard,
Chair.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Concurrent Resolution 15, Opposing China's use of UN Resolution 2758 against Taiwan.

And reports the same back with the recommendation that it be adopted.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Rucker, unanimous consent being granted, the resolution (S. C. R. 15) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration.

The question being on the adoption of the resolution, the same was put and prevailed.

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

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 2129, Creating the Parents Bill of Rights.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Roberts, from the Committee on the Workforce, submitted the following report, which was received:

Your Committee on the Workforce has had under consideration

Eng. Com. Sub. for Com. Sub. for House Bill 2441, To make those who fail drug test ineligible for unemployment.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Rollan A. Roberts,
Chair.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Eng. House Bill 2942, Administration of the West Virginia Department of Environmental Protection Design-Build Pilot Program.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Christopher A. Rose,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance, with amendments from the Committee on Energy, Industry, and Mining pending.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Eng. House Bill 2943, Administration of the West Virginia Hazardous Waste Management Act.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Christopher A. Rose,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills and joint resolution were introduced, read by their titles, and referred to the appropriate committees:

By Senators Bartlett, Azinger, Charnock, Roberts, and Rucker:

Senate Bill 796—A Bill to amend and reenact §3-1-34 and §17B-2-1 of the Code of West Virginia, 1931, as amended, relating to the identification of voters and noncitizen residents; and modifying the types of valid identifying documents for voting purposes by requiring a photograph on each form of voter identification, notwithstanding existing exemptions.

Referred to the Committee on the Judiciary.

By Senator Hart:

Senate Bill 797—A Bill to amend and reenact §22-31-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding four new sections, designated §22-31-3, §22-31-4, §22-31-5, and §22-31-6, relating to public water systems and improving and protecting supply therefrom; planning, reporting, and communications of such systems, public service districts, and the Public Service Commission; providing for definitions; requiring plans and telemetry data for tank levels in public water systems; requiring public water systems issue quarterly reports and submit to independent review in certain circumstances; requiring public service districts to assign a communications officer; and requiring

the Public Service Commission to present on the shortage of water plant workers and managers.

Referred to the Committee on Government Organization.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 798—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §5F-2-9, relating to exempting new hires and promoting employees within the Bureau of Senior Services, Department of Administration, Department of Environmental Protection, Department of Revenue, and Department of Veterans Affairs from the classified civil service system and the state grievance procedures beginning on July 1, 2025.

Referred to the Committee on Government Organization.

By Senator Smith (Mr. President):

Senate Bill 799—A Bill to amend and reenact §11A-3-45 and §11A-3-65 of the Code of West Virginia, 1931, as amended, relating to permitting the State Auditor to hire a private auctioneer to conduct annual auction of land sales.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Azinger:

Senate Bill 800—A Bill to amend and reenact §33-27-2, §33-27-4, §33-27-5, §33-27-6a, §33-27-7, and §33-27-8 of the Code of West Virginia, 1931, as amended, relating to insurance holding company systems; defining terms; requiring an insurance company that is a member of an insurance holding company system to annually file a group capital calculation with the lead state insurance commissioner of the insurance holding company system and providing exemptions thereto; requiring the filing with the lead state insurance commissioner of the results from a liquidity stress test by an insurance company that is a member of an insurance holding company system and is scoped into the National Association of Insurance Commissioners' liquidity stress test

framework; requiring that a liquidity stress test comply with the National Association of Insurance Commissioners' liquidity stress test framework's instructions and reporting templates; permitting the insurance commissioner to require an insurance company that is in a hazardous financial condition or a condition that would be grounds for supervision, conservation, or a delinquency proceeding to secure and maintain either a deposit to be held by the commissioner or a bond at the insurer's discretion for the protection of the insurer while in an insurance holding company system; providing that all records and data of an insurance company being held by an affiliate of the insurer is to remain the property of the insurer and subject to the insurer's control; providing that an affiliate of a domestic insurance company is subject to the insurance commissioner's jurisdiction and authority with respect to any supervision, seizure, conservatorship, or receivership proceedings of the insurer; making an insurance company that is a member of an insurance holding company system liable to the insurance commissioner for the reasonable expenses incurred by the commissioner for his or her participation in a supervisory college; requiring the insurance commissioner to keep information related to a group capital calculation and liquidity stress test confidential; and prohibiting the storing of certain insurance holding company system information shared by the insurance commissioner with the National Association of Insurance Commissioners.

Referred to the Committee on Banking and Insurance.

By Senator Woodrum:

Senate Bill 801—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §20-3C-1, §20-3C-2, §20-3C-3, and §20-3C-4, relating to creating the West Virginia Public Waterway Act; establishing purpose and legislative findings; defining terms; requiring public access at bridge crossings; and requiring implementation by the Department of Transportation, in cooperation with the Division of Natural Resources.

Referred to the Committee on Natural Resources; and then to the Committee on Government Organization.

By Senator Woodrum:

Senate Bill 802—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §3-3-11a, relating to establishing a system for tracking the receipt and status of absent voter ballots; specifying required information to be recorded and reported; providing for records to be updated when defects are cured by the voter; allowing voters to receive notices by their method of choice; and declaring voter email addresses and telephone numbers to be confidential and not subject to public disclosure.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senator Charnock:

Senate Joint Resolution 15—Proposing an amendment to the Constitution of the State of West Virginia amending section 1b, article X thereof, relating to exempting honorably discharged veterans of the armed forces of the United States from ad valorem property taxation on the full amount of assessed value of a primary residence and all personal property; numbering and designating the proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

Senator Rucker offered the following resolution:

Senate Resolution 35—Recognizing the West Virginia Mothers and Babies Support Program for their outstanding achievements.

Which, under the rules, lies over one day.

Senator Deeds offered the following resolution:

Senate Resolution 36—Recognizing the 100th anniversary of the State Fair of West Virginia.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Resolution 33, Designating March 18, 2025, as WV Homeschool Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Rucker, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Senate Resolution 34, Expressing support for President Felix Tshisekedi and citizens of Democratic Republic of Congo.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Roberts, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

The question being on the adoption of the resolution, and on this question, Senator Roberts demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Stuart—1.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 34) adopted.

Thereafter, at the request of Senator Martin, and by unanimous consent, the remarks by Senators Woodrum, Roberts, and Willis

regarding the adoption of Senate Resolution 34 were ordered printed in the Appendix to the Journal.

On motion of Senator Martin, at 11:52 a.m., the Senate recessed to present Senate Resolution 34.

The Senate reconvened at 11:57 a.m. and proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 548, Creating Safety and Violence Education for Students Act.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Martin, Morris, Oliverio, Phillips, Queen, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Woelfel, Woodrum, and Smith (Mr. President)—26.

The nays were: Azinger, Bartlett, Hart, Maynard, Roberts, Rose, Thorne, and Willis—8.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 548) passed.

On motion of Senator Grady, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Senate Bill 548—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-36-1, §18-36-2, §18-36-3, §18-36-4, §18-36-5, and §18-36-6, relating to the creation of the Safety and Violence Education for Students Act; requiring all schools serving students grades six through 12 to provide to students at least one hour, or one standard class period, of evidence-based youth violence prevention training each school year; requiring all schools serving

students grades K-12 to provide to students at least one hour, or one standard class period, of evidence-based training on combatting social isolation each school year; requiring the West Virginia Department of Education to develop a list of evidence-based trainings and materials to fulfill the youth violence prevention training and the training to combat social isolation; allowing the West Virginia Department of Education to require all schools serving grades K-12 to designate a student-led violence prevention club; addressing costs associated with implementation; defining terms; and making requirements of article voluntary for public charter schools and nonpublic schools.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 548) takes effect from passage.

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 586, Relating to requirements for filling vacancies in certain elected federal, state, and county offices.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Committee Substitute for Senate Bill 586 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 586) passed with its title.

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

Eng. Com. Sub. for Senate Bill 686, Relating to WV commercial feed law.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 686) passed with its title.

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

Eng. Com. Sub. for House Bill 2222, Relating to authorizing certain agencies of the Department of Administration to promulgate legislative rules.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2222) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2222) takes effect from passage.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence in the changed effective date.

The Senate proceeded to the ninth order of business.

Com. Sub. for Com. Sub. for Senate Bill 37, Allowing certain Teachers Retirement System members to exchange unused leave for monetary compensation.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 83, Allowing Foster Care Ombudsman access to child protective records.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 450, Establishing WV Guardian Program.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 538, Allowing certain entities to purchase qualifying tax-delinquent properties before they are offered at public auction.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 547, Creating Charter Schools Startup Fund.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 598, Permitting judges to refer parents to prosecuting attorney for making certain false allegations in child custody proceedings.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 621, Authorizing digital court records.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 719, Relating to age at which minor can consent to certain medical decisions and services.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 731, Terminating Design Build Board.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Senate Bill 734, Repealing section creating A. James Manchin Rehabilitation Environmental Action Plan.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 736, Relating to publication of registered lobbyist information.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Senate Bill 738, Terminating Employee Suggestion Award Board.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

The Senate proceeded to the eleventh order of business and the introduction of guests.

The Senate then proceeded to the twelfth order of business.

Remarks were made by Senators Rucker and Woelfel.

At the request of Senator Rucker, unanimous consent being granted, the Senate then stood in observance of a moment of silence in recognition of the passing of Donald "Donnie" Lee Dunn, Jr., a Jefferson County firefighter and emergency services agent.

The Senate proceeded to the thirteenth order of business.

The following communication was reported by the Clerk:



HOUSE OF DELEGATES
WEST VIRGINIA LEGISLATURE

BUILDING 1, ROOM M-212
1900 KANAWHA BLVD., EAST
CHARLESTON, WV 25305-0470
PHONE (304) 340-3200

March 17, 2025

The Honorable Patrick Morrisey
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Morrisey,

The following bill, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, has been examined and found truly enrolled:

Com. Sub. for H. B. 2053, Relating to including the United States Space Force in the definition armed forces.

This bill is presented to you on this day, March 17, 2025.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jeffrey Pack".

Jeffrey Pack
Clerk of the House of Delegates

cc: The Honorable Lee Cassis
Clerk of the Senate

Under the provisions of Rule 15 of the Rules of the Senate, the following senator was removed as a co-sponsor of the following bill on March 17, 2025:

Senate Bill 600: Senator Rucker.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on March 17, 2025:

Senate Bill 75: Senators Thorne and Willis;

Senate Bill 191: Senators Willis and Hamilton;

Senate Bill 261: Senator Rucker;

Senate Bill 605: Senator Willis;

Com. Sub. for Senate Bill 610: Senator Thorne;

Senate Bill 654: Senator Deeds;

Senate Bill 678: Senator Azinger;

Senate Bill 681: Senator Rucker;

Senate Bill 708: Senator Hamilton;

Senate Bill 765: Senators Thorne and Weld;

Senate Concurrent Resolution 15: Senator Thorne;

And,

Senate Resolution 33: Senators Thorne, Rose, and Taylor.

Pending announcement of meetings of standing and select committees of the Senate,

On motion of Senator Martin, at 12:17 p.m., the Senate adjourned until tomorrow, Wednesday, March 19, 2025, at 11 a.m.

WEDNESDAY, MARCH 19, 2025

The Senate met at 11:05 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Reverend Rick Perrine, Ripley Baptist Temple, Ripley, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Amy N. Grady, a senator from the fourth district.

Pending the reading of the Journal of Tuesday, March 18, 2025,

At the request of Senator Azinger, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 8, Providing additional sites and devices for newborn safe surrender.

On motion of Senator Martin, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, by striking 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, emergency medical service facility, police department, 911 call center, or sheriff's detachment 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, emergency medical service facility, police department, 911 call center, or sheriff's detachment~~ 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, emergency medical service facility, police department, 911 call center, or sheriff's detachment~~ 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, emergency medical service facility, police department, 911 call center, or sheriff's detachment~~ 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, emergency medical service facilities, police departments, 911 call center, and sheriff's detachments 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; and

(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, emergency medical service facility, police department, 911 call center, or sheriff's detachment 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, emergency medical service facility, police department, 911 call center, or sheriff's detachment.

~~(d)~~ (e) 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)~~ (f) 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) (g) 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) (h) 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) (i) The provisions of subsection (d) (e) of this section shall not apply when indicators of child physical abuse or child neglect are present.

§49-4-206. Designation of local fire department, emergency medical service facility, police department, 911 call center, or sheriff's detachment as a safe-surrender site; posting requirement.

The governing entity of a local fire department, emergency medical service facility, police department, 911 call center, or sheriff's detachment that is staffed 24 hours a day, seven days a week, may designate the premises of its fire department, emergency medical service facility, police department, 911 call center, or sheriff's detachment as a safe-surrender site to accept physical custody of a child who is 30 days old or younger from a parent of the child and who surrenders the child pursuant to §49-4-201 of this code. A local fire department, emergency medical service facility, police department, 911 call center, or sheriff's detachment that is designated a safe-surrender site shall post a sign that notifies the public that it is a location where a child 30 days old or younger may be safely surrendered pursuant to this article.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 8—A Bill to amend and reenact §49-4-201 and §49-4-206 of the Code of West Virginia, 1931, as amended, relating to expanding the places that can be designated a safe surrender site to include emergency medical service facilities, police departments, 911 call centers, or sheriff's detachments, relating to allowing emergency medical service facilities, police departments, 911 call centers, or sheriff's detachments that take possession of a child to perform any act necessary to protect the physical health or safety of the child, relating to permitting the installation of newborn safety devices at emergency medical service facilities, police departments, 911 call centers, or sheriff's detachments that have been designated as safe-surrender sites; and providing conditions for the same.

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 8, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 8) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 486, Clarifying eligibility requirements to vote in WV elections.

On motion of Senator Martin, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

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

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.

§3-1-3. Persons entitled to vote.

~~Citizens of the state shall be entitled to vote at all elections held within the precincts of the counties and municipalities in which they respectively reside. But no person who has not been registered as a voter as required by law, or who is a minor, or who has been declared mentally incompetent by a court of competent jurisdiction, or who is under conviction of treason, felony or bribery in an election, or who is not a bona fide resident of the state, county or municipality in which he or she offers to vote, shall be permitted to vote at such election while such disability continues, unless otherwise specifically provided by federal or state code. Subject to the qualifications otherwise prescribed in this section, however, a minor shall be permitted to vote only in a primary election if he or she will have reached the age of eighteen years on~~

~~the date of the general election next to be held after such primary election~~

(a) Citizens of the state may vote at all elections held within the precincts of the counties and municipalities in which they respectively reside, but a person may not vote in a federal, state, county, municipal, or special election unless the person:

(1) Is registered to vote as required by law;

(2) Is 18 years of age, except that a person may vote in a primary election if he or she will reach the age of 18 years on or before the date of the next general election held after the primary election;

(3) Has not been determined by a final judgment of a circuit court exercising jurisdiction pursuant to §44A-1-2(c) of this code to be totally mentally incompetent.

(4) Has not been convicted of treason, a felony, or bribery in an election or, if convicted, has:

(A) Had his or her sentence fully discharged, including any term of incarceration, parole, supervision, or period of probation ordered by any court; or

(B) Been pardoned or otherwise formally released from the resulting disability to vote;

(5) Is a United States citizen; and

(6) Is a bona fide resident of the state, county, or municipality in which he or she offers to vote.

(b) For purposes of §3-1-3 (a)(3), a person is requalified to vote upon certification in writing by the clerk of the circuit court of an order or other official determination filed with his or her office that the person is no longer totally mentally incompetent: *Provided*, That a copy of the order or other official determination shall not be provided without further order by a court of competent jurisdiction

or written permission signed by the person to whom the order or official determination pertains.

(c) For purposes of §3-1-3 (a)(4):

(1) A person convicted of a disqualifying crime may not vote from the date of adjudication of that crime, notwithstanding any pending sentencing order, post-trial motions, direct appeals, or other post-conviction requests for relief; and

(2) A person is not considered to have been convicted of a disqualifying crime where the criminal proceedings are deferred and there is no adjudication of guilt as to the disqualifying crime.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 486—A Bill to amend and reenact §3-1-3 of the Code of West Virginia, 1931, as amended, relating to eligibility requirements to vote in West Virginia elections; describing eligibility requirements for persons to vote, including citizenship, age, and residency requirements; providing guidance on persons deemed ineligible to vote; providing for restoration of voting rights in certain circumstances; and clarifying when a person convicted of a disqualifying crime is not permitted to vote.

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 486, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 486) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the adoption of

Senate Concurrent Resolution 20, Recognizing and commending NCSL on its 50th anniversary.

A message from the Clerk of the House of Delegates announced the adoption by that body and requested the concurrence of the Senate in the adoption of the following resolutions:

Com. Sub. for House Concurrent Resolution 5—Requesting the Division of Highways name Bridge Number: 21-050/00-003.14 () (21A107), (38.78083, -80.43667) locally known as GLADY CREEK BOX BEAM, carrying CR 050 over GLADY CREEK in Lewis County, the "U.S. Army PFC William Harrison Lowther Memorial Bridge".

Com. Sub. for House Concurrent Resolution 6—Requesting the Division of Highways name bridge number 23-016/18-000.01(23A183), at Lat./Long. 37.76296, -81.84196, locally known as Low Ash Concrete Box BM, carrying County Route 16/18 over Buffalo Creek in Logan County, the "U.S. Army Warrant Officer Sidney Washington Memorial Bridge".

Com. Sub. for House Concurrent Resolution 7—Requesting the Division of Highways name bridge number ACNS-0035(166), 10799, beginning at Latitude 38.770528, Longitude -82.049710, ending at Latitude 38.770995, Longitude -82.047531, carrying US

Route 35 over Lower Nine Mile Road, WV Route 38, in Mason County, the "U.S. Army PFC John Wesley Meadows Memorial Bridge".

Com. Sub. for House Concurrent Resolution 8—Requesting the Division of Highways name Bridge Number: 23-009/01-000.12 () (23A027), (37.83239, -82.03453) locally known as WHITMAN CREEK BOX BEAM, carrying CR 009/01 over COPPERAS MINE FORK in Logan County the "U.S. Army PFC Lester E. Maynard Memorial Bridge."

Com. Sub. for House Concurrent Resolution 9—Requesting the Division of Highways name Bridge Number: 20-079/03-017.16 () (20A954), (38.18214, -81.46837) locally known as Dry Branch Bridge, carrying CR 079/03 over Cabin Creek at Dry Branch in Kanawha County, the "U.S. Army Private Robert S. Pomeroy Memorial Bridge."

Com. Sub. for House Concurrent Resolution 10—Requesting the Division of Highways name a portion of Knobley Road, specifically beginning where U.S. Route 50 meets W.V. Route 9 (39.34980, -78.99220) and ending where W.V. Route 9 meets W.V. Route 18 (39.36571, -78.98110), in Mineral County, the "U.S. Marine Corps PFC Robert Thomas Taylor Memorial Road".

Com. Sub. for House Concurrent Resolution 11—Requesting the Division of Highways name Bridge Number: 54-014/00-013.22 () (54A037), (39.26028, -81.55637) locally known as Fifth Street Bridge (SSTT), carrying WV 014 over Little Kanawha River in Wood County, the "Delegate Thomas A. Azinger Memorial Bridge".

Com. Sub. for House Concurrent Resolution 12—Requesting the Division of Highways name Bridge Number: 52-013/00-004.64 () (52A039), (39.67254, -80.45228) locally known as Hundred Covered Bridge, carrying CR 013 over WV Fork Fish Creek in Wetzel County, the "PFC Charles 'Charlie' Goff Memorial Bridge".

Com. Sub. for House Concurrent Resolution 13—
Requesting the Division of Highways name a bridge bearing the Bridge Number: 26-023/00-007.19 () (26A034), (39.82576, -80.57174) locally known as CAMERON RIDGE BRIDGE, carrying CR 023 over GRAVE CREEK in Marshall County as the "U.S. Army Corporal James E. Jackley Memorial Bridge".

Com. Sub. for House Concurrent Resolution 15—
Requesting the Division of Highways name Bridge Number: 41-077/00-028.93 (NB) (41A210), (37.61525, -81.11937) locally known as I-77 NB OVER RAL 48, carrying IS 077 over CR 48 in Raleigh County, the "USMC PFC Delbert Carles Roles Memorial Bridge."

Com. Sub. for House Concurrent Resolution 18—
Requesting the Division of Highways change the name of Bridge Number: 02-009/00-002.54 () (02A176), (39.57445, -78.03742) locally known as Johnstown Bridge, carrying WV 009 over Tilhance Creek in Berkeley County, to the "U.S. Army Private Paul J. Hofe Memorial Bridge".

Com. Sub. for House Concurrent Resolution 20—
Requesting the Division of Highways name bridge number 52-250/00-003.88 (5A139) at Lat/Long: 39.68333, -80.45983, locally known as Stewart Street Bridge, carrying CR 250/12 over West Virginia Fork of Fish Creek in Wetzel County, the "U.S. Army Tustin Brothers Memorial Bridge".

Com. Sub. for House Concurrent Resolution 21—
Requesting the Division of Highways name bridge number 52-250/12-000.02 (5A102), at Lat./Long. (39.68344, -80.45906), locally known as Church Fork Bridge, carrying US 250 over Church Fork Creek in Wetzel County, the "U.S. Army Private Terry F. Tustin Memorial Bridge".

Com. Sub. for House Concurrent Resolution 22—
Requesting the Division of Highways name a portion of Greentown Loop Road, in Oak Hill, Fayette County, beginning at the intersection of US 19 and WV 16, Latitude 37.959594, Longitude -81.148356, ending at the intersection of Meadow Fork Road,

Latitude 37.964227, Longitude -81.125199, the "Delegate James Monroe Ellis Memorial Road."

Com. Sub. for House Concurrent Resolution 23—Requesting the Division of Highways name bridge number [10-025/00-000.06] ([10A113]), locally known as Dunloup Creek Bridge #2, carrying Thurmond Road/CR 25 over Dunloup Creek in Fayette County, the "U.S. Army PFC Calvin Esco Spade Memorial Bridge".

Com. Sub. for House Concurrent Resolution 24—Requesting the Division of Highways name bridge number 52-250/00-009.13 (52A141), at Lat/Long: 39.70457, -80.52336, locally known as Littleton Bridge, carrying US 250 over West Virginia Fork of Fish Creek in Wetzel County, the "Postlethwait Brothers Memorial Bridge".

Com. Sub. for House Concurrent Resolution 25—Requesting the Division of Highways rename the section of road located on U.S. Route 250 just North of the Moundsville city limits to just North of the intersection of W.V. Route 891 to the "Waynesburg Pike Road" and have an additional sign placed at the intersection of W.V. Route 88 and U.S. Route 250.

Com. Sub. for House Concurrent Resolution 26—Requesting the Division of Highways name bridge number 45-012/00-001.21(45A024), locally known as Bradshaw Creek Bridge at Latitude 37.54774, Longitude -80.80074, carrying County Route 12 over Bradshaw Creek in Summers County, the "U.S. Army Air Force Staff Sergeant Jimmie M. Hutchison Memorial Bridge".

Com. Sub. for House Concurrent Resolution 27—Requesting the Division of Highways name a portion of Laurel Dale Road, WV 93 beginning at the southern edge of the James Gilbert Bosley Memorial Bridge, Latitude 39.339076, Longitude -79.067612, ending at the Laurel Dale Community Church, Latitude 39.312443, -Longitude 79.088201, in Mineral County, the "U.S. Army Brigadier General Edmund Francis Roleff Memorial Road".

Com. Sub. for House Concurrent Resolution 28—Requesting the Division of Highways name a portion of War Ridge Road, beginning at the intersection of War Ridge Road and Ballengee Road in Summers County, to the intersection of War Ridge Road and Little Stoney Creek Road in Monroe County, the "U.S. Army PFC Frank Maddy Memorial Road".

Com. Sub. for House Concurrent Resolution 29—Requesting the Division of Highways name 2.9 miles of County Route 9, also known as Knobley Road, from its intersection with County Route 16 (Headsville Road) at 39.418688664987286, -78.93751402501096, southward to its intersection with County Route 14 (Limestone Road) at 39.385668954129194, -78.9686697566939, be officially designated as the "Sheriff Jeremy Taylor Memorial Road".

Com. Sub. for House Concurrent Resolution 31—Requesting the Division of Highways name bridge number 20-025/47-00.10 (20A-337), locally known as Dunbar Toll Bridge, carrying 10th Street over Kanawha River in Kanawha County, the "U.S. Army LTC Quewanncoi "Que" C. Stephens, Sr. Memorial Bridge".

Com. Sub. for House Concurrent Resolution 32—Requesting the Division of Highways name Bridge Number: 41-001/04-000.02 () (41A010), (37.95138, -81.43833) locally known as Colcord Bridge, carrying CR 01/04 over Clear Fork in Raleigh County, the "U.S. Army Private Leon 'Deacon' Stover Memorial Bridge".

Com. Sub. for House Concurrent Resolution 34—Requesting the Division of Highways name bridge number 36-28-24.07(36A082), locally known as Mouth of Seneca Bridge, carrying WV 28 and WV 55 over Seneca Creek in Pendleton County, the "U.S. Merchant Marine J. Ward Teter Memorial Bridge".

Com. Sub. for House Concurrent Resolution 35—Requesting the Division of Highways name a portion of Main Street East, in Fayette County, beginning at the intersection with

Patterson Avenue, Latitude 37.983998, Longitude -81.137400, ending at the intersection with Lochgelly Road, Latitude 38.005804, Longitude -81.131043, the "U.S. Air Force Sergeant Thomas Madison Oxley Memorial Road".

Com. Sub. for House Concurrent Resolution 36—Requesting the Division of Highways name a bridge bearing the Bridge Number: 10-016/00-008.68 () (10A097) Lat/Long: 37.97642, -81.14059, Original Name: MAIN STREET BRIDGE, Feature Intersected: US 19 NBL & SBL, as the "U.S. Marine Corps PFC Darrell Lee Burgess Memorial Bridge".

Com. Sub. for House Concurrent Resolution 37—Requesting the Division of Highways name bridge number 50-064/00-001.75 carrying Interstate 64 over Broad Hollow Road in Wayne County, the "U.S. Army Captain Ray Leslie Memorial Bridge."

Com. Sub. for House Concurrent Resolution 39—Requesting the Division of Highways name a portion of Route 2 bearing the coordinates 40°01'41"N 80° 43'38W and 40°00'07"N 80°43'57"W in Benwood, Marshall County, as the "Gold Star Mother Catherine Blake Highway", with two gold stars after her name.

Com. Sub. for House Concurrent Resolution 42—Requesting the Division of Highways name bridge number 00-005.51(20A561), locally known as Rocky Fork Bridge, carrying County Route 622 over Rocky Fork Creek in Kanawha County, the "U.S. Army Corporal Kenneth H. Tinsley Memorial Bridge".

Com. Sub. for House Concurrent Resolution 44—Requesting the Division of Highways name bridge number 16-05S/20-005.47 () (16A123), (39.08844, -78.89069) locally known as ASHTON WOODS BRIDGE, carrying CR 055/20 over US 48X in Hardy County, the "U.S. Army Corporal Charles W. Wolfe Memorial Bridge".

Com. Sub. for House Concurrent Resolution 45—Requesting the Division of Highways name bridge number 16-

013/00-000.60(16A081), at Lat/Long: 39.05032, -78.99304, locally known as New Buzzard Ford Bridge carrying CR 013 over South Branch Potomac River in Hardy County, the "Charlotte Denise Seymour Hill Memorial Bridge".

Com. Sub. for House Concurrent Resolution 78—
"Requesting the Division of Highways to make the completion of I-73, the King Coal Highway, in its entirety a high priority project."

The preceding resolutions were referred to the Committee on Transportation and Infrastructure.

Executive Communications

The Clerk presented the following communication from His Excellency, the Governor, regarding bills approved by him:



Patrick Morrisey
Governor of West Virginia

March 18, 2025

The Honorable Lee Cassis, Clerk
West Virginia Senate
State Capitol
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, is the following bill:

Senate Bill No. Four Hundred Ninety (490), which was presented to me on March 12, 2025.

You will note that I have approved this bill on March 18, 2025.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick Morrisey".

Patrick Morrisey
Governor

PM/an

cc: The Honorable Jeff Pack, Clerk

The Senate proceeded to the fourth order of business.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Com. Sub. for Senate Bill 1, Requiring utility work and road paving coordination.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 100, Allowing members of State Police retirement system to use accrued leave as credit toward retirement.

And,

Senate Bill 105, Updating retirement eligibility for certain sheriffs.

And reports the same back with the recommendation that they each do pass.

Respectfully submitted,

Jason Barrett,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 472, Requiring transparency from Department of Human Services.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 506, Relating to enhanced pay for teachers.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 506 (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18A-4-2d, relating to enhanced pay for certain teachers; setting out legislative findings; defining terms; requiring use of the highest of two multipliers to be used to set the amount of the market pay enhancement; providing for certification to State Auditor; requiring the State Auditor to issue a lump sum distribution to all certified teachers in any county requiring a market pay enhancement; requiring market pay enhancement to be adjusted every five years; making lump sum subject to personal income tax; declaring there is no right to a grievance for any pay disparity that exists due to a market pay enhancement distribution; providing payments are in

excess of certain other amounts; requiring West Virginia Board of Education report to the Joint Committee on Government and Finance in any year a market pay enhancement calculation is required; and allowing West Virginia Board of Education rules to explain and implement this new section.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill (Com. Sub. for S. B. 506), under the original double committee reference, was then referred to the Committee on Finance.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 531, Defining assault and battery on sports officials.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 531 (originating in the Committee on Education)—A Bill to amend and reenact §61-2-15a of the Code of West Virginia, 1931, as amended, relating to the offenses of assault and battery on athletic officials; modifying criminal penalties for assault and battery on athletic officials; and redefining "athletic official".

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill (Com. Sub. for S. B. 531), under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 578, Relating to pet food packages.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 578 (originating in the Committee on Finance)—A Bill to amend and reenact §19-14-5 of the Code of West Virginia, 1931, as amended, relating to removing the sunset provisions on requiring an additional registration fee for a permit to sell or market commercial pet food, set to expire June 1, 2027, and June 30, 2027.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 579, Relating to Home Rule Reform.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 697, Creating Caregiver Tax Credit Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 697 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-29-1, §11-29-2, §11-29-3, and §11-29-4, relating to creating the Caregiver Tax Credit Act; defining the terms used throughout the article; listing the guidelines for implementation; authorizing rulemaking for the Department of Revenue; and providing an effective date of January 1, 2027.

And,

Senate Bill 702, Relating to payment rates for child care services.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 702 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §49-2-120a, relating to payment rates for child care services; requiring the Bureau for Family Assistance to annually adjust the base rate for each type of care based upon the Consumer

Price Index; requiring the Bureau for Family Assistance to study the implementation of performance-based contracting's outcome on quality; and requiring reporting.

With the recommendation that the two committee substitutes do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bills (Com. Sub. for S. B. 697 and 702), under the original double committee references, were then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 743, Adjusting percentage of tax retained by clerk of county commission for certain purposes.

And,

Senate Bill 747, Relating to Real Estate License Act.

And reports the same back with the recommendation that they each do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Barrett, as chair of the Committee on Finance, unanimous consent was granted to dispense with the

second committee references of the bills contained in the foregoing report from the Committee on Government Organization.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 2331, Relating to authorizing certain agencies of the Department of Commerce to promulgate legislative rules.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Mike Stuart,

Chair.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senators Phillips, Hart, and Rose:

Senate Bill 803—A Bill to amend and reenact §24-1-7 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §24-9-1, relating to rules and data centers; making the rules and regulations of the Public Service Commission subject to legislative rule-making review procedures; providing definitions; providing legislative findings; and requiring oversight from the Legislative Rule-Making Review Committee on data centers.

Referred to the Committee on Economic Development.

By Senators Taylor, Smith (Mr. President), Azinger, Bartlett, Chapman, Charnock, Deeds, Fuller, Grady, Hart, Helton, Jeffries, Martin, Maynard, Morris, Roberts, Rose, Rucker, Stuart, Thorne, Weld, and Willis:

Senate Bill 804—A Bill to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Secondary School Activities Commission Reform Act; giving public charter schools control, supervision, and regulation of all extracurricular activities of the students in their schools; allowing public charter schools to delegate control, supervision, and regulation of interscholastic athletic events and band activities to the West Virginia Secondary School Activities Commission; providing that the commission is composed of the athletic directors, or their representatives, of certain secondary schools; modifying commission rule-making procedures; requiring rules to include a school classification system based on a competitive balance formula which includes the number of transfers a school has received and other factors; providing that the commission is to become a state agency; providing that commission funds from dues paid and from any event sponsored by the commission are public funds; requiring that executive director of the commission be appointed by the Governor, by and with the advice and consent of the Senate; requiring commission rules to provide for executive director to investigate and make decisions on all violations of rules and questions of dispute regarding any sports activities governed by the commission and to include provisions ensuring adequate due process; providing that any disagreement with the executive director's decision can only be brought before the Intermediate Court of Appeals; providing for organized groups of certain nonpublic school students to participate in the extracurricular activities under commission control, supervision, and regulation; removing one of the requirements for homeschool students, Hope Scholarship Program participants, microschool students, and learning pod students to be eligible for extracurricular activities of secondary schools and modifying fees that can be charged to these students; and providing for certain existing commission rules to continue in effect.

Referred to the Committee on Education.

By Senators Rucker and Deeds:

Senate Bill 805—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §36-4-20, relating to promoting personal agriculture by making unenforceable a housing association covenant or restriction that prohibits home gardens and ownership of chickens; defining terms; and providing exceptions.

Referred to the Committee on Agriculture; and then to the Committee on Government Organization.

By Senators Deeds, Azinger, Bartlett, Fuller, Hamilton, and Thorne:

Senate Bill 806—A Bill to amend and reenact §62-1C-1, §62-1C-1a, §62-1C-2, and §62-1C-17b of the Code of West Virginia, 1931, as amended; and to repeal §62-1C-3 and §62-1C-4, relating to bail; defining bail; providing factors to be applied by judicial officer for certain bail determinations; providing for judicial review of bail determinations; providing for mandatory or discretionary pretrial release by category of charged offense; providing for discretionary pretrial release pending appeal from conviction; requiring hearing for defendant who remains incarcerated after initial appearance relating to misdemeanor; authorizing defendant to select form of bail unless restricted by judicial officer; providing for cash bail, recognizance, use of bail bondsman, and other forms of bail pursuant to rules promulgated by Supreme Court of Appeals; setting maximum cash bail for misdemeanors; requiring release on recognizance for certain misdemeanors except for good cause shown; specifying misdemeanors not eligible for recognizance; requiring certain information be provided to court with respect to recognizance; providing signature requirements for recognizance; authorizing judicial officer to require justification of surety; providing for minimum assessed value of real property; providing for pretrial release of indigent defendants; providing requirements for unapproved surety; providing net worth requirements of surety; prohibiting judicial officer from recommending relative as surety; authorizing bail to cover multiple charges; providing for receipts; authorizing additional conditions

of pretrial release; authorizing judicial officer to modify conditions of release; requiring presence of prosecuting attorney and defense counsel at certain hearings; repealing provisions regarding fixing amount of bail and bail covering two or more charges; repealing provisions regarding recognizance, requirements for signers or surety company, release upon own recognizance, and indigent persons; and making technical corrections.

Referred to the Committee on the Judiciary.

By Senators Oliverio, Azinger, Charnock, Garcia, and Phillips:

Senate Bill 807—A Bill to amend and reenact §11-3-9 of the Code of West Virginia, 1931, as amended, relating to exempting from personal property taxation private passenger automobiles that are 25 years old or older.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Weld:

Senate Bill 808—A Bill amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15A-2-4a, relating to the creation of the West Virginia Justice Reinvestment Task Force; setting forth the membership of the task force; providing for appointment of members; delineating responsibilities of the task force; providing task force complete a report and specifying contents of same; and providing a date for termination of the task force.

Referred to the Committee on Government Organization.

By Senator Morris:

Senate Bill 809—A Bill to amend and reenact §11-1C-10 and §11-1C-11 of the Code of West Virginia, 1931, as amended, relating to changing the managed timberland certification requirements to every five years for tax assessment purposes; and granting rule-making authority to the Division of Forestry.

Referred to the Committee on Natural Resources.

By Senator Rucker:

Senate Bill 810—A Bill to amend and reenact §30-7-15 of the Code of West Virginia, 1931, as amended, relating to clarifying the qualifications required for the administration of anesthesia.

Referred to the Committee on Government Organization.

By Senator Chapman:

Senate Bill 811—A Bill to amend the Code of West Virginia, 1931, as amended, by adding six new sections, designated §49-2-1101, §49-2-1102, §49-2-1103, §49-2-1104, §49-2-1105, and §49-2-1106, relating to creating the Child Care Subsidy Pilot Program; setting forth the purpose; setting forth the duration of the pilot program; setting forth the reporting and evaluation requirements; setting forth definitions; authorizing rulemaking; providing for funding; and setting forth implementation requirements.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Willis:

Senate Bill 812—A Bill to amend and reenact §61-6-24 of the Code of West Virginia, 1931, as amended, relating to clarifying definitions of terroristic acts and groups; creating mandatory sentencing and requiring the Attorney General to identify terrorist groups; requiring restitution to be paid to victims of terrorism; increasing penalties upon conviction of the felony offenses of threatening to commit a terrorist act, conveying false information knowing the information to be false concerning an attempt or alleged attempt being made or to be made of a terrorist act, and for use of a hoax substance or device with the specific intent to commit a terrorist act; creating the felony offenses of committing a terrorist act or being a member of a terrorist group, actively participating in violent actions as part of a terrorist act in which another person is killed as a result of the terrorist act; providing criminal penalties; providing for restitution for economic harm to victims for such acts; establishing certain acts as acts of terrorism and providing for criminal penalties for committing such acts; providing that

sentences for terrorism are mandatory and are not subject to suspension, alternative sentencing, or probation; and providing that the Attorney General identify terrorist entities and that any member or associate of these groups shall be deemed to be engaged in terrorism, will be identified as a terrorist, and will be punished in accordance with this section.

Referred to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 813—A Bill to amend and reenact §49-4-601a of the Code of West Virginia, 1931, as amended, relating to extending the time frame for the Department of Human Services to identify relatives and fictive kin of the child.

Referred to the Committee on the Judiciary.

By Senator Martin:

Senate Bill 814—A Bill to amend and reenact §7-17-12 and §8-13-13 of the Code of West Virginia, 1931, as amended, relating to fees and charges for municipality-provided fire services; allowing county commissions to establish fees for fire services by ordinance; and requiring county commission approval before fees established on or after January 1, 2024, are imposed on individuals or businesses located outside the municipality.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Phillips:

Senate Bill 815—A Bill to amend and reenact §22-36-1, §22-36-5, §22C-1-2, §22C-1-3, §22C-1-5, §22C-1-6, §22C-1-17, §22C-1-22, §22C-2-1, §22C-2-5, §24-1-1, §24-2H-8, §31-15A-4, §31-15A-9 and §31-15A-17c of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §22C-1-7a, relating to permitting access to funding for public water utilities subject to the Public Service Commission's jurisdiction; defining "public utility"; setting forth legislative findings; defining "non-governmental public utility"; modifying definitions of "local entity", "project", and "water development

project"; permitting Water Development Authority to make loans and grants to public utilities, including non-governmental public utilities, pursuant to loan agreements; establishing rights and remedies with respect to enforcing loan agreement with public utilities; establishing powers of Water Development Authority with respect to non-governmental public utilities; authorizing rulemaking with respect to Water Development Authority; requiring maintenance of public utilities; permitting public utilities to lease, grant, or convey to the Water Development Authority any real property or interests; establishing procedures related to collection of money due to the Water Pollution Control Revolving Fund; establishing requirements to ensure adequate cash and working capital related to funding; authorizing rulemaking with respect to the West Virginia Infrastructure and Jobs Development Council; directing funding consideration for certain for-profit project sponsors under certain circumstances; permitting access to Distressed Utilities Account for public utilities under certain circumstances; and directing the Water Development Authority to make loans or grants from the Critical Needs and Failing Systems Sub Account to a project sponsor under certain circumstances.

Referred to the Committee on Finance.

By Senator Stuart:

Senate Bill 816—A Bill to amend and reenact §16-9A-2, §16-9A-3, and §16-9A-7 of the Code of West Virginia, 1931, as amended; and to amend the code by adding five new sections, designated §16-9A-12, §16-9A-13, §16-9A-14, §16-9A-15, and §16-9A-16, relating to prohibiting sales of unauthorized electronic smoking devices and any other products intended for inhaling or ingesting; setting penalties for the sale of unauthorized electronic smoking devices; setting penalties for the sale of authorized electronic smoking devices to individuals under 21 years of age; setting definitions; requiring reporting of citations to the Alcohol Beverage Control Commission; requiring the Secretary of State to develop a list of retailers that sell electronic smoking devices and provide the list to the Alcohol Beverage Control Commission; requiring the Alcohol Beverage Control Commission to develop and maintain a list of retailers of authorized electronic smoking

devices and a tobacco noncompliance database and reporting system; permitting existing enforcement entities to enforce new provisions; requiring manufacturers of electronic smoking devices to provide authorizing documentation to wholesalers and retailers; setting forth fines and penalties for a manufacturer's provision of false or misleading information; requiring wholesalers of electronic smoking devices to sell only authorized devices; requiring wholesalers to verify that retailers are not in the tobacco noncompliance database before selling them electronic smoking devices; setting forth fines and penalties for a wholesaler of electronic smoking devices to an unauthorized retailer; and requiring the Commissioner of the Alcohol Beverage Control Commission to promulgate rules.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 817—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16B-22-1, §16B-22-2, §16B-22-3, §16B-22-4, §16B-22-5, and §16B-22-6, relating to regulating private alternative adolescent residential or outdoor programs.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 818—A Bill to amend and reenact §5B-2-21, §24-2-1d, §24-2-1q, §24-2-15, and §24-2-19 of the Code of West Virginia, 1931, as amended; to amend the code by adding four new sections, designated §5B-2-21a, §5B-2-21b, §5B-2N-2a, and §11B-2-33, and to amend the code by adding a new article, designated §11-6N-1, §11-6N-2, §11-6N-3, §11-6N-4, and §11-6N-5, relating to the certified microgrid program administered by the Division of Economic Development; renaming business expansion development program administered by the department; renaming high impact business development districts certified by the department; providing that any plant or facility may participate

in the business expansion development program; removing requirement that high impact business development districts be located on certain lands; eliminating requirement that electrical service to business development districts be generated from renewable sources; providing for certification of high-impact data centers; prohibiting payment in lieu of taxes and tax increment financing under certain circumstances; providing for special valuation by the Board of Public Works of a high-impact data center property; applying a specialized reapportionment formula for the property tax proceeds of a high impact data center; defining terms; specifying dates; and creating the Power Generation and Consumption Act of 2025.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 819—A Bill to amend and reenact §18-2-7a and §18-2-9 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-2-7h, relating to public school student health; requiring a heart health program whereby each child enrolled in the public schools in grades three through six is to actively participate in nutrition and aerobic exercise classes for 12 weeks straight at any point during the instructional term; specifying what the program is to include; requiring program to be aligned with state health standards; addressing selection of the program; allowing the nutrition and aerobic exercise education to be in the form of a book, DVD, CD, online, or another form of technology; requiring each school that includes any of grades three through six to ensure time is allowed during the school day to meet certain aerobic exercise, education, and information tracking requirements; requiring each school that includes any of grades three through six ensure certain accountability measure data; allowing school districts to issue a request for proposals to contract with qualified service providers on a per-student rate to provide certain nutrition and aerobic exercise programs and/or products; and specifying accountability measures the programs must include.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Helton:

Senate Bill 820—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article designated §16B-22-1, §16B-22-2, §16B-22-3, §16B-22-4, §16B-22-5, §16B-22-6, and §16B-22-7, relating to creating the Whistleblower Protection Fund Act; providing the short title; establishing its findings and purpose; establishing the fund; providing the fund's sources of funding; requiring the Office of the Inspector General to administer the fund; setting forth reporting requirements; and establishing an effective date.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

Senators Phillips, Barrett, Charnock, Hart, Queen, Rose, Stuart, and Woodrum offered the following resolution:

Senate Resolution 37—Recognizing the Energy Council on the occasion of its 50th anniversary.

Which, under the rules, lies over one day.

Senator Maynard offered the following resolution:

Senate Resolution 38—Designating March 20, 2025, as Mingo County Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Com. Sub. for Senate Concurrent Resolution 3, US Army Warrant Officer Joseph Rose III Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk.

The question being on the adoption of the resolution, the same was put and prevailed.

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

Senate Resolution 35, Recognizing WV Mothers and Babies Support Program for its outstanding achievements.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Rucker, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

The question being on the adoption of the resolution, and on this question, Senator Rucker demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 35) adopted.

Senate Resolution 36, Recognizing 100th anniversary of WV State Fair.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Deeds, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Com. Sub. for Senate Bill 37, Allowing certain Teachers Retirement System members to exchange unused leave for monetary compensation.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Committee Substitute for Senate Bill 37 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 37) passed with its title.

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

Thereafter, at the request of Senator Garcia, and by unanimous consent, the remarks by Senators Barrett, Grady, and Oliverio as to the passage of Engrossed Committee Substitute for Committee Substitute for Senate Bill 37 were ordered printed in the Appendix to the Journal.

Eng. Com. Sub. for Senate Bill 83, Allowing Foster Care Ombudsman access to child protective records.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 83) passed with its title.

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

Eng. Com. Sub. for Senate Bill 538, Allowing certain entities to purchase qualifying tax-delinquent properties before they are offered at public auction.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 538 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: Hart and Stuart—2.

Absent: Willis—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 538) passed with its title.

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

Eng. Com. Sub. for Senate Bill 547, Creating Charter Schools Startup Fund.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woodrum, and Smith (Mr. President)—31.

The nays were: Garcia and Woelfel—2.

Absent: Willis—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 547) passed with its title.

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

At the request of Senator Martin, and by unanimous consent, the Senate returned to the second order of business and the introduction of guests.

The Senate again proceeded to the eighth order of business, the next bill coming up in numerical sequence being

Eng. Senate Bill 598, Permitting judges to refer parents to prosecuting attorney for making certain false allegations in child custody proceedings.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 598) passed with its title.

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

Eng. Senate Bill 621, Authorizing digital court records.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 621) passed with its title.

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

Eng. Com. Sub. for Senate Bill 719, Relating to age at which minor can consent to certain medical decisions and services.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 719 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Deeds, Fuller, Grady, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Tarr, Taylor, Thorne, Woodrum, and Smith (Mr. President)—27.

The nays were: Clements, Garcia, Hamilton, Takubo, Weld, and Woelfel—6.

Absent: Willis—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 719) passed with its title.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 450, Establishing WV Guardian Program.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 731, Terminating Design Build Board.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 734, Repealing section creating A. James Manchin Rehabilitation Environmental Action Plan.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 736, Relating to publication of registered lobbyist information.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 738, Terminating Employee Suggestion Award Board.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

The Senate proceeded to the tenth order of business.

Senate Bill 75, Changing distribution of income from excess lottery fund.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 76, Increasing WV Natural Resources Police Officer Retirement System accrued benefit for certain members.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 601, Relating to fees and charges for municipality-provided fire services.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 615, Eliminating accelerated tax payment requirements.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 683, Relating to land sales by Auditor.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 710, Relating to the practice of teledentistry.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 733, Relating to membership composition of Legislative Oversight Commission on Department of Transportation Accountability.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 746, Allowing State Board of Education to delegate its Medicaid provider status to public charter schools.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Eng. Com. Sub. for House Bill 2129, Creating the Parents Bill of Rights.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Eng. Com. Sub. for Com. Sub. for House Bill 2441, To make those who fail drug test ineligible for unemployment.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Phillips.

The Senate then proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, a leave of absence for the day was granted Senator Willis.

The following communications were reported by the Clerk:

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPitol, ROOM M-211
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305-0800
304-357-7800

March 18, 2025

The Honorable Patrick Morrisey
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Morrisey,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

Com. Sub. for S. B. 138, Enhancing penalties for fleeing officer;

Com. Sub. for S. B. 240, Updating crime of sexual extortion;

S. B. 291, Extending time frame for pharmacies to register from annually to biennially;

Com. Sub. for S. B. 443, Authorizing Speech-Language Pathology and Audiology Board of Examiners to conduct criminal background checks for licensing;

And,

Com. Sub. for S. B. 462, Permitting Board of Occupational Therapy to require criminal history record checks.

These bills are presented to you on this day, March 18, 2025.

Respectfully submitted,


Lee Cassis
Clerk of the Senate

C: The Honorable Jeffrey Pack
Clerk of the House of Delegates

LEE.CASSIS@WVSSENATE.GOV



HOUSE OF DELEGATES
WEST VIRGINIA LEGISLATURE

BUILDING 1, ROOM M-212
1900 KANAWHA BLVD., EAST
CHARLESTON, WV 25305-0470
PHONE (304) 340-3200

March 18, 2025

The Honorable Patrick Morrisey
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Morrisey,

The following bill, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, has been examined and found truly enrolled:

Com. Sub. for H. B. 2354, Banning certain products from food in West Virginia.

This bill is presented to you on this day, March 18, 2025.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jeffrey Pack".

Jeffrey Pack
Clerk of the House of Delegates

cc: The Honorable Lee Cassis
Clerk of the Senate

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



SENATE CAPITOL ROOM M-211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7800

March 19, 2025

The Honorable Patrick Morrisey, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

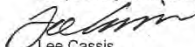
Dear Governor Morrisey,

The following bill, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, has been examined and found truly enrolled:

Com. Sub. for S. B. 487, Removing ineligible voters from active voter rolls.

This bill is presented to you on this day, March 19, 2025.

Respectfully submitted,


Lee Cassis
Clerk of the Senate

C: The Honorable Jeffrey Pack
Clerk of the House of Delegates

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on March 18, 2025:

Com. Sub. for Senate Bill 1: Senator Rucker;

Senate Bill 54: Senators Bartlett and Deeds;

Senate Bill 100: Senators Morris and Queen;

Senate Bill 105: Senators Morris and Queen;

Senate Bill 128: Senator Fuller;

Senate Bill 221: Senators Chapman and Fuller;

Senate Bill 472: Senator Fuller;

Senate Bill 506: Senators Taylor, Oliverio, Deeds, and Helton;

Senate Bill 531: Senator Fuller;

Senate Bill 578: Senator Takubo;

Senate Bill 579: Senator Taylor;

Senate Bill 659: Senator Helton;

Senate Bill 671: Senator Willis;

Com. Sub. for Senate Bill 678: Senator Fuller;

Senate Bill 697: Senators Taylor, Garcia, and Takubo;

Senate Bill 702: Senator Garcia;

Com. Sub. for Senate Bill 723: Senator Fuller;

Com. Sub. for Senate Bill 726: Senator Fuller;

Senate Bill 765: Senator Fuller;

Senate Bill 796: Senator Thorne;

Senate Joint Resolution 13: Senator Smith (Mr. President);

Senate Joint Resolution 14: Senator Smith (Mr. President);

Senate Concurrent Resolution 13: Senator Woodrum;

Senate Concurrent Resolution 15: Senators Deeds, Taylor, Smith (Mr. President), Fuller, and Woodrum;

Senate Resolution 33: Senators Smith (Mr. President) and Willis;

Senate Resolution 34: Senators Deeds, Taylor, Bartlett, Rucker, Fuller, Smith (Mr. President), Woodrum, Hamilton, Morris, Charnock, and Willis;

Senate Resolution 35: Senators Rose and Chapman;

And,

Senate Resolution 36: Senators Woelfel, Rucker, and Rose.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 12:02 p.m., the Senate adjourned until tomorrow, Thursday, March 20, 2025, at 11 a.m.

THURSDAY, MARCH 20, 2025

The Senate met at 11:06 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Honorable Ryan W. Weld, a senator from the first district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Bill Hamilton, a senator from the eleventh district.

Pending the reading of the Journal of Wednesday, March 19, 2025,

At the request of Senator Phillips, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the adoption of

Senate Concurrent Resolution 15, Opposing China's use of UN Resolution 2758 against Taiwan.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2030—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-28-1; to amend said code by adding thereto a new article, designated §8-40-1; and to amend said code by adding thereto a new section, designated §16-15-26, relating to hotel and motel housing vouchers; prohibiting city or town from requiring hotel or motel participation in housing voucher programs; prohibiting county from requiring hotel or motel participation in housing voucher programs; and prohibiting a housing authority from requiring hotel or motel participation in housing voucher programs.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2067—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §61-7C-1, §61-7C-2, §61-7C-3, §61-7C-4, and §61-7C-5; all relating to the creation of the West Virginia Firearms Marketing Clarification Act; providing for a short title; providing for definitions; providing limitations on negligent marketing claims; creating a predicate exception limitation; and providing for severability.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the changed effective date, to take effect from passage, of

Eng. Com. Sub. for House Bill 2222, Relating to authorizing certain agencies of the Department of Administration to promulgate legislative rules.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2718—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18B-1D-12, relating to creating a State Advisory Council on Establishing a Military College; creating a state advisory council; providing the council's purpose; providing for the council's membership; providing for the council's meetings and business; creating a special fund; requiring the council to designate an executive director; providing for reimbursement of expenses; requiring biannual reports; providing a termination date for the council.

Referred to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2752—A Bill to amend and reenact §17C-15-44 of the Code of West Virginia, 1931, as amended, relating to allowing a person to operate a motorcycle, motor-driven cycle, or moped while standing astride the vehicle and facing forward.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2881—A Bill to amend and reenact §15-2-15 of the Code of West Virginia, 1931, as amended, relating to the Child Abuse and Neglect Investigations Unit; expanding the number of members in the unit; expanding the number of regional members to assist CPS; providing retired members of the State Police the ability to be part of the unit; and establishing requirements to be followed when reemploying a retired State Police officer.

Referred to the Committee on Health and Human Resources.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 3162—A Bill to amend and reenact §46A-2-122 and §55-7-8a of the Code of West Virginia, 1931, as amended, all relating to consumer credit and protection actions; amending definitions; and clarifying that any action for a violation of Chapter 46A of this code shall survive the death of the person entitled to recover or the death of the person liable.

Referred to the Committee on Banking and Insurance; and then to the Committee on the Judiciary.

The Senate proceeded to the fourth order of business.

Senator Azinger, from the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration

Senate Bill 6, Exempting life insurance cash value from Medicaid eligibility calculations.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 6 (originating in the Committee on Banking and Insurance)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-3-7, relating to exempting cash value or death benefit of a life insurance policy from Medicaid eligibility calculations.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Health and Human Resources.

Respectfully submitted,

Michael T. Azinger,
Chair.

The bill (Com. Sub. for S. B. 6), under the original double committee reference, was then referred to the Committee on Health and Human Resources.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 128, Preventing courts from ordering services at higher rate than Medicaid.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 128 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §49-4-108 of the Code of West Virginia, 1931, as amended, relating to courts

ordering payment for services in child welfare proceedings; and eliminating the ability of a court to order certain services for adults to be paid at a higher rate than the Medicaid rate or the rate established by the Department of Human Services.

And,

Senate Bill 595, Creating Mountain Bike Responsibility Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 595 (originating in the Committee on the Judiciary)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §20-20-1, §20-20-2, §20-20-3, §20-20-4, §20-20-5, §20-20-6, §20-20-7, §20-20-8, §20-20-9, and §20-20-10, relating to creating the Mountain Bike Responsibility Act; stating a legislative purpose; defining terms; providing for the duties and liabilities of trail system operators, mountain bicyclists, and passengers on aerial passenger tramways; providing for competition responsibilities; and providing a release for minor participants.

With the recommendation that the two committee substitutes do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Hart, from the Committee on Agriculture, submitted the following report, which was received:

Your Committee on Agriculture has had under consideration

Senate Bill 751, Prohibiting manufacture, sale, or distribution of cultivated meat products.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Craig A. Hart,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Hamilton, from the Committee on Natural Resources, submitted the following report, which was received:

Your Committee on Natural Resources has had under consideration

Senate Bill 721, Providing penalties for damages resulting to farm property and critical infrastructure from use of drones.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 721 (originating in the Committee on Natural Resources)—A Bill to amend and reenact §20-2-5j of the Code of West Virginia, 1931, as amended, relating to authorizing the use of unmanned aerial vehicles to track and locate certain mortally wounded wild animals; establishing limitations on the use of dogs to track and locate certain mortally wounded wild animals; requiring unmanned aerial vehicle operators to possess a valid hunting license; requiring unmanned aerial vehicle operators providing tracking services for profit to be licensed as an outfitter or guide; requiring certain unmanned aerial vehicle operators to be licensed by the federal aviation administration; and requiring the director to publish a list of outfitters and guides who provide dog or UAV tracking services.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Bill Hamilton,
Chair.

At the request of Senator Stuart, as chair of the Committee on the Judiciary, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on Natural Resources.

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

Senate Bill 765, Establishing Troops to Teachers Program.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 765 (originating in the Committee on Military)—A Bill to amend and reenact §18A-3-1 and §18A-3-2a of the Code of West Virginia, 1931, as amended, relating to establishing the Troops-to-Teachers Program; providing for establishment and purpose of program; setting out conditions for issuance of professional teaching certificate; and providing for a veterans' preference in hiring.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Education.

Respectfully submitted,

Ryan W. Weld,
Chair.

The bill (Com. Sub. for S. B. 765), under the original double committee reference, was then referred to the Committee on Education.

Senator Azinger, from the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration

Senate Bill 776, Creating Firearms Industry Nondiscrimination Act.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Michael T. Azinger,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Azinger, from the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration

Senate Bill 800, Relating to insurance holding company systems.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 800 (originating in the Committee on Banking and Insurance)—A Bill to amend and reenact §33-27-2, §33-27-4, §33-27-5, §33-27-6a, §33-27-7, and §33-27-8 of the Code of West Virginia, 1931, as amended, relating to insurance holding company systems; defining terms; requiring an insurance company that is a member of an insurance holding company system to annually file a group capital calculation and providing exemptions thereto; requiring the filing of results from a liquidity stress test by an insurance company that is a member of an insurance holding company system and is scoped into the National Association of Insurance Commissioners' liquidity stress test framework; requiring that a liquidity stress test comply with the National Association of Insurance Commissioners' liquidity stress test framework's instructions and reporting templates; permitting

the Insurance Commissioner to require an insurance company that is in a hazardous financial condition or a condition that would be grounds for supervision, conservation, or a delinquency proceeding to secure and maintain either a deposit to be held by the commissioner or a bond at the insurer's discretion for the protection of the insurer while in an insurance holding company system; requiring all records and data of an insurance company being held by an affiliate of the insurer to remain the property of the insurer and subject to the insurer's control; providing that an affiliate of a domestic insurance company is subject to the Insurance Commissioner's jurisdiction and authority with respect to any supervision, seizure, conservatorship, or receivership proceedings of the insurer; making an insurance company that is a member of an insurance holding company system liable to the Insurance Commissioner for the reasonable expenses incurred by the commissioner for his or her participation in a supervisory college; requiring the Insurance Commissioner to keep information related to a group capital calculation and liquidity stress test confidential; and prohibiting the storing of certain insurance holding company system information shared by the Insurance Commissioner with the National Association of Insurance Commissioners.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Michael T. Azinger,
Chair.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Joint Resolution 13, Constitutional Officer Term Limit Amendment.

And reports the same back with the recommendation that it be adopted; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Mike Stuart,
Chair.

The resolution, under the original double committee reference, was then referred to the Committee on Finance.

Senator Hart, from the Committee on Agriculture, submitted the following report, which was received:

Your Committee on Agriculture has had under consideration

Eng. Com. Sub. for House Bill 2158, Relating to removal of a sunset clause for the West Virginia spay and neuter program.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended; but under the original double committee reference first be referred to the Committee on Government Organization.

Respectfully submitted,

Craig A. Hart,
Chair.

At the request of Senator Rucker, as chair of the Committee on Government Organization, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on Agriculture.

The Senate proceeded to the fifth order of business.

Senator Helton, from the Select Committee on Substance Use Disorder and Mental Health, submitted the following report, which was received:

Your Select Committee on Substance Use Disorder and Mental Health has had under consideration

Senate Bill 761, Creating Joel Archer Substance Abuse Intervention Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 761 (originating in the Select Committee on Substance Use Disorder and Mental Health)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §27-5A-1, §27-5A-2, §27-5A-3, §27-5A-4, §27-5A-5, and §27-5A-6, relating to establishing the Joel Archer Substance Abuse Intervention Act; providing for involuntary treatment of a qualified individual's dependent or spouse for substance use disorder; setting forth criteria for treatment; setting forth process for initiation of proceedings; setting forth who may file a petition; setting forth contents of petition; setting forth court proceedings; setting forth time frames; requiring examination; permitting emergency involuntary treatment; permitting summons to be issued if individual fails to attend examination; addressing transportation; and addressing payment for transportation.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Brian Helton,
Chair.

The bill (Com. Sub. for S. B. 761), under the original double committee reference, was then referred to the Committee on the Judiciary.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senator Chapman:

Senate Bill 821—A Bill to amend and reenact §49-2-802 of the Code of West Virginia, 1931, as amended, relating to body-worn cameras; requiring child protective services workers to wear body-worn cameras; and requiring rulemaking.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 822—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §49-2-815, relating to the use of technology in child abuse and neglect investigations; requiring the Department of Human Services to use mobile technology to assist child protective services workers who conduct investigations; requiring an operating system in the mobile technology; requiring the operating system to create a contemporaneous, electronic record; requiring the record to be uploaded; requiring the operating system to be interoperable with existing department programs; requiring data extracting for quality review; and requiring members to review the data.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 823—A Bill amend and reenact §15-5B-3a and §15-5C-2 of the Code of West Virginia, 1931, as amended, relating to revising the statutes to clarify and separate duties identified in the code between the Division of Emergency Management and the West Virginia Department of Environmental Protection according to what each agency has the resources and expertise to fulfill; delegating the duties of investigation of industrial facility emergency events and emergency incidents by well and pipeline operators that are reported to the Division of Emergency Management; and implementing fines and penalties imposed upon industrial facilities and well and pipeline operators to the Department of Environmental Protection.

Referred to the Committee on Government Organization.

By Senator Chapman:

Senate Bill 824—A Bill to amend and reenact §30-1A-2, §30-1A-3, §30-1A-5, and §30-1A-6 of the Code of West Virginia, 1931, as amended, relating to the procedure of review by the Performance Evaluation and Research Division of the Office of the Legislative Auditor for regulating the scope of practice of occupations and professions; modifying the required application to regulate an unregulated profession or occupation; removing the application analysis regarding scope of practice; removing review of scope of practice for existing occupational licenses review; and removing the requirement that consideration of scope of practice be construed narrowly when determining whether an occupation or profession should be regulated.

Referred to the Committee on Government Organization.

By Senator Jeffries:

Senate Bill 825—A Bill to amend and reenact §18B-12-1 and §18B-12-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18B-12-11, relating to permitting higher education institutions to enter into agreements with certain non-profit organizations for purposes of economic development and job creation; and establishing powers to govern the business relationship of any state higher education institution and non-profit corporation contracting for such economic development purposes.

Referred to the Committee on Economic Development.

By Senator Rucker:

Senate Bill 826—A Bill to amend and reenact §15-11-2 of the Code of West Virginia, 1931, as amended, relating to modifying the language in the statute to make it consistent with West Virginia Code for survivor's benefit payment for first responders for purposes of payment for funeral expenses of law enforcement, safety, and emergency workers.

Referred to the Committee on Finance.

By Senator Rucker:

Senate Bill 827—A Bill to amend and reenact §62-12-23 of the Code of West Virginia, 1931, as amended, relating to the notification of the parole hearing and the victim's right to be heard; allowing other notified persons listed on the parole hearing form to be allowed to submit not only written statements but also speak at the parole board hearings; and allowing the offender to submit written statements and provide names of witnesses to speak at the parole hearing.

Referred to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 828—A Bill to amend and reenact §61-8B-10 of the Code of West Virginia, 1931, as amended, relating to sexual offenses against incarcerated, detained, or under supervision persons; and clarifying that any person employed by the Division of Corrections and Rehabilitation pursuant to a contract includes contracted staff that work for vendors.

Referred to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 829—A Bill to amend and reenact §15-5-6 of the Code of West Virginia, 1931, as amended, relating to clarifying the declaration of a state of preparedness; alleviating the two classes of state of preparedness for simplicity; and providing one level of a state of preparedness similar to having only one level for a state of emergency.

Referred to the Committee on Government Organization.

By Senator Rucker:

Senate Bill 830—A Bill to amend and reenact §15A-4-21 of the Code of West Virginia, 1931, as amended, relating to removing language regarding short-term loans being provided to released inmates for costs related to reentry into the community, as such loans have not been provided or secured.

Referred to the Committee on the Workforce.

By Senator Weld:

Senate Bill 831—A Bill to amend and reenact §18A-3-1 and §18A-3-2a of the Code of West Virginia, 1931, as amended, relating to establishing the Troops-to-Teachers Program.

Referred to the Committee on Education.

By Senator Chapman:

Senate Bill 832—A Bill to amend and reenact §33-15-4t, §33-16-3ee, §33-24-7t, §33-25-8q, and §33-25A-8t of the Code of West Virginia, 1931, as amended, relating to cost-sharing calculations; defining terms; requiring insurer to provide credit toward in-network cost sharing; prohibiting insurer from discriminating in the form of payment; and setting effective date.

Referred to the Committee on Finance.

By Senator Chapman:

Senate Bill 833—A Bill to amend and reenact §9-5-32 and §33-25A-8s of the Code of West Virginia, 1931, as amended, relating to prior authorization; and excluding pharmaceutical medication from the prior authorization gold card process.

Referred to the Committee on Finance.

By Senator Weld:

Senate Bill 834—A Bill to amend and reenact §11-24-23a of the Code of West Virginia, 1931, as amended, relating to the tax credit for qualified rehabilitated buildings investment.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

By Senator Azinger:

Senate Bill 835—A Bill to amend and reenact §11A-3-55 and §11A-4-4 of the Code of West Virginia, 1931, as amended, relating to decreasing the service period for notice of tax lien sales; and decreasing the statute of limitations for an action to set aside a deed.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Azinger:

Senate Bill 836—A Bill to amend and reenact §11A-1-9 of the Code of West Virginia, 1931, as amended, relating to payment of taxes by co-owner or others.

Referred to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 837—A Bill to repeal §5A-1-11 of the Code of West Virginia, 1931, as amended, relating to the State of West Virginia Office of Equal Opportunity.

Referred to the Committee on Government Organization.

By Senator Thorne:

Senate Bill 838—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-1A-12, relating to prohibiting law-enforcement officers from placing a surveillance camera or game camera on certain private land; providing an exception; and defining "private land".

Referred to the Committee on the Judiciary.

By Senator Clements:

Senate Bill 839—A Bill to amend and reenact §21-14-2 and §21-14-4 of the Code of West Virginia, 1931, as amended, relating to the Division of Labor; defining "plumbing" work; and requiring the Commissioner of the Division of Labor to propose separate rules for plumbers who work in a residential dwelling or in a commercial building or facility.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Clements:

Senate Bill 840—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-21-

71c, relating to tax on income of nonresidents for natural resources royalty payments received from lessees; providing legislative findings; defining terms; providing for withholding of estimated tax liabilities from natural resources royalty payments for nonresidents by lessees; providing exceptions to the tax withholding requirements under certain circumstances; providing that withheld amounts be paid by lessees to the Tax Commissioner on behalf of the nonresidents; providing for refunds to nonresidents for overpayment; requiring annual withholding statements, reconciliation, and filing requirements; requiring electronic filing under specified circumstances; providing for criminal and civil penalties in certain circumstances for non-compliance; providing for rulemaking; and providing an effective date.

Referred to the Committee on Finance.

By Senators Maynard, Azinger, Bartlett, Charnock, Deeds, Fuller, Grady, Helton, Martin, Roberts, Rose, Rucker, Tarr, Taylor, Thorne, and Willis:

Senate Bill 841—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §1-8-1, §1-8-2, §1-8-3, §1-8-4, and §1-8-5, relating to prohibiting state government entities from promoting or facilitating discussions, policies, programs, or medical procedures related to sexual orientation or gender transitioning; defining terms; prohibiting use of state funds for such purposes; establishing enforcement mechanisms; and providing for penalties.

Referred to the Committee on the Judiciary.

By Senator Hart:

Senate Bill 842—A Bill to amend and reenact §22-5-1 of the Code of West Virginia, 1931, as amended; and to repeal §22-5-2, §22-5-3, §22-5-4, §22-5-5, §22-5-6, §22-5-7, §22-5-8, §22-5-9, §22-5-10, §22-5-11, §22-5-11a, §22-5-11b, §22-5-11c, §22-5-12, §22-5-13, §22-5-14, §22-5-15, §22-5-16, §22-5-17, §22-5-18, §22-5-19, and §22-5-20, relating to abolishing the provisions in §22-5-1 *et seq.*, Air Pollution Control in the code and in lieu thereof,

establishing the Fueling Modern Life Act; stating legislative findings; and establishing state policy relating to carbon dioxide.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senator Clements:

Senate Bill 843—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-11A-1, relating to prohibiting those listed on the state sex offender database from entering public school facilities and attending public school activities and events; requiring parent-teacher conferences for those persons to be conducted off school grounds; and allowing the State Board of Education to promulgate rules.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 844—A Bill to amend and reenact §20-2-47 of the Code of West Virginia, 1931, as amended, relating to licenses for private game farm for propagating animals and birds for commercial purposes; and exempting Coturnix quail from the game farm requirement if they are owned for agricultural purposes.

Referred to the Committee on Agriculture.

By Senator Willis:

Senate Bill 845—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15-1B-15, relating to the national guard; providing definitions; clarifying eligibility for the TRICARE program; authorizing reimbursement when certain requirements are met; requiring policies and guidelines; clarifying funding; and providing an effective date.

Referred to the Committee on the Judiciary, then the Committee on Finance.

By Senator Morris:

Senate Bill 846—A Bill to repeal §18-9E-4 of the Code of West Virginia, 1931, as amended, relating to heating, ventilation, and air-condition technicians by the State Board of Education or county boards of education.

Referred to the Committee on Government Organization.

By Senator Stuart:

Senate Bill 847—A Bill to amend and reenact §11-9-2a of the Code of West Virginia, 1931, as amended, relating to eliminating provisions limiting the number of investigators in the criminal investigation division of the Tax Division; and providing effective dates.

Referred to the Committee on Finance.

By Senator Willis:

Senate Bill 848—A Bill amending the Code of West Virginia, 1931, as amended, by adding a new article, designated §31A-2C-1, §31A-2C-2, §31A-2C-3, §31A-2C-4, §31A-2C-5, §31A-2C-6, and §31A-2C-7, relating to enacting bank protections for eligible adults from financial exploitation; providing findings, purpose, and intent to provide immunities to certain persons for government disclosure of information when financial exploitation of an eligible adult is suspected; providing definitions; permitting disclosure of eligible persons financial information to certain third parties and designated government agencies; authorizing depository institutions, broker-dealers, and investment advisors to delay, refuse, or prevent certain activities and transactions to prevent financial exploitation of an eligible adult; and proscribing immunities for depository institutions, broker-dealers, and investment advisors.

Referred to the Committee on the Judiciary.

By Senator Willis:

Senate Bill 849—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15-2-5a, relating to enhanced pay for State Police troopers; setting out legislative findings; defining terms; providing for market pay

enhancement for state trooper salaries in certain circumstances; providing for certification to State Auditor; setting out distribution of funds; requiring reporting; making funds subject to personal income tax; providing funds are in excess of minimum salary schedule; making enhancement not subject to state grievance process; and providing for rulemaking.

Referred to the Committee on Finance.

By Senator Willis:

Senate Bill 850—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §31D-8-870 and §31D-8-871, relating to the creation of the Protecting Investors Act; providing definitions; and establishing standards for a breach of fiduciary duty.

Referred to the Committee on Banking and Insurance.

By Senators Rose, Chapman, Helton, Maynard, Rucker, and Willis:

Senate Bill 851—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section designated, §49-2-802a, relating to creating the Child Protection Investigations Reform Act; and requiring notification to a person accused of child abuse or neglect of the person's rights in connection with an investigation conducted by the Department of Human Services.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Takubo:

Senate Bill 852—A Bill to amend and reenact §33-51-9 of the Code of West Virginia, 1931, as amended, relating to regulation of pharmacy benefit managers; providing an exemption as to when a pharmacy benefit manager may reimburse a pharmacy or pharmacist for a prescription drug or pharmacy service for an amount less than the national average if certain requirements occur; and clarifying the amount of payment an insured pays at the point of sale and when the cash payment is considered payment in full.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senators Jeffries, Clements, Deeds, Fuller, Hamilton, Helton, Queen, Roberts, Rose, Takubo, Tarr, and Willis:

Senate Bill 853—A Bill to amend and reenact §11A-3-45 and §11A-3-48 of the Code of West Virginia, 1931, as amended, relating to clarifying terms of registration for tax abandoned land auctions and sales held by the Auditor.

Referred to the Committee on Government Organization.

By Senators Roberts and Rucker:

Senate Bill 854—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-2L-1, §18-2L-2, and §18-2L-3, relating to creating the Academic Quality in Public Education Act; and requiring the same minimum standards for public schools for attendance and test scores as are required for private, parochial, or church schools, or schools of a religious order.

Referred to the Committee on Education.

By Senator Rucker:

Senate Bill 855—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new articles, designated §22-15B-1 and §11-13NN-1, relating to creating the West Virginia Beverage Producer Responsibility Act; stating definitions; setting forth producer responsibility organization requirements; establishing a recycling refund trust fund; requiring Auditor oversight; delineating label standards and deposit and refund procedures; authorizing the promulgation of rules; providing a compliance deadline; establishing a tax credit for producer responsibility organizations that build or develop a redemption center or technology-based redemption center; identifying credit limitation; stating definitions; and authorizing the promulgation of rules.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 856—A Bill to amend and reenact §23-2C-5, §23-4-1f, §33-2-15a, and §33-2-21a of the Code of West Virginia, 1931, as amended; and to repeal §23-1-2, §23-1-17, §33-20-19, §33-20B-6, and §33-20B-8, relating to the repeal or modification of reporting requirements; removing the reporting requirement of the Insurance Commissioner to the Joint Committee on Government and Finance regarding workers' compensation funds; removing the reporting requirement of the Insurance Commissioner and Occupational Pneumoconiosis Board to the Governor regarding occupational pneumoconiosis claims; removing the reporting requirement of the Industrial Council to the Joint Committee on Government and Finance regarding employer safety initiatives; removing the reporting requirement of employers to the Insurance Commissioner regarding post-traumatic stress disorder claims; removing the reporting requirement of the Insurance Commissioner to the Joint Committee of Volunteer Fire Department and Emergency Medical Services regarding post-traumatic stress disorder claims; requiring the Insurance Commissioner to post a flood insurance notification to public entities on the agency's website; removing the reporting requirement of the Insurance Commissioner to the Joint Committee on Government and Finance regarding the status of the state agency workers' compensation program; removing the publishing requirement of the Insurance Commissioner regarding automobile insurance rates; removing the reporting requirement of the Insurance Commissioner to the Joint Standing Committee of the Judiciary regarding medical malpractice insurance; and removing the reporting requirement of insurance companies to the Insurance Commissioner regarding civil actions filed against medical providers.

Referred to the Committee on Government Organization.

By Senator Helton:

Senate Bill 857—A Bill to amend and reenact §11-13-2o and §11-15-9 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §11-6N-1, §11-6N-2, §11-6N-3, §11-6N-4, §11-6N-5, §11-6N-6, §11-6N-7, §11-

6N-8, §11-6N-9, and §11-6N-10, relating to establishing economic incentives for data centers to locate within the state; specifying a short title; defining terms; providing legislative findings and purpose; establishing eligibility criteria; clarifying property tax treatment for eligible data centers; creating tax exemptions; creating an application process; requiring compliance and recapture; authorizing rule-making authority; and providing an effective date.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 858—A Bill to amend and reenact §60A-2-204, §60A-2-206, §60A-2-208, §60A-2-210, and §60A-2-212 of the Code of West Virginia, 1931, as amended, relating to the controlled substance schedules and to clean-up errors identified in the code sections.

Referred to the Committee on the Judiciary.

Senator Chapman offered the following resolution:

Senate Resolution 39—Designating March as Kidney Disease Awareness Month.

Which, under the rules, lies over one day.

Senator Smith (Mr. President) offered the following resolution:

Senate Resolution 40—Designating March 21, 2025, as West Virginia Arts Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Resolution 37, Recognizing Energy Council on its 50th anniversary.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Phillips, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Senate Resolution 38, Designating March 20, 2025, as Mingo County Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Maynard, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

At the request of Senator Woelfel, and by unanimous consent, the remarks by Senators Maynard and Hart regarding the adoption of Senate Resolution 38 were ordered printed in the Appendix to the Journal.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 450, Establishing WV Guardian Program.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 450) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 450) takes effect from passage.

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

Eng. Com. Sub. for Senate Bill 731, Terminating Design Build Board.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 731) passed with its title.

Senator Martin moved that the bill take effect July 1, 2025.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 731) takes effect July 1, 2025.

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

Eng. Senate Bill 734, Repealing section creating A. James Manchin Rehabilitation Environmental Action Plan.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Senate Bill 734 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hart, Helton, Jeffries, Martin, Maynard, Morris, Phillips, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woodrum, and Smith (Mr. President)—29.

The nays were: Garcia, Hamilton, Oliverio, Queen, and Woelfel—5.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 734) passed with its title.

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

Eng. Com. Sub. for Senate Bill 736, Relating to publication of registered lobbyist information.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 736) passed with its title.

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

Eng. Senate Bill 738, Terminating Employee Suggestion Award Board.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Senate Bill 738 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Phillips, Roberts, Rose, Rucker, Stuart, Tarr, Taylor, Thorne, and Smith (Mr. President)—25.

The nays were: Deeds, Garcia, Oliverio, Queen, Takubo, Weld, Willis, Woelfel, and Woodrum—9.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 738) passed with its title.

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

The Senate proceeded to the ninth order of business.

Senate Bill 75, Changing distribution of income from excess lottery fund.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 76, Increasing WV Natural Resources Police Officer Retirement System accrued benefit for certain members.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 601, Relating to fees and charges for municipality-provided fire services.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 615, Eliminating accelerated tax payment requirements.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 683, Relating to land sales by Auditor.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Rucker, the following amendment to the bill was reported by the Clerk and adopted:

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

ARTICLE 2. DELINQUENCY AND METHODS OF ENFORCING PAYMENT.

§11A-2-14. Correction of delinquent lists by county commission; certification to Auditor; recordation.

The sheriff shall on or before ~~May~~ June 15 of each year present the delinquent lists to the county commission for examination. The county commission having become satisfied that the lists are correct, or having corrected them if erroneous, shall direct the clerk of the county commission to certify a copy of each list, pertaining to real property, to the Auditor not later than ~~June~~ July 1 of each year. The original lists shall be preserved by the clerk in his or her office, and the list of delinquent real estate shall be recorded in a permanent book to be kept by him or her for that purpose.

ARTICLE 3. SALE OF TAX LIENS AND NONENTERED, ESCHEATED AND WASTE AND UNAPPROPRIATED LANDS.

§11A-3-2. Second publication of list of delinquent real estate; notice.

(a) On or before ~~the~~ September 10 of each year, the sheriff shall prepare a second list of delinquent lands, which shall include all real estate in his or her county remaining delinquent as of the first day of September, together with a notice of sale, in form or effect as follows:

Notice is hereby given that the following described tracts or lots of land or undivided interests therein in the County of _____ and the tax liens that encumber the same

which are delinquent for the nonpayment of taxes for the year (or years) 20_____, will be certified to the Auditor for disposition pursuant to West Virginia Code §11A-3-44 on the 31st day of October, 20_____.

Upon certification to the Auditor, tax liens on each unredeemed tract or lot, or each unredeemed part thereof or undivided interest therein, shall be sold at public auction to the highest bidder in an amount which shall ~~be~~ not ~~be~~ less than the taxes, interest, and charges which ~~shall be~~ are due thereon to the date of sale, as set forth in the following table:

Name of person charged with taxes	Quantity of land	Local description	Total amount of taxes, interest, and charges due to date of sale

If any of ~~said~~ tracts or lots remain unsold following the auction, they shall be subject to sale by the Auditor without additional advertising or public auction, such terms as the Auditor deems appropriate pursuant to §11A-3-48 of this code.

Any of the ~~aforsaid~~ tracts or lots, or part thereof or an undivided interest therein, may be redeemed by the payment to the undersigned sheriff (or collector) before certification to the Auditor, of the total amount of taxes, interest, and charges due thereon up to the date of redemption by credit card, cashier's check, money order, certified check, or United States currency. Payment must be received in the tax office by the close of business on the last business day prior to the certification.

After certification to the Auditor, any of the aforesaid tracts or lots may be redeemed by any person entitled to pay the taxes thereon, the owner of the same whose interest is not subject to separate assessment, or any person having a lien on the same, or on

an undivided interest therein, at any time prior to the sale by payment to the Auditor of the total amount of taxes, interest, and charges due thereon up to the date of redemption.

Given under my hand this _____ day of
_____, 20_____.

Sheriff (or collector).

The sheriff shall publish the list and notice prior to the sale date fixed in the notice as a Class III-0 legal advertisement in compliance with the provisions of §59-3-1 *et seq.* of this code, and the publication area for ~~such~~ the publication ~~shall be~~ is the county.

(b) In addition to such publication, ~~no~~ not less than 30 days prior to the sale by the Auditor pursuant to §11A-3-44 of this code, the sheriff shall send a notice of the delinquency and the date of sale by certified mail to:

(1) ~~¶~~ The last known address of each person listed in the land books whose taxes are delinquent;

(2) ~~¶~~ Each person having a lien on real property upon which the taxes are due as disclosed by a statement filed with the sheriff pursuant to the provisions of §11A-3-3 of this code;

(3) ~~¶~~ Each other person with an interest in the property or with a fiduciary relationship to a person with an interest in the property who has in writing delivered to the sheriff on a form prescribed by the Tax Commissioner a request for such notice of delinquency; and

(4) In the case of property which includes a mineral interest but does not include an interest in the surface other than an interest for the purpose of developing the minerals, to each person who has in writing delivered to the sheriff, on a form prescribed by the Tax Commissioner, a request for such notice which identifies the

person as an owner of an interest in the surface of real property that is included in the boundaries of such property. ~~Provided, That~~

(c) In any case where the sheriff does not receive a signature in response to the notice sent by certified mail, the sheriff's tax deputy, or designee, shall deliver the notice by personal service to the physical location of the subject property to obtain a receipt signature from each of the property's owners of record. For residential property where the owner of record does not reside at the property, the tax deputy or designee shall deliver the notice by personal service to any residents or occupants of the property and seek location information of all owners of record from the residents or occupants. If the location information is obtained from the residents or occupants, the tax deputy or designee shall deliver the notice by personal service to that location to obtain the owner's receipt signature.

(d) In a case where one owner owns more than one parcel of real property upon which taxes are delinquent, the sheriff may, at his or her option, mail separate notices to the owner and each lienholder for each parcel or may prepare and mail to the owner and each lienholder a single notice which pertains to all such delinquent parcels. If the sheriff elects to mail only one notice, that notice shall set forth a legally sufficient description of all parcels of property on which taxes are delinquent. In ~~no event shall~~ any event, failure to receive the mailed notice by the landowner or lienholder does not affect the validity of the title of the property conveyed if it is conveyed pursuant to §11A-3-27 or §11A-3-59 of this code.

~~(e)~~ (e) To cover the cost of preparing and publishing the second delinquent list, a charge of \$25 shall be added to the taxes, interest, and charges already due on each item and all such charges shall be stated in the list as a part of the total amount due.

~~(f)~~ (f) To cover the cost of preparing and mailing notice to the landowner, lienholder, or any other person entitled thereto pursuant to this section, a charge of \$10 per addressee shall be added to the taxes, interest, and charges already due on each item and all such charges shall be stated in the list as a part of the total amount due.

(e) (g) Any person whose taxes were delinquent on the first day of September may have his or her name removed from the delinquent list prior to the time the same is delivered to the newspapers for publication by paying to the sheriff the full amount of taxes and costs owed by the person at the date of such redemption. In such case, the sheriff shall include but \$3 of the costs provided in this section in making such redemption. Costs collected by the sheriff under this section which are not expended for publication and mailing shall be paid into the General County Fund.

§11A-3-44. Auditor to certify list of lands to be sold; lands so certified are subject to sale.

On or after March 1 and on or before ~~August~~ July 1 of each year, the Auditor shall certify a list of all lands subject to sale under this article. He or she shall note the fact of certification on the land record in his or her office. Upon completion of the list for certification, a charge of \$25 shall be added to the taxes, interest, and charges already due on each tract listed, to cover the costs incurred by the Auditor in the preparation of the list. ~~and~~ In the event of sale or redemption, the same shall be collected and paid into the operating fund provided for in this article.

Escheated lands and waste and unappropriated lands shall be listed separately. The list shall be arranged by districts and, except in the case of waste and unappropriated lands, alphabetically by the name of the owner. The list shall state as to each item listed the information required by §11A-3-35 of this code to be set forth in the land record in the Auditor's office, and shall specify as to each tract listed as delinquent or non-entered the amount of taxes and interest due or chargeable thereon on the date of certification, the publication and other charges due, with interest, and the total currently due. The specification of taxes due or chargeable shall as to delinquent land commence with those for nonpayment of which it was certified, and as to non-entered land with those properly chargeable to it for the first year of nonentry, subject to the provisions of the proviso set forth in §11A-3-38(b) of this code.

All items certified by the Auditor shall be numbered consecutively. All subsequent entries, applications, or proceedings under this article ~~in~~ with respect to any item shall refer to its number and the year of certification. Notwithstanding any provisions of this article to the contrary, all tracts, lots, or parcels certified to the Auditor as a unit may be treated by the Auditor as a single item for purposes of certification. Subject to the provisions of this section, the Auditor shall prescribe a form for the list and shall provide in such form adequate space to show the subsequent history and final disposition of each item certified.

The list shall be made in quadruplicate. The Auditor shall keep the original and send one copy to the clerk of the county commission, one to the sheriff, and one to the West Virginia Land Stewardship Corporation created pursuant to §31-21-1 *et seq.* of this code. The clerk of the county commission shall bind his or her copy in a permanent book to be labeled "Report of Auditor of Delinquent and Non-Entered Lands" and shall note the fact of the certification of each item on his or her record of delinquent lands. Such copies delivered to the clerk of the county commission and the sheriff shall become permanent records, and shall be preserved as such in the offices of the Auditor and the clerk of the county commission.

§11A-3-45. Auditor to hold annual auction.

(a) Each tract or lot certified by the Auditor pursuant to §11A-3-44 of this code shall be sold by him or her at public auction at the courthouse of the county to the highest eligible bidder during the courthouse's normal operating hours on any business working day within ~~90~~ 150 days after the Auditor has certified the lands as required by §11A-3-44 of this code.

(1) The Auditor, in his or her sole discretion, may engage a private auctioneer to conduct the annual public auction. When a private auctioneer is engaged and the amount of the sale exceeds the tax liability on the tract or lot, a buyer's fee equal to 10 percent of each successful bid shall be imposed upon the bidder and paid to the auctioneer at the time the sale is consummated. The buyer's fee is in addition to the full bid amount.

(2) The payment for any tract or lot purchased at a sale shall be made by check, U. S. currency, or money order payable as one payment to the Auditor and in the amount of \$50 and the remainder of the total to the sheriff of the county in which the property is situated, both of which shall be delivered before the close of business on the day of sale. ~~No~~ A part or interest in any tract or lot subject to such sale, or any part thereof of interest therein, that is less than the entirety of ~~such the~~ the unredeemed tract, lot, or interest, as the same is described and constituted as a unit or entity in said list, ~~shall may not be offered for sale or nor sold at such the sale.~~ If the sale ~~shall not be~~ is not completed on the first day of the sale, it shall be continued from day to day between the same hours until all the land ~~shall have~~ has been offered for sale. Bidding at an auction held pursuant to this section constitutes transacting business in this state for purposes of §31B-10-1001 *et seq.*, §31D-15-1501 *et seq.*, and §31E-14-1401 *et seq.* of this code.

(b) A private, nonprofit, charitable corporation, incorporated in this state, which has been certified as a nonprofit corporation pursuant to the provisions of Section 501(c)(3) of the federal Internal Revenue Code, as amended, which has as its principal purpose the construction of housing or other public facilities and which notifies the Auditor of an intention to bid and subsequently submits a bid that is not more than five percent lower than the highest bid submitted by any person or organization which is not a private, nonprofit, charitable corporation as defined in this subsection, shall be sold the property offered for sale at public auction by the Auditor pursuant to the provisions of this section at the public auction as opposed to the highest bidder.

The nonprofit corporation referred to in this subsection does not include a business organized for profit, a labor union, a partisan political organization, ~~or an organization engaged in religious activities, nor and it does not include~~ any other group ~~which does not have~~ unless that other group has as its principal purpose the construction of housing or public facilities.

(c) To attain eligibility to bid at a public auction held pursuant to this section, a potential bidder must register in advance of such public auction with the Auditor's office or complete and execute a

notarized affidavit affirming that they meet the requirements set forth in this article on the day of the sale. Registration shall be done in accordance with rules promulgated by the State Auditor's office. The Auditor may deregister or refuse to register a potential bidder who:

(1) Has failed to make a payment owed at a prior auction held pursuant to this section within the preceding five years;

(2) At the time of ~~registration~~ the certification of sale to the state pursuant to §11A-3-44 of this code is delinquent in the payment of real property tax for a period of one or more years, for which registrant is the ~~most recent~~ owner of record of a property being certified for sale, to any county in this state;

(3) Has a history of noncompliance with code enforcement violations issued by a county or municipality pursuant to §7-1-3ff and §8-12-16 of this code, which includes violations issued for any property owned by the same property owner who has failed to comply with five or more code enforcement orders within the preceding five years prior to the auction;

(4) At the time of ~~registration~~ the certification of sale to the state pursuant to §11A-3-44 of this code is subject to legal proceedings in any court of any county or municipality in this state or appeals thereof that are related to code enforcement violations regarding real property owned by him or her; and

(5) Within the preceding five years prior to the auction, has failed to comply with a valid raze or repair order (or any other similar order) issued by a county or municipality.

(d) Potential bidders who are domestic or foreign entities as defined in chapters 31B, 31D, and 31E of this code must show proof at the time of their registration that they properly registered with the Secretary of State's office and are authorized to conduct business in this state.

(e) In order to effectuate the purposes of this section, the Auditor may promulgate procedural rules, interpretive rules, and

legislative rules, including emergency rules, or any combination thereof, in accordance with §29A-3-1 *et seq.* of this code.

§11A-3-46. Publication of notice of auction.

(a) Once a week for three consecutive weeks prior to the auction required in §11A-3-45 of this code, the Auditor shall publish notice of the auction as a Class III-0 legal advertisement in compliance with the provisions of §59-3-1 *et seq.* of this code, and the publication area for such publication shall be the county.

(b) The notice shall be in form or effect as follows:

Notice is hereby given that the following described tracts or lots of land in the County of _____, have been certified by the Auditor of the State of West Virginia, for sale at public auction. The lands will be offered for sale by the undersigned Auditor at public auction in (specify location) the courthouse of _____ County between the hours of _____ in the morning and _____ in the afternoon, on the _____ day of _____, 20____.

Each tract or lot as described below will be sold to the highest eligible bidder at the auction. The payment for any tract or lot purchased at a sale shall be made by check, U. S. currency, or money order payable as one payment to the Auditor ~~and~~ in the amount of \$50 and the remainder of the total to the sheriff of the county in which the property is situated, both of which shall be delivered before the close of business on the day of the sale. When the Auditor has engaged a private auctioneer for the sale, and the sale exceeds the tax liability on the tract or lot, the highest eligible bidder also shall pay to the auctioneer a buyer's fee equal to 10 percent of the successful bid. The buyer's fee shall be paid at the time the sale is consummated. If any of said tracts or lots remain unsold following the auction, they will be subject to later sale without additional advertising or public auction. All potential bidders must register in advance of the auction with the Auditor's office. Citizens of or entities organized in or controlled by citizens of any country designated as a Country of Particular Concern by

the Department of State of the United States of America are ineligible from participating in the auction held pursuant to this section. Bidding at the auction constitutes transacting business in this state for purposes of §31B-10-1001 *et seq.*, §31D-15-1501 *et seq.*, and §31E-14-1401 *et seq.* of this code. The Auditor's sale may include tracts or lots remaining unsold from a previous auction not required by law to be readvertised and described for this subsequent auction of those same tracts and lots. All sales are subject to the approval of the Auditor of the State of West Virginia.

(here insert description of advertised lands to be sold)

Any of the aforesaid tracts or lots may be redeemed by any person entitled to pay the taxes thereon, the owner of the same whose interest is not subject to separate assessment, or any person having a lien on the same, or on an undivided interest therein, at any time prior to the sale by payment to the Auditor of the total amount of taxes, interest, and charges due thereon up to the date of redemption. Lands listed above as escheated or waste and unappropriated lands may not be redeemed.

Given under my hand this _____ day of _____, 20____.

Auditor of the State of West Virginia.

~~(b)~~ (c) The description of lands required in the notice shall be in the same form as the list certifying ~~said~~ the lands for sale. If the Auditor is required to auction lands certified to him or her in any previous years, pursuant to §11A-3-48 of this code, he or she shall include such lands in the auction without further advertisement, with reference to the year of certification and the item number of the tract or interest.

~~(e)~~ (d) To cover the cost of preparing and publishing the notice, a charge of \$30 shall be added to the taxes, interest, and charges due on the delinquent and nonentered property.

§11A-3-48. Unsold lands subject to sale without auction or additional advertising.

(a) If any of the lands which have been offered for sale at the public auction provided in §11A-3-45 of this code shall remain unsold following such auction, or were sold at a tax sale auction within the previous five years which were not redeemed and for which no deed was secured by the purchaser, or if the Auditor refuses to approve the sale pursuant to §11A-3-51 of this code, the Auditor may sell the lands without any further public auction or additional advertising of the land, in the following priority:

(1) To a person vested with an ownership interest in an adjacent tract or parcel of land: Provided, That if more than one adjacent landowner desires to acquire the same tract or lot, then the Auditor shall sell such tract or lot to the highest bidder;

(2) to the municipality in which the tract or lot is located;

(3) the county commission of the county in which the tract or lot is located;

(4) to the West Virginia Land Stewardship Corporation as part of its Land Bank Program set forth in §31-21-11 of this code; or

(5) to any party willing to purchase such property.

(b) The price of such property shall be as agreed upon by the Auditor and purchaser: Provided, That the Auditor may engage a licensed attorney to provide a title examination on lands set forth in the preceding subsection and require that a purchaser reimburse the Auditor for any expenses related to the title examination as a condition for the sale: Provided, however, That instead of the Auditor, a purchaser may engage a licensed attorney to provide a title examination at his or her own cost.

(c) The Auditor may refuse to sell unsold lands to a potential buyer that is subject to any of the following:

(1) Has failed to make a payment owed at a prior previous auction held pursuant to §11A-3-45 of this code within the preceding five years;

(2) At the time of ~~registration~~ the certification of sale to the state pursuant to §11-3-44 of this code is delinquent in the payment of real property tax for a period of one or more years, for which registrant is the ~~most recent~~ owner of record of a property being certified for sale, to any county in this state;

(3) Has a history of noncompliance with code enforcement violations issued by a county or municipality pursuant to §7-1-3ff and §8-12-16 of this code, which includes violations issued for any property owned by the same property owner who has failed to comply with five or more code enforcement orders within the preceding five years prior to the purchase;

(4) At the time of ~~registration~~ the certification of sale to the state pursuant to §11-3-44 of this code, is subject to legal proceedings in any court of any county or municipality in this state or appeals thereof that are related to code enforcement violations regarding real property owned by them; and

(5) Within the preceding five years prior to the purchase, has failed to comply with a valid raze or repair order (or any other similar order) issued by a county or municipality.

§11A-3-55. Service of notice.

(a) As soon as the Auditor has prepared the notice provided for in §11A-3-54 of this code, he or she shall cause it to be served upon all persons named on the list generated by the purchaser pursuant to the provisions of §11A-3-52 of this code. Such notice shall be mailed and, if necessary, published at least 45 days prior to the first day a deed may be issued following the Auditor's sale.

(b) The notice shall be served upon all such persons residing or found in the state in the manner provided for serving process commencing a civil action or by certified mail, return receipt requested, or other types of delivery service courier that provide a receipt. The notice shall be served on or before the 30th day following the request for such notice.

(c) The notice shall be served upon persons not residing or found in the state by certified mail, return receipt requested, or in

the manner provided for serving process commencing a civil action or other types of delivery service courier that provide a receipt. The notice shall be served on or before the ~~30 days~~ 30th day following the request for the notice.

(d) If the address of a person is unknown to the purchaser and cannot be discovered by due diligence on the part of the purchaser, the notice shall be served by publication as a Class III-0 legal advertisement in compliance with the provisions of §59-3-1 *et seq.* of this code and the publication area for the publication shall be the county in which the real property is located. If service by publication is necessary, publication shall be commenced within 60 days following the request for the notice, and a copy of the notice shall, at the same time, be sent pursuant to subsection (b) or (c) of this section, to the last known address of the person to be served. The return of service of the notice and the affidavit of publication, if any, shall be in the manner provided for process generally and shall be filed and preserved by the State Auditor in his or her office, together with any return receipts for notices sent by certified mail.

(e) In addition to the other notice requirements set forth in this section, if the real property subject to the tax lien was classified as Class II property at the time of the assessment, at the same time the Auditor issues the required notices by certified mail, the Auditor shall forward a copy of the notice sent to the delinquent taxpayer by first class mail, or in the manner provided for serving process commencing a civil action, addressed to "Occupant", to the physical mailing address for the subject property. The physical mailing address for the subject property shall be supplied by the purchaser of the property, pursuant to the provisions of §11A-3-52 of this code. Where the mail is not deliverable to an address at the physical location of the subject property, the copy of the notice shall be sent to any other mailing address that exists to which the notice would be delivered to an occupant of the subject property.

(f) Upon failure of service of the notice to redeem on any person, the Auditor shall inform the purchaser of said failure. The purchaser shall then search the county records for a new alternative address for that person to provide to the Auditor. If a new

alternative address is found, this notice to redeem shall be served by personal service. In the event that the subsequent service fails, or no alternative address is found, the notice shall be served by publication in the manner provided under subsection (d) of this section. Prior to the request to serve by publication under this instance, the purchaser shall provide the Auditor with a signed and notarized affidavit stating that they have searched the county records and were unable to find an alternative address through due diligence and request that publication be made to satisfy the notice requirement.

§11A-3-65. Right of former owner to surplus proceeds.

The former owner of any delinquent or nonentered lands sold pursuant to §11A-3-45 and §11A-3-48, or his or her heirs or assigns, shall be entitled to the surplus received from the sale over and above the taxes and interest charged or chargeable thereon including all costs of the sale, if ~~his or their claim be~~ the claim is filed in the circuit court of the county in which the land is situated within two years after the date of confirmation of said the sale. If ~~no a~~ a claim is not filed with the court within the ~~two years, then such two-year period, then the~~ surplus shall be paid by the sheriff to the Auditor as follows: 50 percent for credit to the general school fund; 25 percent for credit to the state's General Revenue Fund; and 25 percent for credit to the Auditor's Land Operating Fund provided in §11A-3-36 of this code.

The bill (Com. Sub. for S. B. 683), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 710, Relating to the practice of teledentistry.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 733, Relating to membership composition of Legislative Oversight Commission on Department of Transportation Accountability.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 746, Allowing State Board of Education to delegate its Medicaid provider status to public charter schools.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Eng. Com. Sub. for House Bill 2129, Creating the Parents Bill of Rights.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on the Judiciary, was reported by the Clerk:

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

ARTICLE 12. PARENTS' BILL OF RIGHTS.

§49-12-1. Short title.

This article shall be known and may be cited as the "Parents' Bill of Rights".

§49-12-2. Legislative findings and definition.

(a) The Legislature finds that it is a fundamental right of parents to direct the upbringing, education, care, and medical care of their minor children. The Legislature further finds that important information relating to a minor child should not be withheld, either inadvertently or purposefully, from his or her parent, including information relating to the minor child's health, well-being, and education, while the minor child is in the custody of the school district.

(b) For purposes of this article, the term "parent" means a person who has legal custody of a minor child as a natural or adoptive parent or a legal guardian.

§49-12-3. Infringement of parental rights.

The state, any of its political subdivisions, any other governmental entity, or any other state institution may not infringe on the fundamental rights of a parent to direct the upbringing, education, health care, and mental health of his or her minor child without demonstrating that such action is reasonable and necessary to achieve a compelling state interest and that such action is narrowly tailored and is not otherwise served by a less restrictive means.

§49-12-4. Parental rights.

(a) All parental rights are reserved to the parent of a minor child in this state without obstruction or interference from the state, any of its political subdivisions, any other governmental entity, or any other state institution, including, but not limited to, all of the following rights of a parent of a minor child in this state:

(1) The right to direct the education and care of his or her minor child.

(2) The right to direct the upbringing and the moral or religious training of his or her minor child.

(3) The right to apply to enroll his or her minor child in a public school or, as an alternative to public education, a private school, including a religious school, a home education program, or other available options, as authorized by law.

(4) The right to access and review all school records relating to his or her minor child.

(5) The right to make health care decisions for his or her minor child, unless otherwise prohibited by law.

(b) The right to parental rights guaranteed by this article shall not be denied or abridged on account of disability.

(c) A parent may raise this article as a defense before any court or administrative tribunal. In addition, any person aggrieved by the provisions of this article may bring an action for injunctive relief against a person who engages in conduct that constitutes a violation of this article in the circuit court of any county in which any part of the conduct occurs. The circuit court may grant any appropriate injunctive relief to prevent or abate the conduct, including a temporary restraining order, preliminary injunction, or permanent injunction.

§49-12-5. Applicability; limitations.

(a) This article applies to state and local laws, rules, or ordinances, and the implementation of that law, rule, or ordinance, whether statutory or otherwise. Statutory law adopted after the date of the enactment of this article is subject to this article unless such law explicitly excludes such application by reference to this article.

(b) This article does not:

(1) Authorize a parent of a minor child in this state to engage in conduct that is unlawful or to abuse or neglect his or her minor child in violation of general law;

(2) Condone, authorize, approve, or apply to a parental action or decision that would end life;

(3) Prohibit a court of competent jurisdiction, law enforcement officer, or employees of a government agency that is responsible for child welfare from acting in his or her official capacity within the reasonable and prudent scope of his or her authority; or

(4) Prohibit a court of competent jurisdiction from issuing an order that is otherwise permitted by law.

At the request of Senator Martin, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 2129) was laid over one

day, retaining its place on the calendar, with the Judiciary committee amendment pending.

Eng. Com. Sub. for Com. Sub. for House Bill 2441, To make those who fail drug test ineligible for unemployment.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 1, Requiring utility work and road paving coordination.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 100, Allowing members of State Police retirement system to use accrued leave as credit toward retirement.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 105, Updating retirement eligibility for certain sheriffs.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 578, Relating to pet food packages.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 579, Relating to Home Rule Reform.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 743, Adjusting percentage of tax retained by clerk of county commission for certain purposes.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 747, Relating to Real Estate License Act.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Eng. Com. Sub. for House Bill 2331, Relating to authorizing certain agencies of the Department of Commerce to promulgate legislative rules.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the eleventh order of business and the introduction of guests.

The Senate then proceeded to the twelfth order of business.

Remarks were made by Senators Takubo, Phillips, Helton, and Roberts.

Thereafter, at the request of Senator Garcia, and by unanimous consent, the remarks by Senator Takubo were ordered printed in the Appendix to the Journal.

The Senate proceeded to the thirteenth order of business.

The following communications were reported by the Clerk:

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M-211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7800

March 20, 2025

The Honorable Patrick Morrisey, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Morrisey,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

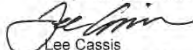
Com. Sub. for S. B. 8, Providing additional sites and devices for newborn safe surrender;

And,

Com. Sub. for S. B. 486, Clarifying eligibility requirements to vote in WV elections.

These bills are presented to you on this day, March 20, 2025.

Respectfully submitted,


Lee Cassis
Clerk of the Senate

C: The Honorable Jeffrey Pack
Clerk of the House of Delegates

LEE.CASSIS@WVSENATE.GOV



**HOUSE OF DELEGATES
WEST VIRGINIA LEGISLATURE**

BUILDING 1, ROOM M-212
1900 KANAWHA BLVD., EAST
CHARLESTON, WV 25305-0470
PHONE (304) 340-3200

March 20, 2025

The Honorable Patrick Morrisey
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Morrisey,

The following bill, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, has been examined and found truly enrolled:

Com. Sub. for H. B. 2222, Relating to authorizing certain agencies of the Department of Administration to promulgate legislative rules.

This bill is presented to you on this day, March 20, 2025.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Jeffrey Pack".

Jeffrey Pack
Clerk of the House of Delegates

cc: The Honorable Lee Cassis
Clerk of the Senate

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on March 19, 2025:

Senate Bill 292: Senator Rucker;

Com. Sub. for Senate Bill 618: Senator Hart;

Senate Bill 633: Senator Hart;

Senate Bill 676: Senator Hart;

Com. Sub. for Senate Bill 678: Senator Maynard;

Senate Bill 688: Senator Hart;

Senate Bill 694: Senator Hart;

Senate Bill 721: Senator Hart;

Senate Bill 758: Senator Bartlett;

Senate Bill 761: Senator Bartlett;

Senate Bill 800: Senator Oliverio;

Senate Bill 803: Senator Fuller;

Senate Bill 805: Senator Hart;

Senate Bill 806: Senator Woelfel;

Senate Bill 807: Senators Fuller, Thorne, and Rucker;

Senate Bill 808: Senator Garcia;

Senate Bill 810: Senators Fuller, Taylor, Bartlett, Rose, Roberts, Maynard, and Hart;

Senate Bill 812: Senator Thorne;

Senate Bill 814: Senator Woelfel;

Senate Bill 816: Senators Bartlett and Taylor;

Senate Bill 820: Senators Fuller, Roberts, and Rucker;

Senate Joint Resolution 4: Senator Woelfel;

Senate Resolution 35: Senator Helton;

Senate Resolution 36: Senator Helton;

Senate Resolution 37: Senator Fuller;

And,

Senate Resolution 38: Senators Rose and Hart.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 12:07 p.m., the Senate adjourned until tomorrow, Friday, March 21, 2025, at 10 a.m.

FRIDAY, MARCH 21, 2025

The Senate met at 10:08 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Pastor Don Biram, Emmanuel Baptist Church, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Amy N. Grady, a senator from the fourth district.

Appalachian Children's Chorus from Charleston, West Virginia, proceeded in the singing of "Shine" and "Country Roads".

Pending the reading of the Journal of Thursday, March 20, 2025,

At the request of Senator Morris, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 336, Authorizing Department of Homeland Security to promulgate legislative rules.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2056—A Bill to amend and reenact §1-1-4 and §49-4-701 of the Code of West Virginia, 1931, as amended; and to amend said code by adding a new section designated §1-1-6, relating to concurrent juvenile jurisdiction on military installations; addresses concurrent juvenile jurisdiction and allowing the transfer of exclusive federal legislative jurisdiction back to the state with respect to juveniles.

Referred to the Committee on Military; and then to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2393—A Bill to amend the Code of West Virginia, 1931, as amended by adding thereto a new section, designated §20-17A-6, relating to requiring certain reporting from the Mountaineer Trail Network Authority each year and beginning on December 1, 2025.

Referred to the Committee on Economic Development; and then to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2397—A Bill to amend and reenact §7-5-4 of the Code of West Virginia, 1931, as amended, relating to preventing two immediate family members from acting in a fiduciary capacity for the same governmental authority.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2451—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §8-40-1, §8-40-2, §8-40-3, §8-40-4, §8-40-5, and §8-40-6, relating to facilitating the creation of home based businesses; providing for definitions; providing for permitted use; providing for prohibitions; creating reasonable regulations; providing for limited conditions; and providing for review.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2548—A Bill to amend and reenact §18-3-3 of the Code of West Virginia, 1931, as amended, relating to the State Superintendent's general supervision of schools; clarifying supervisory duties; requiring the State Superintendent to report annually to the Legislative Oversight Commission on Education Accountability regarding implementation of state board rules in each county school district; and providing consequences for failure to follow state board rules.

Referred to the Committee on Education.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2755—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §29A-3B-13, relating to requiring State Board of Education legislative rules to be authorized by the Legislative Oversight Commission on Education Accountability and submitted for review by Legislature.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2773—A Bill to amend and react §18B-17-2 and §18B-17-3 of the Code of West Virginia, 1931, as amended, all relating to authorizing legislative rules regarding higher education; authorizing legislative rules for the Higher Education Policy Commission regarding Accountability System and Underwood-Smith Teaching Scholars and Teacher Loan Repayment Program; and authorizing legislative rules for the Community and Technical College Education regarding Employing and Evaluating Presidents.

Referred to the Committee on Education.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2802—A Bill to amend and reenact §30-29-3 of the Code of West Virginia, 1931, as amended, relating to law enforcement training and certification; establishing certain standards governing in-service law-enforcement officer training curricula and in-service supervisory level training curricula promulgated by rules of the subcommittee; and providing that the

rules shall include certain provisions for substitution of training credit hours for officers engaging in on-site participation in school safety programs.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3024—A Bill to amend and reenact §18B-14-2 of the Code of West Virginia, 1931, as amended, relating to the guaranteed transfer of credit for courses completed in career pathways between high schools, career and technical education centers, community and technical colleges and baccalaureate institutions, establishing a statewide guaranteed transfer and articulation advisory committee; setting forth membership of the advisory committee; allowing for subcommittees; requiring the commission and the council to oversee the development of a statewide articulation and guaranteed transfer agreement and setting forth parameters therefore; requiring the commission and the council, in collaboration with the advisory committee, to develop, coordinate, and maintain guaranteed degree transfer pathways for selected baccalaureate programs and the parameters therefore; setting forth additional requirements for guaranteed statewide transfer pathways; and requiring the commission and council to propose rules for legislative approval.

Referred to the Committee on Education.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3089—A Bill to amend and reenact §17A-4-10, §17A-4A-2, and §17A-4A-2a of the Code of West Virginia, 1931, as amended, relating to vehicle titles; mandating all financial institutions recording five or more liens in a calendar year use the Division of Motor Vehicle's electronic lien and title system for all motor vehicle lien actions; specifying new

and striking old effective date; shortening time an insurance company or insurer has to wait after the payment of a total loss claim prior to applying to the Division of Motor Vehicles for a title certificate to a vehicle that the owner has not chosen to retain; correcting agency designations; specifying format of issuance of certificates of title; and allowing electronic record of the certificate of title and lien be used as evidence.

Referred to the Committee on Transportation and Infrastructure.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3190—A Bill to amend and reenact §60-6-9 of the Code of West Virginia, 1931, as amended, relating to expanding the offense of public intoxication to persons intoxicated by controlled substances.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3192—A Bill to repeal §18-11-1, §18-11-1a, §18-11-1b, §18-11-2, §18-11-3, §18-11-4, §18-11-4a, §18-11-4d, §18-11-5, §18-11-5b, §18-11-5d, §18-11-6, §18-11-7, §18-11-8, §18-11-8a, §18-11-9, §18-11-9a, §18-11-10, §18-11-10a, §18-11-11, §18-11-19, §18-11-20, §18-11-21, §18-11-22, §18-11-23, §18-11-24, §18-11-25, §18-12-1, §18-19-1, §18-19-2, §18-19-3, §18-19-4, §18-22C-1, §18-22C-2, §18-22D-1, §18-22D-2, §18-22D-3, §18-22D-4, §18-22D-5, §18-22D-6, §18-22D-7, §18-22D-8, §18-22D-9, §18-23-6, §18-23-7, §18-23-9, §18-23-10, §18-23-16, §18-23-17, §18-23-19, §18B-1-8, §18B-1-11, §18B-1A-4, §18B-1A-5, §18B-1A-6, §18B-1C-1, §18B-1D-6, §18B-1F-10, §18B-2-6, §18B-2-8, §18B-2A-5, §18B-2A-7, §18B-2A-7a, §18B-2B-1, §18B-3-4, §18B-3B-1, §18B-3B-2, §18B-3B-3, §18B-3C-5, §18B-3C-7, §18B-3C-7a, §18B-3C-10,

§18B-3C-11, §18B-3C-12, §18B-3C-13, §18B-3C-15, §18B-3C-16, §18B-3E-1, §18B-3E-2, §18B-3F-1, §18B-3F-2, §18B-3F-3, §18B-3F-4, §18B-3F-5, §18B-3F-6, §18B-3F-7, §18B-3F-8, §18B-3F-9, §18B-3F-10, §18B-4-2a, §18B-7-16, §18B-9A-5, §18B-9A-5a, §18B-11-1, §18B-11-3, §18B-14-1, §18B-14-2, §18B-14-9, §18B-17-4, §18B-17-5, and §18B-17-6, of the Code of West Virginia, 1931, as amended; relating to repeal of antiquated, inoperative, conflicting and duplicative provisions of code.

Referred to the Committee on Education.

Executive Communications

The Clerk presented the following communications from His Excellency, the Governor, regarding bills approved by him:



Patrick Morrisey
Governor of West Virginia

March 20, 2025

The Honorable Lee Cassis, Clerk
West Virginia Senate
State Capitol
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, is the following bill:

Senate Bill No. Three Hundred Fifty-Eight (358), which was presented to me on March 14, 2025.

You will note that I have approved this bill on March 20, 2025.

Sincerely,

A handwritten signature in blue ink that reads "Patrick Morrisey".

Patrick Morrisey
Governor

PM/an

cc: The Honorable Jeff Pack, Clerk



Patrick Morrisey
Governor of West Virginia

March 21, 2025

The Honorable Jeff Pack, Clerk
West Virginia House of Delegates
State Capitol
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, is the following bill:

House Bill No. Two Thousand Fifty-Three (2053), which was presented to me on March 17, 2025.

You will note that I have approved this bill on March 21, 2025.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick Morrisey".

Patrick Morrisey
Governor

PM/an

cc: The Honorable Lee Cassis, Clerk

The Senate proceeded to the fourth order of business.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 54, Requiring age-appropriate instruction on Holocaust in public schools.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 54 (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-2-9b, relating to requiring all public schools located within this state to give age-appropriate instruction on the Holocaust.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Amy N. Grady,
Chair.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 569, Relating to homeowners' bill of rights.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 569 (originating in the Committee on Government Organization)—A Bill to amend and reenact §30-42-15 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §21-11B-1,

§21-11B-2, and §21-11B-3, relating to establishing certain rights for purchasers of residential improvements; stating legislative purpose; defining terms; mandating contracts for residential improvements contain warranty; stating required minimum provisions of warranty; setting length of warranty; establishing that warranty is cumulative of other warranties; prohibiting exclusion or limitation of express or implied warranties; prohibiting limitation of remedies; mandating that arbitration proceedings be held within certain distance from location of improvements; requiring alternative dispute resolution provisions of contract be prominently displayed; and establishing grounds for disciplinary action by Contractor Licensing Board.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

The bill (Com. Sub. for S. B. 569), under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Com. Sub. for Senate Bill 587 (originating in the Committee on the Workforce), Relating generally to government contracting.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 587 (originating in the Committee on Government Organization)—A Bill to amend and reenact §5-22-1, §5-22-2, and §5-22-4 of the Code of West

Virginia, 1931, as amended; and to amend the code by adding a new article, designated §5-22B-1, §5-22B-2, §5-22B-3, §5-22B-4, §5-22B-5, §5-22B-6, §5-22B-7, §5-22B-8, §5-22B-9, §5-22B-10, §5-22B-11, §5-22B-12, §5-22B-13, §5-22B-14, §5-22B-15, §5-22B-16, §5-22B-17, §5-22B-18, and §5-22B-19, relating to government contracting; increasing the minimum competitive bid threshold from \$25,000 to \$50,000; providing for a bid validity period; clarifying factors for considering when bids exceed budgeted amount; enacting the Government Construction Management At-Risk Contracts Act; providing a short title; defining terms; authorizing the state and/or its subdivisions to engage in construction management at-risk contracts for projects greater than \$15 million in total estimated cost; requiring the state and/or its subdivisions adopt policies and procedures for use in construction management at-risk contract; requiring the state and/or its subdivisions using construction management at-risk delivery method provide notice; requiring the state and/or its subdivisions issue request for qualifications; requiring the state and/or its subdivisions issue requests for proposals; establishing a standardized format for a proposal; establishing the criteria a request for proposal must contain; providing standards and criteria for the evaluation of proposals; providing for prequalification of firms; requiring a proposal evaluation committee; establishing suggested membership of a proposal evaluation committee; providing evaluation criteria and weight for aspects of proposals; setting forth process to determine best value; authorizing the state and/or its subdivisions to amend contracts after acceptance; providing exceptions for special maintenance projects; making documents public in some instances; providing for rulemaking; required reporting; setting forth a sunset date; and making technical and conforming amendments.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Jeffries, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Senate Bill 626, Allowing members of regional airport boards to be residents of area in which airport is located.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 626 (originating in the Committee on Economic Development)—A Bill to amend and reenact §8-29-6 of the Code of West Virginia, 1931, as amended, relating to qualifications of members of regional airport authority; and authorizing participating municipality or county to appoint a nonresident member to a regional airport authority after complying with required legal advertisement.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Government Organization.

Respectfully submitted,

Glenn D. Jeffries,
Chair.

The bill (Com. Sub. for S. B. 626), under the original double committee reference, was then referred to the Committee on Government Organization.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 655, Providing for immunity for mental health providers who are involved in mental hygiene checks.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Mike Stuart,
Chair.

[CLERK'S NOTE: The committee report containing Eng. Com. Sub. for House Bill 2382 read during the Senate floor proceedings of today, Friday, March 21, 2025, inadvertently stated the Judiciary committee recommendation as do pass. The correct Judiciary committee recommendation is do pass, as amended. The correct committee report is inserted hereinafter.]

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 2382, Camping ban on certain public property.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Eng. House Bill 2402, Relating to providing access to medical records; providing access to a minor's medical record.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 817, Regulating private alternative adolescent residential or outdoor programs.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 817 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16B-22-1, §16B-22-2, §16B-22-3, §16B-22-4, §16B-22-5, and §16B-22-6, relating to regulating private alternative adolescent residential or outdoor programs; defining terms; requiring licensure; setting forth licensure requirements; requiring rulemaking; permitting suspension of license; permitting revocation of license; permitting criminal penalties for violation; and permitting fines for violation.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill (Com. Sub. for S. B. 817), under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Eng. Com. Sub. for House Bill 2411, To provide and change graduation requirements and change duties relating to academic content standards.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Amy N. Grady,
Chair.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senator Takubo:

Senate Bill 859—A Bill to amend and reenact §11-17-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding two new sections, designated §16-4C-27 and §16-4C-28, relating to tobacco products; defining terms; levying a user fee on cigarettes; providing the user fee be directed to support emergency medical services; and creating a special revenue fund to receive funds from the created user fee.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Takubo:

Senate Bill 860—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16-9G-3,

relating to creating the Tobacco Cessation Initiative Program Special Revenue Account; and directing a fixed portion of money to fund the account from the Legislature.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 861—A Bill to amend and reenact §12-3-10e of the Code of West Virginia, 1931, as amended, relating to the Purchasing Card Advisory Committee; and updating references to reflect the consolidation of the Information Services and Communications Division into the Office of Technology.

Referred to the Committee on Government Organization.

By Senator Rucker:

Senate Bill 862—A Bill to repeal §5A-9-1, §5A-9-2, §5A-9-3, §5A-9-4, and §5A-9-5 of the Code of West Virginia, 1931, as amended, relating to repeal of antiquated language related to the Voluntary Gilding the Dome Check-Off Program.

Referred to the Committee on Government Organization.

By Senator Rucker:

Senate Bill 863—A Bill to amend and reenact §5A-1-2 of the Code of West Virginia, 1931, as amended, relating to removing reference to the Information Services and Communications Division.

Referred to the Committee on Government Organization.

By Senators Deeds, Fuller, Hamilton, Morris, Phillips, Queen, and Thorne:

Senate Bill 864—A Bill to amend and reenact §61-3-11 of the Code of West Virginia, 1931, as amended, relating to crimes against property; and clarifying the inference of criminal intent in a burglary prosecution.

Referred to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 865—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §49-4-611, relating to the best interests of the child standard; establishing that the best interests of the child shall be the paramount consideration in all decisions made by specific state entities and individuals; providing that it is a comprehensive assessment; laying out the factors to assess; providing that all policies must be consistent with this principle; providing for review and appeal of decisions; and providing that guardian ad litem must advocate solely for the best interest of the child.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Grady:

Senate Bill 866—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-22f, relating to requiring the West Virginia Board of Education to promulgate a legislative rule, in consultation with the West Virginia Board of Physical Therapy, that governs concussion protocol, education, and training to prevent concussions and the development of a Concussion Education Prevention and Response Plan; allowing the West Virginia Board of Physical Therapy to provide a draft rule; specifying to whom the rule applies; requiring initial rule to comply with certain concussion-related code; allowing recommendation for code to be amended or repealed; requiring rule to specify individuals who are to receive concussion-related education; and requiring a school to adopt a Concussion Education, Prevention, and Response Plan in accordance with the rule.

Referred to the Committee on Education.

By Senator Helton:

Senate Bill 867—A Bill to amend and reenact §9-5-29a of the Code of West Virginia, 1931, as amended, relating to requiring the Bureau for Medical Services to make necessary filings and obtain licensures and accreditation by July 1, 2025; and requiring

compliance for certain substance use disorder treatment facilities by an earlier date to accommodate the need for such facilities.

Referred to the Committee on Health and Human Resources.

By Senator Stuart:

Senate Bill 868—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §17A-10-3d; and by adding a new article, designated §17C-16A-1, §17C-16A-2, §17C-16A-3, §17C-16A-4, §17C-16A-5, §17C-16A-6, §17C-16A-7, and §17C-16A-8; and to repeal §17C-16-1, §17C-16-2, §17C-16-3, §17C-16-4, §17C-16-5, §17C-16-6, §17C-16-7, §17C-16-8; and §17C-16-9, all relating to removing the requirement of inspections and inspection stickers for non-commercial motor vehicles, trailers, semitrailers, or pole trailers, or any combination thereof; and establishing the West Virginia road security fee added to annual or biennial motor vehicle registrations and renewals for non-commercial motor vehicles, trailers, semitrailers, or pole trailers which shall be allocated to the West Virginia State Police.

Referred to the Committee on Finance.

By Senators Hamilton and Morris:

Senate Bill 869—A Bill to amend Chapter 231, Acts of the Legislature, Regular Session, 1997, by amending section two, relating to members, appointment and officers of the Robert C. Byrd Corridor H Highway Authority; adding three new sections designated three-a, three-b, and three-c, creating the Corridor H Advanced Energy and Economic Corridor Authority; providing for legislative findings; appointing authority members; providing for terms of membership; providing for certain membership and meeting requirements; providing that members are not compensated; providing for certain powers and duties; and requiring annual reporting to the Joint Committee on Government and Finance.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 870—A Bill to amend and reenact §8-1-5a of the Code of West Virginia, 1931, as amended, relating generally to fees imposed by municipalities; prohibiting municipalities participating in the home rule program from imposing new fees on businesses that are already paying the municipality sales tax, hotel motel tax, existing fees for fire or emergency services, or the municipal home rule sales tax; and preserving the ability of businesses to voluntarily remit any new taxes or fees to a municipality by agreement.

Referred to the Committee on Government Organization.

By Senator Rucker:

Senate Bill 871—A Bill to amend and reenact §30-42-3 of the Code of West Virginia, 1931, as amended, relating to professions and occupations; and providing that the definition of "contractor" in the Contractor Licensing Act does not include persons who perform drywall services.

Referred to the Committee on Government Organization.

By Senator Oliverio:

Senate Bill 872—A Bill to amend and reenact §5-10-14 of the Code of West Virginia, 1931, as amended, relating to allowing certain contracted counsel for executive agencies to purchase years of service in the Public Employees Retirement System.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 873—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-5-31a, relating to the creation of the West Virginia Homelessness Rehabilitation and Public Safety Act.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Barrett:

Senate Bill 874—A Bill to amend and reenact §16-5V-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §16-5V-6f, relating to permitting current home confinement officers in this state to participate in the Emergency Medical Services Retirement System.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Garcia:

Senate Bill 875—A Bill to amend and reenact §11-16-17 of the Code of West Virginia, 1931, as amended, relating to container labeling of nonintoxicating beer and nonintoxicating craft beer; permitting certain brewers, brewpubs, manufacturers, and resident brewers to make private labels for existing beer brands available for purchase; providing for label requirements; and providing for pricing and purchasing restrictions.

Referred to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 876—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-10-28, relating to terminating certain requirements for the Tax Commissioner to submit reports, publish information, and provide notice; and specifying effective date.

Referred to the Committee on Government Organization.

By Senator Rucker:

Senate Bill 877—A Bill to amend and reenact §3-11-2 and §3-11-4 of the Code of West Virginia, 1931, as amended, relating to requiring the resolution passed by the Legislature for proposed constitutional amendments to include the language to be included on official ballots to be voted at the election at which such amendments are submitted to the voters of the state.

Referred to the Committee on the Judiciary.

By Senator Oliverio:

Senate Bill 878—A Bill to amend and reenact §33-3-14d of the Code of West Virginia, 1931, as amended, relating to distributions from funds collected from a premium tax on fire insurance and casualty insurance policies; clarifying requirements of distributions from funds collected from a premium tax on fire insurance and casualty policies; directing that 10 percent of funds collected from a premium tax on fire insurance and casualty insurance policies currently paid to the Teachers Retirement System be deposited in the Municipal Pensions Security Fund to be distributed by the Municipal Pensions Oversight Board in certain circumstances; and decreasing the time in which a municipal policeman's or fireman's pension and relief funds may fail to comply with investment provisions before it may be required to invest with the state Investment Management Board in order to continue to receive funds from a premium tax on fire insurance and casualty insurance policies.

Referred to the Committee on Banking and Insurance; and then to the Committee on Finance.

By Senator Grady:

Senate Bill 879—A Bill to amend and reenact §18-5G-3 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-2-46, relating to public charter schools; and requiring high school students to complete and submit a free application for federal student aid prior to graduation.

Referred to the Committee on Education.

By Senator Maynard:

Senate Bill 880—A Bill to amend and reenact §15A-3-12 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §15A-3-4a, relating to the Division of Corrections and Rehabilitation; creating powers and duties of the commissioner regarding Stevens Correctional Center; clarifying the ownership of Stevens Correctional Center; clarifying all debts owed by the County of McDowell have been paid; and clarifying institutions managed by the commissioner.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

The Senate proceeded to the seventh order of business.

Senate Resolution 39, Designating March as Kidney Disease Awareness Month.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Chapman, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Senate Resolution 40, Designating March 21, 2025, as WV Arts Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Grady, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

At the request of Senator Woelfel, and by unanimous consent, the remarks by Senator Fuller regarding the adoption of Senate Resolution 40 were ordered printed in the Appendix to the Journal.

The Senate proceeded to the eighth order of business.

Eng. Senate Bill 75, Changing distribution of income from excess lottery fund.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Morris, Oliverio, Phillips, Queen, Rucker, Takubo, Tarr, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—25.

The nays were: Azinger, Deeds, Hart, Martin, Maynard, Roberts, Rose, Stuart, and Taylor—9.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 75) passed with its title.

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

Eng. Com. Sub. for Senate Bill 76, Increasing WV Natural Resources Police Officer Retirement System accrued benefit for certain members.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 76) passed with its title.

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

Eng. Com. Sub. for Senate Bill 601, Relating to fees and charges for municipality-provided fire services.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 601 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: Queen—1.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 601) passed with its title.

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

Eng. Senate Bill 615, Eliminating accelerated tax payment requirements.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 615) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 615) takes effect from passage.

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

Eng. Com. Sub. for Senate Bill 683, Relating to land sales by Auditor.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 683) passed.

On motion of Senator Rucker, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Senate Bill 683—A Bill to amend and reenact §11A-2-14, §11A-3-2, §11A-3-44, §11A-3-45, §11A-3-46, §11A-3-48, §11A-3-55, and §11A-3-65 of the Code of West Virginia, 1931, as amended, relating to the sale of certain properties subject to delinquent tax liens; modifying the dates designated for certain actions required in the said sale process; requiring the sheriff's office to deliver certified notices of impending sale by personal service to certain owners of record, residents, or occupants prior to selling delinquent property; allowing the State Auditor to engage a private auctioneer for selling certain tax delinquent properties; requiring highest bidder to pay 10 percent buyer's fee to private auctioneer under certain circumstances; requiring highest bidder to pay \$50 of total bid amount to State Auditor and remainder of bid amount to county sheriff; modifying the eligibility criteria for bidders and buyers; modifying the process for providing notice to redeem to certain delinquent taxpayers; and modifying the distribution of surplus proceeds obtained from certain tax delinquent property sales.

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

Eng. Com. Sub. for Senate Bill 710, Relating to the practice of teledentistry.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart,

Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 710) passed with its title.

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

Eng. Senate Bill 733, Relating to membership composition of Legislative Oversight Commission on Department of Transportation Accountability.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 733) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo,

Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 733) takes effect from passage.

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

Eng. Com. Sub. for Senate Bill 746, Allowing State Board of Education to delegate its Medicaid provider status to public charter schools.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 746) passed with its title.

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

Eng. Com. Sub. for Com. Sub. for House Bill 2441, To make those who fail drug test ineligible for unemployment.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for H. B. 2441) passed.

On motion of Senator Roberts, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Com. Sub. for House Bill 2441—A Bill to amend and reenact §21A-6-3 of the Code of West Virginia, 1931, as amended, relating to unemployment compensation; and providing that an employee is disqualified for benefits if discharged from work because of failure of random testing for alcohol or illegal controlled substances, where alcohol or drug use creates an inherent risk to the health and safety of the employee or others, or where the employee is employed in a safety-sensitive position.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 1, Requiring utility work and road paving coordination.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 100, Allowing members of State Police retirement system to use accrued leave as credit toward retirement.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 105, Updating retirement eligibility for certain sheriffs.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 578, Relating to pet food packages.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was referred to the Committee on Rules.

Senate Bill 579, Relating to Home Rule Reform.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 743, Adjusting percentage of tax retained by clerk of county commission for certain purposes.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 747, Relating to Real Estate License Act.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Eng. Com. Sub. for House Bill 2129, Creating the Parents Bill of Rights.

Having been read a second time on yesterday, Thursday, March 20, 2025, and now coming up in regular order with the Judiciary committee amendment (*shown in the Senate Journal of yesterday*,

Thursday, March 20, 2025, pages 852 to 854, inclusive) pending, was reported by the Clerk.

The question being on the adoption of the Judiciary committee amendment to the bill, the same was put and prevailed.

The bill (Eng. Com. Sub. for H. B. 2129), as amended, was then ordered to third reading.

Eng. Com. Sub. for House Bill 2331, Relating to authorizing certain agencies of the Department of Commerce to promulgate legislative rules.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on the Judiciary, was reported by the Clerk:

On page 2, lines 10 through 15, by striking out all of subsection (d) and inserting in lieu thereof a new subsection (d) to read as follows:

(d) The legislative rule filed in the State Register on August 14, 2024, authorized under the authority of §20-5-2 of this code, modified by the Division of Natural Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 3, 2024, relating to the Division of Natural Resources (public use of campgrounds in West Virginia State Parks and State Forests and Campsites in State Rail Trails under the Division of Natural Resources, 58 CSR 32), is authorized with the following amendment:

On page 1, by striking out all of subsection 2.2. and inserting in lieu thereof a new subsection 2.2. to read as follows:

2.2. A person who is 18 years of age or older must be at each rented campsite and is responsible for the actions and safety of all campsite occupants and shall be held liable for any damages caused by campsite occupants. Except that, at the discretion of the area superintendent, adjacent campsites occupied by youth organization

groups may be considered supervised by a single person who is 18 years of age or older.;

And,

On page 2, by striking out all of subsection 2.5. and inserting in lieu thereof a new subsection 2.5. to read as follows:

2.5. No more than two motor vehicles are permitted on a campsite at any time. No more than one camping unit (tent, trailer, motor home, camper van, etc.) is permitted on a campsite; *Provided*, That a family camping group or youth organization group, at the discretion of the area superintendent, may be permitted to have one or two small tents on its campsite in addition to the main camping unit: *Provided, however*, That the additional units may not be ecologically detrimental to the campsite. For purposes of this section, a family camping group is defined as a parent or guardian and his or her dependent children or other minor children accompanying the adult.

Following discussion,

The question being on the adoption of the Judiciary committee amendment to the bill, the same was put and prevailed.

The bill (Eng. Com. Sub. for H. B. 2331), as amended, was then ordered to third reading.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 128, Preventing courts from ordering services at higher rate than Medicaid.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 595, Creating Mountain Bike Responsibility Act.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 721, Authorizing use of unmanned aerial vehicles to track certain mortally wounded wild animals.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 800, Relating to insurance holding company systems.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Eng. Com. Sub. for House Bill 2158, Relating to removal of a sunset clause for the West Virginia spy and neuter program.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on March 20, 2025:

Senate Bill 549: Senator Willis;

Senate Bill 593: Senator Willis;

Senate Bill 595: Senators Deeds and Willis;

Senate Bill 626: Senator Oliverio;

Senate Bill 737: Senator Hart;

Senate Bill 810: Senator Willis;

Senate Bill 811: Senators Queen and Garcia;

Senate Bill 825: Senator Woelfel;

Senate Bill 831: Senator Woelfel;

Senate Bill 843: Senator Woelfel;

Senate Bill 853: Senator Woelfel;

Senate Bill 854: Senator Bartlett;

Senate Joint Resolution 13: Senator Willis;

Senate Concurrent Resolution 7: Senator Rose;

Senate Resolution 39: Senator Rucker;

And,

Senate Resolution 40: Senator Rucker.

Pending announcement of meetings of standing committees of the Senate, including the Committee on Rules,

On motion of Senator Martin, at 11:01 a.m., the Senate adjourned until Monday, March 24, 2025, at 11 a.m.

MONDAY, MARCH 24, 2025

The Senate met at 11:17 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Pastor Gary W. Hall, Mount Olivet Baptist Church, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Bill Hamilton, a senator from the eleventh district.

Pending the reading of the Journal of Friday, March 21, 2025,

At the request of Senator Woelfel, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for Com. Sub. for House Bill 2003—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-2-46, relating to the limitation of cell phones in classrooms; providing for a purpose and application; creating definitions; creating a prohibition of personal electronic devices during instructional time; setting forth minimum requirements for county board of education policies; and providing for severability.

Referred to the Committee on Education.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for Com. Sub. for House Bill 2349—A Bill to amend and reenact §16B-13-3 and §16B-13-5 of the Code of West Virginia, 1931, as amended, relating to offering long-acting reversible contraception to patients; establishing parameters of how to offer long-acting reversible contraception.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2389—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-35-7a; and to amend the code by adding a new article, designated §30-35A-1, §30-35A-2, §30-35A-3, §30-35A-4, §30-35A-5, §30-35A-6, §30-35A-7, §30-35A-8, §30-35A-9, §30-35A-10, §30-35A-11, §30-35A-12, §30-35A-13, and §30-35A-14, relating to enacting the Dietitian Licensure Compact;

requiring applicants seeking to practice in a remote state pursuant to the compact to submit to national and state criminal record background check as condition of eligibility for compact privilege; mandating such applicants to submit fingerprints and to authorize the board, West Virginia State Police, and Federal Bureau of Investigation to use records submitted to screen applicants; prohibiting release of background check results; providing for exceptions; establishing that background check records are not public records; obligating applicants to complete background check immediately after application for privilege to practice; requiring applicants to pay costs of fingerprinting and background check; and authorizing rulemaking and emergency rulemaking; providing for a purpose; providing for definitions; providing requirements for state participation in the compact; requirements to exercise the compact privilege; requirements for a licensee to hold a home state license based on a compact privilege; requiring criminal background check and setting educational and other requirements for a licensed dietitian; authorizing member state to charge fee for granting compact privilege; providing for state participation in the compact; establishing the privilege to practice in member states; providing for change in primary state or residence procedures relating to licensing for active duty military personnel and their spouses; providing for procedures relating to duties, meetings, responsibilities, and adverse actions; establishing the dietitian licensure compact commission; providing for membership, powers and duties of the commission; and providing for an executive committee; providing for a data system available for use among the member states; providing for rulemaking authority of the commission; providing for dispute resolution, and enforcement provisions of the commission among the member states; providing for date of implementation among the member states; providing for applicability of the existing rules at the time a new member state joins the commission; providing for withdrawal of any member states and conditions that must be met until withdrawal is effective; providing for a six-month period before withdrawal is effective; providing for construction and severability of the provisions of the compact; and providing for a binding effect of the laws and rules of the compact among the member states.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2479—A Bill to amend and reenact §7-12-3 of the Code of West Virginia, 1931, as amended, relating to the management and control of the county authority vested in a board.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2502—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §46A-6-111, relating to establishing limitations on billing practices of Internet or telecommunications providers that fail to provide subscribed customers service for five or more days (120 hours); setting forth the purpose of the section; requiring providers to automatically credit the customer's account for the lack of service proportional to the number of days of disrupted services; establishing civil penalties; designating Attorney General to enforce section; requiring providers provide certain data to the Consumer Protection Division of the Attorney General and establishing confidentiality of same; and providing these provisions do not apply to mobile service disruptions

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2776—A Bill amend and reenact §16-1-4 of the Code of West Virginia, 1931, as amended, relating to the State Public Health System; and requiring the Secretary of the

Department of Health to propose legislative rules to include alpha-gal syndrome on the list of diseases that shall be required to be reported to the Center for Disease Control and Prevention (CDC).

Referred to the Committee on Health and Human Resources.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2797—A Bill to amend and reenact §23-4-1f of the Code of West Virginia, 1931, as amended; relating to who may diagnose post-traumatic stress disorder for a first responder.

Referred to the Committee on Health and Human Resources.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2835—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5A-6-8, relating to creating the West Virginia Infrastructure Deployment Clearinghouse; establishing its purposes, policies, and standards; providing for its funding; and establishing reporting requirements.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2856—A Bill to amend and reenact §31G-6-1 of the Code of West Virginia, 1931, as amended, relating to pre-emption for broadband services; providing for the installation of telecommunication facilities on property with conservation easements; stating means to secure permission to

achieve the same; and recognizing that this provision does not abrogate existing eminent domain rights.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2878—A Bill to amend and reenact §17-4-8 and §31-2A-2 of the Code of West Virginia, 1931, as amended, relating to use of state roads for rail crossing; requiring cooperation between the rail company and the Division of Highways when construction or maintenance activities are conducted by the company; and requiring railroad companies to provide alternative entry and exit ways in certain circumstances.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3125—A Bill to amend and reenact §18A-3-2a and §18A-3-4 of the Code of West Virginia, 1931, as amended, relating to removing restrictions from teachers receiving permanent teaching licenses.

Referred to the Committee on Education.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 3146—A Bill to amend and reenact §17A-3-14b of the Code of West Virginia, 1931, as amended, relating to reducing the number of applicants of a military organization for a special plate from 100 to 50, upon receipt of a guarantee from the organization of a minimum of 50 applicants.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3166—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section designated §18-9F-10a, relating to allowing county boards to create standardized school safety mapping data; setting forth requirements for mapping data; setting forth the dissemination and cost parameters of data.

Referred to the Committee on Education; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 3187—A Bill to amend and reenact §5A-6-9 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Task Force on Artificial Intelligence; adding identification of economic opportunities to the agenda of the Task Force requiring that the Task Force submit annual electric reports.

Referred to the Committee on Economic Development.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 3263—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-2-22, relating to providing notification of utility service disruption to its' customers; requiring utilities to have an outage communication plan; and authorizing the Public Service Commission to receive each utility's notification plan.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 3292—A Bill to amend and reenact §17C-12-1, of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §17C-1-71, relating to defining "on-track equipment"; and clarifying provisions related to obedience to signal indicating approach of train.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3297—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18B-11-8, relating to creating the Washington Center for Civics, Culture, and Statesmanship within West Virginia University; creating the center as an independent entity within West Virginia University; requiring the university to provide the center with reasonable infrastructure, classroom space, and office space; stating the center's purposes and goals; stating the center's policies; providing for the appointment of tenure-track faculty; authorizing the center to offer courses and to develop various degrees; providing for a director of the center; providing for the director's appointment and the filling of vacancies; providing for an academic council; enumerating areas over which the director has sole and exclusive authority; and providing for an annual report.

Referred to the Committee on Finance.

The Senate proceeded to the fourth order of business.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 10, Exempting certain meat processes from consumers sales and service tax.

Com. Sub. for Senate Bill 35, Permitting campus police officers to participate in Deputy Sheriffs Retirement System.

Senate Bill 249, Expanding employment and training requirements necessary for SNAP benefits.

And,

Senate Bill 292, Allowing doula services be covered by Medicaid and PEIA.

And reports the same back with the recommendation that they each do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bills (Com. Sub. for S. B. 10, Com. Sub. for S. B. 35, S. B. 249, and S. B. 292) contained in the preceding report from the Committee on Finance were each taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 705, Allowing Board of Education to promulgate rules for submission to Legislature.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 705 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §29A-3B-1, §29A-3B-8, § 29A-3B-9, §29A-3B-10, and §29A-3B-11 Code of West Virginia, 1931, as amended, relating to requiring the State Board of Education to submit newly promulgated rules to the Legislature through the Legislative Rule-Making Review Committee; allowing the Legislature to approve, amend, or reject, in whole or in part, these rules in a manner prescribed by general law and pursuant to this article; adjusting the time frames for the State Board of Education to submit emergency rules to the Legislative Rule-Making Review Committee; and providing for the expiration of those emergency rules if notice is not timely filed with the committee.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 705) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senators Woodrum and Oliverio:

Senate Bill 881—A Bill to amend and reenact §18B-19-10 of the Code of West Virginia, 1931, as amended, relating to modifying the authority of the Higher Education Policy Commission, Council

for Community and Technical College Education, and institutions of higher education to sell and transfer property.

Referred to the Committee on Education; and then to the Committee on Government Organization.

By Senators Phillips and Hart:

Senate Bill 882—A Bill to amend and reenact §24-2-3 and §24-2-4 of the Code of West Virginia, 1931, as amended, relating to providing that an electric utility rate or fee increase that is not in effect by November 20 in any year may not take effect earlier than April 1 of the subsequent year.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Phillips:

Senate Bill 883—A Bill to amend and reenact §22A-1-8, §22A-1-9, §22A-1-11, §22A-1-12, §22A-1-13, §22A-4-5, §22A-6-3, and §22A-9-1 of the Code of West Virginia, 1931, as amended, relating to providing the Director of the West Virginia Office of Miners' Health, Safety, and Training discretion and authority in the appointment of surface mine inspectors, mine safety instructors, electrical inspectors, and underground mine inspectors.

Referred to the Committee on Energy, Industry, and Mining.

By Senator Grady:

Senate Bill 884—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §55-7-33, relating to liability for injury or damage resulting from intoxication; providing civil liability for a person who furnishes alcohol to a person not of lawful drinking age or addicted to alcohol; clarifying applicable criminal law; and limiting scope of applicability.

Referred to the Committee on the Judiciary.

By Senators Willis and Rose:

Senate Bill 885—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-29-1,

§11-29-2, §11-29-3, §11-29-4, §11-29-5, §11-29-6, §11-29-7, §11-29-8, and §11-29-9, relating to creating the Tax and Expenditure Limitation Act.

Referred to the Committee on Finance.

By Senator Chapman:

Senate Bill 886—A Bill to amend and reenact §49-2-126 of the Code of West Virginia, 1931, as amended, relating to the Foster Child Bill of Rights; providing that a child in foster care or in a kinship placement must be made aware of his or her rights; providing that the department shall inform the child of his or her rights; and establishing that a foster care or kinship placement shall inform the child of his or her rights if requested.

Referred to the Committee on Health and Human Resources.

By Senator Chapman:

Senate Bill 887—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §27-5-12, relating to creating an intermediate conservatorship or guardianship process prior to an individual being involuntarily committed; providing definitions; establishing the process to initiate a conservatorship or guardianship; establishing shortened times for temporary conservatorship or guardianship petition to be heard; allowing facility to hold an individual during that time period; establishing coordination with involuntary commitment proceedings; and authorizing rulemaking.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Takubo:

Senate Bill 888—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16-53-4, relating to describing the progression of treatment for substance use disorder.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 889—A Bill to amend and reenact §18-5G-8 of the Code of West Virginia, 1931, as amended, relating to creating the Sustaining Opportunities for Academics in Rural Schools Act.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Thorne:

Senate Bill 890—A Bill to amend and reenact §19-2C-1, §19-2C-2, §19-2C-3, §19-2C-3a, §19-2C-4, §19-2C-5b, §19-2C-6, §19-2C-6a, §19-2C-7, §19-2C-8, §19-2C-9, and §19-2C-10 of the Code of West Virginia, 1931, as amended, relating to auctioneers; providing definitions; updating exceptions; requiring fees be established by legislative rule; raising the amount of bond an auctioneer must have; removing the board from being authorized to use records for screening applicants for licenses; extending how long apprentice auctioneer can perform after license has expired; clarifying investigation of complaints; providing board members with compensation; clarifying hearing procedure; requiring civil penalties be payable to the Department on Agriculture; updating contract terms; and clarifying what is prohibited when advertising or promoting an auction.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senators Helton, Barrett, and Roberts:

Senate Bill 891—A Bill to amend and reenact §59-3-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §6-15-1, §6-15-2, and §6-15-3, relating to legal advertisements; creating the State Central Legal Advertising website; establishing the State Auditor as the administrator and creator of the website; permitting alternate publication timelines if also publishing on the State Central Legal Advertisement website; providing for rule-making authority; and setting an effective date.

Referred to the Committee on Finance.

By Senator Woodrum:

Senate Bill 892—A Bill to amend and reenact §11-1C-3 of the Code of West Virginia, 1931, as amended, relating to property valuation; clarifying requirements before an assessor can be nominated; and providing preference when certain requirements are met.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Weld:

Senate Bill 893—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-3-27a, relating to establishing the offense of assault upon a service animal; and providing for penalties.

Referred to the Committee on the Judiciary.

By Senators Hart and Rose:

Senate Bill 894—A Bill to amend and reenact §5B-11-1, §5B-11-2, §5B-11-3, and §5B-11-4 of the Code of West Virginia, 1931, as amended, relating to the King Coal Highway Economic Advisory Board Act; renaming the West Virginia Advanced Energy and Economic Corridor Authority the King Coal Highway Economic Advisory Board; modifying legislative findings for creation of advisory board; reducing membership of advisory board to 11 members; modifying requirements for members of advisory board; and modifying powers and duties of the advisory board.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

By Senators Hart, Smith (Mr. President), and Rose:

Senate Bill 895—A Bill to amend and reenact §24-2-1 of the Code of West Virginia, 1931, as amended, relating to the jurisdiction of the Public Service Commission; changing a "solar photovoltaic energy facility" to an "on-site energy facility"; and setting forth provisions required by the commission to be in power purchase agreements between public entities and customers.

Referred to the Committee on the Judiciary.

By Senator Hart:

Senate Bill 896—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-13e, relating to schools; creating a moratorium on school closings and consolidation; providing legislative findings; providing a purpose; requiring the board of education to take certain actions; requiring the board of education provide a report; and providing a time frame.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Hart:

Senate Bill 897—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-13f, relating to schools; creating a Community School Support Fund; providing legislative findings; providing a purpose; requiring the State Superintendent of Schools to take certain actions; and clarifying the application process for assistance from the fund.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senators Oliverio and Rose:

Senate Bill 898—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §17-9-1, relating to a pilot program for snow removal; requiring requests for proposals; establishing a time limit; establishing liability; creating criminal penalties; and providing terms for cancelling a contract.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senators Rose, Smith (Mr. President), Azinger, Hart, Martin, Thorne, and Willis:

Senate Bill 899—A Bill to amend and reenact §22-11B-4 of the Code of West Virginia, 1931, as amended, relating to protecting coal and gas minerals from carbon capture practices.

Referred to the Committee on Energy, Industry, and Mining.

By Senator Stuart:

Senate Bill 900—A Bill to amend and reenact §16-9A-2, §16-9A-3, and §16-9A-7 of the Code of West Virginia, 1931, as amended; and to amend the code by adding five new sections, designated §16-9A-12, §16-9A-13, §16-9A-14, §16-9A-15, and §16-9A-16, relating to prohibiting sales of unauthorized electronic smoking devices and any other products intended for inhaling or ingesting; setting penalties for the sale of unauthorized electronic smoking devices; setting penalties for the sale of authorized electronic smoking devices to individuals under 21 years of age; setting definitions; requiring reporting of citations to the Alcohol Beverage Control Commission; requiring the Secretary of State to develop a list of retailers that sell electronic smoking devices and provide the list to the Alcohol Beverage Control Commission; requiring the Alcohol Beverage Control Commission to develop and maintain a list of retailers of authorized electronic smoking devices and a tobacco noncompliance database and reporting system; permitting existing enforcement entities to enforce new provisions; requiring manufacturers of electronic smoking devices to provide authorizing documentation to wholesalers and retailers; setting forth fines and penalties for a manufacturer's provision of false or misleading information; requiring wholesalers of electronic smoking devices to sell only authorized devices; requiring wholesalers to verify that retailers are not in the tobacco noncompliance database before selling them electronic smoking devices; setting forth fines and penalties for a wholesaler of electronic smoking devices to an unauthorized retailer; and requiring the Commissioner of the Alcohol Beverage Control Commission to promulgate rules.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 901—A Bill to amend and reenact §16-1-4 of the Code of West Virginia, 1931, as amended, relating to the State Public Health System; and requiring the Secretary of the Department of Health to propose legislative rules to include alpha-

gal syndrome on the list of diseases that shall be required to be reported to the Center for Disease Control and Prevention.

Referred to the Committee on Health and Human Resources.

By Senator Helton:

Senate Bill 902—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §24-9-1, §24-9-2, §24-9-3, and §24-9-4, relating to setting operational capacity requirements for electric utility generators and units; requiring the maintenance of 45 days' worth of base fuel supply; listing required actions for power-generating utilities; and requiring actions of the Public Service Commission.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Takubo:

Senate Bill 903—A Bill to amend and reenact §11-17-2, §11-17-3, and §11-17-7 of the Code of West Virginia, 1931, as amended; and to repeal §11-17-4a, §11-17-4b, and §11-17-9, relating to the Tobacco Products Excise Tax Act; repealing discounts on tax stamps; adding definition of "electronic smoking device"; increasing taxes on tobacco products; and providing that 10 percent of the revenue collected be dedicated to the West Virginia Division of Tobacco Prevention.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 904—A Bill to amend and reenact §5-14-3, §15-5A-4, §16-1-5, §16-1-6, §16-1-7, §16-1-8, §16-1-9, §16-1-9a, §16-1-9c, §16-1-15, §16-1-17, §16-2-5, §16-2-11, §16-2-12, §16-2-13, §16-3-5, §16-3C-2, §16-3C-8, §16-3D-2, §16-3D-3, §16-3D-4, §16-3D-7, §16-3D-9, §16-4C-2, §16-4C-3, §16-4C-4, §16-4C-5, §16-4C-6a, §16-4C-6b, §16-4C-8, §16-4C-8a, §16-4C-9, §16-4C-12, §16-4C-13, §16-4C-14, §16-4C-15, §16-4C-16, §16-4C-20, §16-4C-21, §16-4C-23, §16-4E-2, §16-5-5, §16-5-11, §16-5-22, §16-5M-3, §16-5U-3, §16-9-2, §16-9-3, §16-9G-1, §16-22-2, §16-

22-3, §16-32-11, §16-38-5, §16-40-2, §16-40-4, §16-40-5, §16-40-6, §16-40-7, §16-40-8, §16-41-3, §16-44-2, §16-56-4, §16A-11-1, §16A-11-2, §22B-2-1, §22C-1-4, and §61-12-3 of the Code of West Virginia, 1931, as amended, relating to the clarification of the powers, duties, and responsibilities of the Secretary of the Department of Health, the Commissioner of the Bureau for Public Health, and the State Health Officer.

Referred to the Committee on Health and Human Resources.

By Senator Chapman:

Senate Bill 905—A Bill to amend and reenact §5-16-7, §33-15-4u, §33-16-3ff, §33-24-7u, §33-25-8r, and §33-25A-8u of the Code of West Virginia, 1931, as amended, relating to requiring the Public Employees Insurance Agency and other health insurance providers to provide payment parity for the same services provided by between behavioral health, mental health, and medical and surgical health care providers; providing definitions; providing for mandatory reporting; providing for rulemaking; and setting forth an effective date.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Hart:

Senate Bill 906—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-13e, relating to the creation of the Community School Funding Formula Revision Act.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Jeffries:

Senate Bill 907—A Bill to amend and reenact §31-15-23a of the Code of West Virginia, 1931, as amended, relating to the definition of "high-impact development projects" reviewed and approved by the West Virginia Economic Development Authority board; removing inefficient price floor; allowing for consideration of regional and local economic factors; amending the limits on the

board of directors ability to make determinations on economic development financial assistance packages.

Referred to the Committee on Economic Development.

By Senator Stuart:

Senate Bill 908—A Bill to amend and reenact §5B-2-3 of the Code of West Virginia, 1931, as amended, relating to requiring the Secretary of the Department of Economic Development to establish a WV Produced or Manufactured Program as the department's official marketing program for products produced or manufactured in West Virginia; and requiring the secretary to propose legislative rules to implement the program.

Referred to the Committee on Economic Development.

By Senator Takubo:

Senate Bill 909—A Bill to amend and reenact §9-4B-4 of the Code of West Virginia, 1931, as amended, relating to Medicaid reimbursement rates for certain mental health diagnostic and therapeutic procedures; and requiring that these rates be equivalent to the reimbursement rates for Medicare patients for those same procedures.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Smith (Mr. President):

Senate Bill 910—A Bill to amend and reenact §32-4-406 of the Code of West Virginia, 1931, as amended, relating to increasing fees under the Uniform Securities Act.

Referred to the Committee on Finance.

By Senator Grady:

Senate Bill 911—A Bill to amend and reenact §18A-3-2a of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18A-3-2b, relating to the creation of adjunct teaching permits; and permitting an individual with an adjunct teaching permit to be hired to fill a vacant teaching position, offer a new program or class, or to

supplement a program currently being offered only if no other teacher holding certification and training in the area is available and accepts the position or assignment.

Referred to the Committee on Education.

By Senator Grady:

Senate Bill 912—A Bill to amend and reenact §18-2E-5 of the Code of West Virginia, 1931, as amended, relating generally to the student growth assessment program.

Referred to the Committee on Education.

By Senator Chapman:

Senate Bill 913—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15A-3-19, relating to brain injury screening training; requiring training in brain injury screening for personnel at the Division of Corrections and Rehabilitation; requiring screening of all incoming and currently incarcerated individuals for brain injuries; requiring that the screening processes be designed with input from a study group dealing with competency and criminal responsibility; and requiring specific agencies to enter a memorandum of understanding with one another.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senators Roberts and Rucker:

Senate Bill 914—A Bill to amend and reenact §18-28-2 and §18-28-3 of the Code of West Virginia, 1931, as amended; and to repeal §18-28-7 of the code, relating to eliminating the minimum instructional term and compulsory attendance requirements and mandatory standardized student testing requirements applicable to private, parochial or church schools, or schools of a religious order.

Referred to the Committee on Education.

By Senator Roberts:

Senate Bill 915—A Bill to amend and reenact §18-5-18b and §18-9A-8 of the Code of West Virginia, 1931, as amended,

relating to requiring a statewide, full-time professional counselor-to-student ratio of one to every 250 students; and requiring that every public school in the state have at least one professional counselor.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 916—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §19-36-7, relating to granting authority to the Department of Agriculture to preempt any Department of Environmental Protection zoning laws, county or municipality rules, for occasional agritourism activities so long as the activities adhere to the National Fire Protection Association's Life Safety Code for occupant safety.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 917—A Bill to amend the Code of West Virginia, 1931, as amended, adding a new article, designated §55-7L-1, §55-7L-2, §55-7L-3, §55-7L-4, §55-7L-4, and §55-7L-5, relating to creating a limitation of civil liability for academic medical centers and teaching hospitals; stating findings and declaration of purpose; providing definitions; prescribing insurance requirements and limitations on liability; explaining applicability of article; and clarifying construction.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 918—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §5A-1-13, relating to establishing a non-denominational chapel within the West Virginia Capitol building; and designating the Secretary of the Department of Administration with the oversight, maintenance, and operation of the chapel.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 919—A Bill to amend and reenact §49-2-802 of the Code of West Virginia, 1931, as amended, relating to mandating audio recording during Child Protective Services investigations and interactions during visits.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 920—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §20-20-1, relating to establishing the Off-Highway Motor Vehicle Recreation Act; establishing a commission; establishing membership of commission; requiring commission to identify and designate suitable public lands as off-highway vehicle recreation areas; establishing commission's duties; creating a fund; and establishing reporting requirements.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 921—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-4F-1, §16-4F-2, §16-4F-3, §16-4F-4, and §16-4F-5, relating to mandating oversight, guidance, and support from the Office of Emergency Medical Services to county commissions; establishing duties of Office of Emergency Medical Services; providing for implementation and reports to the Legislature; and providing effective date.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 922—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-3A-1,

§18-3A-2, §18-3A-3, §18-3A-4, §18-3A-5, §18-3A-6, §18-3A-7, and §18-3A-8, relating to streamlining and enhancing early childhood education and child care services in West Virginia; integrating the existing Head Start, West Virginia Department of Education's Pre-K, and Birth-to-Three programs; improving access, affordability, and quality of child care for working families; and ensuring continuity of care and education from birth to school entry.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 923—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §22-37-1, §22-37-2, §22-37-3, §22-37-4, §22-37-5, §22-37-6, and §22-37-7, relating to litter control and environmental cleanup; providing a short title; providing a purpose; clarifying the responsibilities of certain state agencies and local authorities; providing funding eligibility for counties if certain requirements are met; clarifying litter control officer authority in issuing citations and fines; authorizing the State of West Virginia to issue a request for proposal; providing responsibilities for contractors; providing funding and implementation; requiring annual reports; and providing an effective date.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 924—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §17-2F-1, §17-2F-2, §17-2F-3, §17-2F-4, §17-2F-5, §17-2F-6, §17-2F-7, §17-2F-8, and §17-2F-9, relating to creating the Country Roads Act; permitting counties to request the Department of Highways to map all scenic and back roads within the county for tourism purposes; establishing an application process for counties; establishing reporting and review; providing funding; requiring creation of a mobile application; and requiring road surface classification.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 925—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-4G-1, §16-4G-2, §16-4G-3, §16-4G-4, §16-4G-5, §16-4G-6, §16-4G-7, and §16-4G-8, relating to requiring needs-based assessments of emergency medical services departments so that funding may be distributed according to need and not equally across the board; providing legislative findings; providing for definitions, implementation, and oversight; providing for rulemaking; and establishing an effective date.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 926—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-2-46, relating to requiring the West Virginia Department of Education to include an optional Firefighter One class as a part of their curriculum in grades nine through 12.

Referred to the Committee on Education.

By Senator Azinger:

Senate Bill 927—A Bill to amend and reenact §29-12-5a of the Code of West Virginia, 1931, as amended, relating to providing county boards of education the option to obtain professional or other liability insurance coverage from insurance carriers licensed in the state in addition to the State Board of Risk and Insurance Management.

Referred to the Committee on Banking and Insurance; and then to the Committee on Finance.

By Senator Maynard:

Senate Bill 928—A Bill to amend and reenact §61-6-19 of the Code of West Virginia, 1931, as amended, relating to eliminating

the restriction to carry a firearm in and on the State Capitol Complex grounds.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senators Hart, Roberts, and Rose:

Senate Bill 929—A Bill to amend and reenact §18-28-2 and §18-28-3 of the Code of West Virginia, 1931, as amended, relating to the creation of the Restoring Private Schools Act of 2025.

Referred to the Committee on Education.

By Senator Hart:

Senate Bill 930—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-36-1, relating to the creation of the West Virginia Constitutional Schools Act of 2025.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Hart:

Senate Bill 931—A Bill to amend and reenact §5B-11-1, §5B-11-2, §5B-11-3, and §5B-11-4 of the Code of West Virginia, 1931, as amended, relating to the King Coal Highway Economic Advisory Board Act; renaming the West Virginia Advanced Energy and Economic Corridor Authority the King Coal Highway Economic Advisory Board; modifying legislative findings for creation of advisory board; reducing membership of advisory board to 11 members; modifying requirements for members of advisory board; and modifying powers and duties of the advisory board.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 932—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §4-2-13, relating to combining the offices of the Legislative Auditor and the State Auditor.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Queen:

Senate Bill 933—A Bill to amend and reenact §11-12-3, §8-13-4, and §8-13-5 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §8-40-1 and §8-40-2, relating to small businesses; increasing the amount of income and revenue before a business has to obtain a business license; exempting independent contractors and sole proprietors from business licenses under certain requirements; increasing the amount of annual revenue for businesses to be exempt from B&O taxes; creating the Small Business Protection Act; providing intent and legislative findings; and providing a short title.

Referred to the Committee on Finance.

By Senator Queen:

Senate Bill 934—A Bill to amend and reenact §60-1-5 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §60-8B-1, §60-8B-2, §60-8B-3, §60-8B-4, and §60-8B-5, relating to the manufacture, sale, and distribution of low-proof spirit alcohol products.

Referred to the Committee on Finance.

Senator Deeds offered the following resolution:

Senate Concurrent Resolution 21—Requesting a study of trends in the rates of reports, arrests, and convictions for sexual assault crimes in the State of West Virginia through the previous 10 years, including the rates or ratios of reports of sexual assault offenses to arrests, the rates of convictions to charges filed, the types or classification of offenses for which offenders are ultimately convicted, other types of dispositions for charges of sexual assault, and possible reasons for any trends observed in the data collected.

Which, under the rules, lies over one day.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 1, Requiring utility work and road paving coordination.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Chapman—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 1) passed with its title.

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

Eng. Senate Bill 100, Allowing members of State Police retirement system to use accrued leave as credit toward retirement.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Chapman—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 100) passed with its title.

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

Eng. Senate Bill 105, Updating retirement eligibility for certain sheriffs.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Chapman—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 105) passed with its title.

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

Eng. Senate Bill 579, Relating to Home Rule Reform.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending extended discussion,

Senator Clements arose to a point of order that the debate had digressed to a discussion of conversion therapy rather than the bill in question.

Which point of order, the President ruled well taken.

The question now being "Shall Engrossed Senate Bill 579 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Charnock, Deeds, Fuller, Grady, Hart, Helton, Jeffries, Martin, Maynard, Morris, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Tarr, Taylor, Thorne, Willis, Woodrum, and Smith (Mr. President)—25.

The nays were: Boley, Clements, Garcia, Hamilton, Oliverio, Takubo, Weld, and Woelfel—8.

Absent: Chapman—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 579) passed with its title.

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

At the request of Senator Stuart, and by unanimous consent, the remarks by Senators Oliverio, Garcia, Helton, Weld, Rucker, Fuller, Willis, Woelfel, and Takubo were ordered printed in the Appendix to the Journal.

Eng. Senate Bill 743, Adjusting percentage of tax retained by clerk of county commission for certain purposes.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Chapman—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 743) passed with its title.

Senator Martin moved that the bill take effect July 1, 2025.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Chapman—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 743) takes effect July 1, 2025.

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

Eng. Senate Bill 747, Relating to Real Estate License Act.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Chapman—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 747) passed with its title.

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

Eng. Com. Sub. for House Bill 2129, Creating the Parents Bill of Rights.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: Garcia—1.

Absent: Chapman—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2129) passed with its title.

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

Eng. Com. Sub. for House Bill 2331, Relating to authorizing certain agencies of the Department of Commerce to promulgate legislative rules.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo,

Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Chapman—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2331) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Chapman—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2331) takes effect from passage.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 128, Preventing courts from ordering services at higher rate than Medicaid.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 595, Creating Mountain Bike Responsibility Act.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 721, Authorizing use of unmanned aerial vehicles to track certain mortally wounded wild animals.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 800, Relating to insurance holding company systems.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Eng. Com. Sub. for House Bill 2158, Relating to removal of a sunset clause for the West Virginia spay and neuter program.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on Agriculture, was reported by the Clerk and adopted:

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

ARTICLE 14. WEST VIRGINIA COMMERCIAL FEED LAW.

§19-14-5. Permits; registration.

(a) Permits and registrations shall not be transferrable with respect to persons or locations.

(b) A person must apply for a permit or registration at least 30 days prior to the expiration of the current permit or registration; or at least 30 days prior to the date that the person intends to engage in the business of selling or marketing commercial feed products in this state. All applications shall be accompanied by the required fee. A penalty shall be added to the fee for all permits or

registrations that are not applied for or renewed within the time limit.

(c) Persons manufacturing commercial feed or customer-formula feed in this state must obtain a Commercial Feed Manufacturing Permit from the commissioner, except for persons manufacturing feed for only ~~his/her~~ his or her animals on ~~his/her~~ his or her premises, or those producing pet food. Application forms shall be provided by the commissioner and include such information as established by rules. A separate permit shall be obtained for each manufacturing facility or location in this state. Each Commercial Feed Manufacturing Permit application shall be accompanied by the required application fee. Each permit issued shall expire on December 31, next following the date of issue.

(d) Each person distributing commercial feed in West Virginia must obtain a Commercial Feed Distributor Permit from the commissioner, except:

(1) Persons distributing pet food exclusively;

(2) Persons holding a valid Commercial Feed Manufacturing Permit issued by the commissioner; ~~and;~~

(3) Persons holding a Commercial Feed Guarantor Permit issued by the commissioner; and

(4) Persons engaged in offering for sale, selling, exchanging, or bartering products or commodities produced exclusively on their own farms.

Application forms shall be provided by the commissioner and include such information as established by rules. Each Commercial Feed Distributor Permit application shall be accompanied by the required application fee. Each permit issued shall expire on December 31, next following the date of issue.

(e) Each person whose name appears on the label of a commercial feed or customer-formula feed as guarantor must obtain a Commercial Feed Guarantor Permit from the commissioner for each manufacturing facility or location that

distributes feed in or into the state, except those facilities or locations for which a Commercial Feed Manufacturing Permit has already been issued by the commissioner. Application forms shall be provided by the commissioner and include such information as established by rules. Each Commercial Feed Guarantor Permit application shall be accompanied by the required application fee. Each permit issued shall expire on December 31, next following the date of issue.

(f) Pet food in packages over 10 pounds or bulk shall be registered annually. Each application for registration shall be accompanied by the required registration fee. Each registration shall expire on August 31 next following the date of issue: *Provided, That until June 30, 2027*, an additional registration fee of \$50 per product shall accompany each application for registration and the additional registration fee shall be deposited into the West Virginia Spay Neuter Assistance Fund for spay and neutering services performed within this state by licensed veterinarians.

(g) Pet food packaged in packages of 10 pounds and under shall be registered annually. Each application for registration shall be accompanied by the required registration fee. Each registration shall expire on December 31, next following the date of issue: *Provided, That until June 1, 2027*, an additional registration fee of \$35 per product shall accompany each application for registration and the additional registration fee shall be deposited into the West Virginia Spay Neuter Assistance Fund for spay and neutering services performed within this state by licensed veterinarians.

(h) Specialty pet food shall be registered annually. Each application for registration shall be accompanied by the required registration fee. Each registration shall expire on December 31, next following the date of issue.

(i) A person is not required to register any brand name or product name of commercial feed which is already registered by another person.

(j) Alteration of a pet food or specialty pet food that changes the label requires a new application for registration be made and approved before distribution.

The bill (Eng. Com. Sub. for H. B. 2158), as amended, was then ordered to third reading.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 54, Requiring age-appropriate instruction on Holocaust in public schools.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Com. Sub. for Senate Bill 587, Relating generally to government contracting.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 655, Providing for immunity for mental health providers who are involved in mental hygiene checks.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Eng. Com. Sub. for House Bill 2382, Camping ban on certain public property.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Eng. House Bill 2402, Relating to providing access to medical records; providing access to a minor's medical record.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Eng. Com. Sub. for House Bill 2411, To provide and change graduation requirements and change duties relating to academic content standards.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the eleventh order of business and the introduction of guests.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 12:51 p.m., the Senate recessed until 4:30 p.m. today.

The Senate reconvened at 4:57 p.m. and, without objection, returned to the third order of business.

Executive Communications

The Clerk presented the following communications from His Excellency, the Governor, regarding bills approved by him:



Patrick Morrisey
Governor of West Virginia

March 24, 2025

The Honorable Lee Cassis, Clerk
West Virginia Senate
State Capitol
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

- Senate Bill No. One Hundred Thirty-Eight (138), which was presented to me on March 18,
2025.
Senate Bill No. Two Hundred Forty (240), which was presented to me on March 18, 2025.
Senate Bill No. Two Hundred Ninety-One (291), which was presented to me on March 18,
2025.
Senate Bill No. Four Hundred Forty-Three (443), which was presented to me on March 18,
2025.
Senate Bill No. Four Hundred Sixty-Two (462), which was presented to me on March 18,
2025.

You will note that I have approved these bills on March 24, 2025.

Sincerely,

A handwritten signature in blue ink that reads "PATRICK MORRISEY".
Patrick Morrisey
Governor

PM/an
cc: The Honorable Jeff Pack, Clerk



Patrick Morrisey
Governor of West Virginia

March 24, 2025

The Honorable Jeff Pack, Clerk
West Virginia House of Delegates
State Capitol
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, is the following bill:

House Bill No. Two Thousand Three Hundred Fifty-Four (2354), which was presented to me on March 18, 2025.

You will note that I have approved this bill on March 24, 2025.

Sincerely,

A handwritten signature in blue ink that reads "PATRICK MORRISSEY".
Patrick Morrisey
Governor

PM/an

cc: The Honorable Lee Cassis, Clerk

The Senate proceeded to the fourth order of business.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 464 (originating in the Committee on Transportation and Infrastructure), Creating license plate for recipients of Medal of Valor.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 464 (originating in the Committee on Finance)—A Bill to amend and reenact §17A-3-14g of the Code of West Virginia, 1931, as amended, relating to the issuance of special plates to recipients of the Distinguished Medal of Valor; providing for plate design by Division of Motor Vehicles; specifying fees; exempting certain individuals from registration fees; and providing application and qualification requirements.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 464) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 474 (originating in the Committee on the Judiciary), Ending diversity, equity, and inclusion programs.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 474 (originating in the Committee on Finance)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new articles, designated §5-33-1, §5-33-2, §5-33-3, §18B-1G-1, §18B-1G-2, §18B-1G-3, §18B-1G-4, and §18B-1G-5; and to amend the code by adding five new sections, designated §18-2-9b, §18-5-29, §18-5-50, §18B-14-5, and §18B-14-6, relating to the elimination of diversity, equity, and inclusion programs, trainings, activities, offices, and officers from the executive branch, primary and secondary schools, and institutions of higher education of the state; setting forth legislative findings; defining terms; providing for a complaint and appeals process for parents and guardians of students aggrieved under the bill; requiring reporting from school principals, county superintendents, and the state superintendent; providing county board and public charter school employees with immunity from civil liability; allowing for county boards to operate legal compliance offices; requiring institutions of higher education to report on its efforts to eliminate diversity, equity, and inclusion programs and offices; and requiring state institutions of higher education to reallocate any unexpended funds that would have been expended on diversity, equity, and inclusion projects.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 474) contained in the preceding report from the Committee on Finance was taken

up for immediate consideration, read a first time, and ordered to second reading.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Senate Bill 505, Ensuring Reliable and Affordable Electricity Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 505 (originating in the Committee on Energy, Industry, and Mining)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §24-2J-1, §24-2J-2, §24-2J-3, §24-2J-4, and §24-2J-5, relating to ensuring energy reliability and affordability; proposing legislative findings; providing definitions; requiring bulk-power system reliability factor into determining rates; establishing a legal standard; and providing commission directives.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Government Organization.

Respectfully submitted,

Christopher A. Rose,
Chair.

At the request of Senator Rucker, as chair of the Committee on Government Organization, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on Energy, Industry, and Mining.

Senator Smith (Mr. President), from the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration

Eng. Com. Sub. for Senate Bill 526, Creating Pharmacist Prescribing Authority Act.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Randy E. Smith,
Chair ex officio.

Senator Oliverio, from the Committee on Pensions, submitted the following report, which was received:

Your Committee on Pensions has had under consideration

Com. Sub. for Senate Bill 589 (originating in the Committee on the Judiciary), Providing pay increases to members of judiciary.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 589 (originating in the Committee on Pensions)—A Bill to amend and reenact §50-1-3, §51-1-10a, §51-2-13, §51-2A-6, §51-9-4, §51-9-6a, §51-9-6b, §51-9-6c, and §51-11-11 of the Code of West Virginia, 1931, as amended; and to repeal §51-9-6d, relating to salaries and retirement benefits of judges; increasing annual salary of magistrates, justices of the Supreme Court of Appeals, circuit court judges, family court judges, and judges of the Intermediate Court of Appeals; suspending contribution of courts into judicial retirement system until certain condition met; providing for actuarially reduced pension benefit for judges in certain circumstances; increasing surviving spouse plan benefit; eliminating distinction between certain judges for purposes of calculating surviving spouse plan benefits, surviving dependent children plan benefits, and adjusted

annual retirement benefit; and providing sunset date for limitation on retirement benefits.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Michael A. Oliverio II,
Chair.

At the request of Senator Barrett, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 589) contained in the foregoing report from the Committee on Pensions was then rereferred to the Committee on Finance.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 617, Discouraging gang activity.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 617 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §61-13-1, §61-13-2, and §61-13-3 of the Code of West Virginia, 1931, as amended, relating to discouraging gang activity; adding gang activity to offenses punishable by this section; and adding certain qualifying offenses to be subject to the Anti-Organized Criminal Enterprise Act.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 617) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 646 (originating in the Committee on Education), Increasing non-traditional instruction days for WV teachers.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 646 (originating in the Committee on Finance)—A Bill to amend and reenact §18-5-45 of the Code of West Virginia, 1931, as amended, relating to increasing from five to 10 the number of days, commonly referred to as non-traditional instruction days, a county board can deliver instruction through alternative methods when schools are closed due to inclement weather or other unforeseen circumstances and those days be considered instructional days, subject to approval of its plan by the state board; defining terms; making technical corrections; and prohibiting out-of-calendar days from being used to offset the loss of separate instructional days.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 646) contained in the preceding report from the Committee on Finance was taken

up for immediate consideration, read a first time, and ordered to second reading.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 652 (originating in the Committee on Education), Expanding cardiac arrest provisions to be applicable to elementary schools.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 652 (originating in the Committee on Finance)—A Bill to amend and reenact §18-5-22e of the Code of West Virginia, 1931, as amended, relating to expanding provisions pertaining to cardiac arrest to be applicable to elementary schools; requiring cardiac response plans to be venue specific and practiced annually; requiring schools to develop a cardiac emergency response plan that addresses the appropriate use of school personnel to respond to incidents involving an individual experiencing sudden cardiac arrest or similar life-threatening emergency while on school grounds outside of athletic events; and imposing certain cardiac arrest-related requirements on coaches and any other personnel supervising a youth sports league team that plays or practices on school grounds.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 652) contained in the preceding report from the Committee on Finance was taken

up for immediate consideration, read a first time, and ordered to second reading.

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Senate Bill 722, Creating WV Short Line Railroad Modernization Act.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Mark R. Maynard,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 725, Relating to unlawful expenditures by local fiscal bodies.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (S. B. 725) contained in the preceding report from

the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Senate Bill 730, Establishing Forest Carbon Registry.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 730 (originating in the Committee on Energy, Industry, and Mining)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §19-1D-1, §19-1D-2, §19-1D-3, and §19-1D-4, relating to the establishment of a Forest Carbon Registry under the administration of the Division of Forestry; providing for the registration of carbon offset agreements and projects affecting West Virginia forestlands; requiring the inclusion of geographic information system shapefiles for encumbered properties; assigning responsibility to purchasers and certain landowners to record such agreements or projects; establishing a deadline for recording; and imposing civil penalties for noncompliance.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Christopher A. Rose,
Chair.

The bill (Com. Sub. for S. B. 730), under the original double committee reference, was then referred to the Committee on Finance.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 755, Establishing WV Secondary School Athletic Trainer and Career Technical Education Program Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 755 (originating in the Committee on Education)—A Bill to amend of the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-14-1, §18-14-2, §18-14-3, §18-14-4, §18-14-5, §18-14-6, and §18-14-7, relating to the creation of the West Virginia Public Secondary School Athletic Trainer and Career Technical Education Program Act; providing for findings, purpose, and intent; providing for establishment of the five-year program for the placement of licensed athletic trainers in all public secondary schools by having the athletic trainer on staff or contracted through the county board; requiring annual appropriation to fund the program; providing for expansion of the current career and technical education sports medicine programs; requiring alignment with accreditation and certification standards necessary for students to continue their education in athletic training or related health care fields at institutions of higher education; requiring West Virginia Board of Education rule to implement; requiring program development and maintenance in compliance with West Virginia Secondary School Activities Commission rules; requiring commission to provide certain guidance; allowing state to use the West Virginia Underwood-Smith Loan Repayment Program to provide student loan payments to certain individuals; and providing for a timeline of implementation.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill (Com. Sub. for S. B. 755), under the original double committee reference, was then referred to the Committee on Finance.

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Senate Bill 794, Designating certain roads as permitting high clearance 4x4 vehicles only.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 794 (originating in the Committee on Transportation and Infrastructure)—A Bill to amend and reenact §17-2A-8 of the Code of West Virginia, 1931, as amended, relating to authorizing the Commissioner of the Division of Highways to erect warning signs.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Mark R. Maynard,
Chair.

The bill (Com. Sub. for S. B. 794), under the original double committee reference, was then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 802, Establishing absent voter ballot tracking system to display status of early ballots and absent voter ballots to voters.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 802 (originating in the Committee on Government Organization)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §3-3-11a, relating to establishing a system for tracking the receipt and status of absent voter ballots; specifying required information to be recorded and reported; providing for records to be updated when defects are cured by the voter; allowing voters to receive notices by email; and declaring voter email addresses to be confidential and not subject to public disclosure.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

The bill (Com. Sub. for S. B. 802), under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 864, Clarifying inference of criminal intent in burglary prosecution.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 864 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §61-3-11 of the Code of West Virginia, 1931, as amended, relating to crimes against property; clarifying the inference of criminal intent in a burglary prosecution; and clarifying the requirements of an indictment for burglary.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 864) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Oliverio, from the Committee on Pensions, submitted the following report, which was received:

Your Committee on Pensions has had under consideration

Senate Bill 874, Permitting current home confinement officers to participate in Emergency Medical Services Retirement System.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 874 (originating in the Committee on Pensions)—A Bill to amend and reenact §16-5V-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §16-5V-6f, relating to permitting current home confinement officers in this state to participate in the Emergency Medical Services Retirement System.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Michael A. Oliverio II,
Chair.

The bill (Com. Sub. for S. B. 874), under the original double committee reference, was then referred to the Committee on Finance.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Senate Bill 899, Protecting coal and gas minerals from carbon capture practices.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 899 (originating in the Committee on Energy, Industry, and Mining)—A Bill to amend and reenact §22-11B-4 of the Code of West Virginia, 1931, as amended, relating to protecting coal and oil and gas minerals from carbon capture practices.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Christopher A. Rose,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 899) contained in the preceding report from the Committee on Energy, Industry, and

Mining was taken up for immediate consideration, read a first time, and ordered to second reading.

The Senate proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senator was removed as a co-sponsor of the following bill on March 21, 2025:

Senate Bill 869: Senator Morris.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills on March 21, 2025:

Senate Bill 705: Senators Hart, Taylor, and Rose;

Senate Bill 831: Senator Grady;

Senate Bill 834: Senator Grady;

Senate Bill 866: Senator Tarr;

And,

Senate Bill 877: Senator Rose.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 5:10 p.m., the Senate adjourned until tomorrow, Tuesday, March 25, 2025, at 11 a.m.

TUESDAY, MARCH 25, 2025

The Senate met at 11:12 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Honorable Michael T. Azinger, a senator from the third district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Craig A. Hart, a senator from the sixth district.

Pending the reading of the Journal of Monday, March 24, 2025,

At the request of Senator Weld, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 369, Authorizing miscellaneous boards and agencies to promulgate legislative rules.

On motion of Senator Martin, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 6, section 3, lines 4 through 7, by striking out all of subsection (b) and inserting in lieu thereof a new subsection (b) to read as follows:

(b) The legislative rule filed in the State Register on August 13, 2024, authorized under the authority of §311-1-13 of this code, modified by the State Auditor to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 17, 2024, relating to the State Auditor (private trust companies, 155 CSR 12), is authorized with the following amendment:

On page 1, by striking out all of subsection 1.6. and inserting in lieu thereof a new subsection 1.6. to read as follows:

1.6. Confidentiality. – Notwithstanding any provision to the contrary in Chapter 29B of the W. Va. Code, none of the following, which are submitted as part of any application for licensure under this Title, shall be subject to disclosure under the provisions of the Freedom of Information Act of the State of West Virginia or otherwise: any Form WVSAO-PTC-Bio, "Biographical Report," incorporated by reference in W. Va. Code R. 155-12-9.6, provided as Exhibit E or F to Form WVSAO-PTC-01 or otherwise; any list of Family Members or list of current or former employees provided as Exhibit H to Form WVSAO-PTC-01 or otherwise; and any Genealogical Chart provided as Exhibit I to Form WVSAO-PTC-01 or otherwise.;

On page 12, section 17, by striking out the section heading;

On page 12, section 17, lines 1 through 4, by striking out all of section 17 and renumbering the remaining sections accordingly;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 369—A Bill to amend and reenact §64-9-1 *et seq.* of the Code of West Virginia, 1931, as amended, relating to authorizing certain miscellaneous agencies and boards to promulgate legislative rules; authorizing the rules as filed, as modified, and as amended by the Legislative Rule-Making Review Committee, and as amended by the Legislature; authorizing the Department of Agriculture to promulgate a legislative rule relating to state aid for fairs and festivals; authorizing the Department of Agriculture to promulgate a legislative rule relating to the inspection of meat and poultry; authorizing the Department of Agriculture to promulgate a legislative rule relating to licensing and other fees; authorizing the Department of Agriculture to promulgate a legislative rule relating to manufacture-grade milk; authorizing the Department of

Agriculture to promulgate a legislative rule relating to employment reference and inquiries and background checks; authorizing the Department of Agriculture to promulgate a legislative rule relating to fish processing; authorizing the Department of Agriculture to promulgate a legislative rule relating to select plant-based derivatives and select plant-based derivative products; authorizing the Department of Agriculture to promulgate a legislative rule relating to the Rural Rehabilitation Program; authorizing the Department of Agriculture to promulgate a legislative rule relating to raw milk; authorizing the Board of Architects to promulgate a legislative rule relating to registration of architects; authorizing the Board of Architects to promulgate a legislative rule relating to fees for registration of architects; authorizing the State Auditor to promulgate a legislative rule relating to Local Government Purchasing Card Program; authorizing the State Auditor to promulgate a legislative rule relating to private trust companies; authorizing the Board of Barbers and Cosmetologists to promulgate a legislative rule relating to the operation of barber, cosmetology, nail technology, aesthetic, hair styling, and waxing salons and schools; authorizing the Board of Barbers and Cosmetologists to promulgate a legislative rule relating to the schedule of fees; authorizing the Board of Barbers and Cosmetologists to promulgate a legislative rule relating to the schedule of fines; authorizing the Board of Chiropractic Examiners to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations; authorizing the Board of Dentistry to promulgate a legislative rule relating to continuing education requirements; authorizing the Board of Dentistry to promulgate a legislative rule relating to mobile dental facilities and portable dental units; authorizing the Election Commission to promulgate a legislative rule relating to the regulation of campaign finance; 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; authorizing the Massage Therapy Licensure Board to promulgate a legislative rule relating to general provisions; authorizing the Board of Medicine to promulgate a legislative rule relating to waiver of initial licensing fees for certain initial licensure applicants; authorizing the Board

of Occupational Therapy to promulgate a legislative rule relating to fees for services rendered by the board; authorizing the Board of Occupational Therapy to promulgate a legislative rule relating to competency standards for advanced practice by occupational therapists and occupational therapy assistants; authorizing the Board of Occupational Therapy to promulgate a legislative rule relating to request for waiver of licensing fees for certain individuals; authorizing the Board of Occupational Therapy to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations; authorizing the Board of Occupational Therapy to promulgate a legislative rule relating to telehealth practice requirements and definitions; authorizing the Board of Osteopathic Medicine to promulgate a legislative rule relating to a waiver of initial licensing fees for certain initial licensure applicants; authorizing the Board of Pharmacy to promulgate a legislative rule relating to licensure and practice of pharmacy; authorizing the Board of Pharmacy to promulgate a legislative rule relating to the Uniform Controlled Substances Act; authorizing the Board of Pharmacy to promulgate a legislative rule relating to regulations governing pharmacy permits; authorizing the Board of Pharmacy to promulgate a legislative rule relating to the application of waiver of initial licensing fees for certain individuals; authorizing the Board of Examiners of Psychologists to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations and application for waiver of initial licensing fees for certain individuals; authorizing the Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to requirements for licensure and certification; authorizing the Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to renewal of licensure or certification; authorizing the Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to requirements for registration and renewal of appraisal management companies; authorizing the Real Estate Commission to promulgate a legislative rule relating to licensing real estate brokers, associate brokers, and salespersons and the conduct of brokerage business; authorizing the Real Estate Commission to promulgate a legislative rule relating to the

application for waiver of initial licensing fees for certain individuals; authorizing the Real Estate Commission to promulgate a legislative rule relating to consideration of prior criminal convictions in initial license eligibility determination; authorizing the Board of Respiratory Care to promulgate a legislative rule relating to criteria for licensure; authorizing the Board of Respiratory Care to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations; authorizing the Board of Respiratory Care to promulgate a legislative rule relating to telehealth practice requirements and definitions; authorizing the Board of Sanitarians to promulgate a legislative rule relating to the practice of public health sanitation; authorizing the Board of Examiners for Speech-Language Pathology and Audiology to promulgate a legislative rule relating to speech-language pathology and audiology assistants; authorizing the State Conservation Committee to promulgate a legislative rule relating to the State Conservation Committee Grant Program; and authorizing the Hope Scholarship Board to promulgate a legislative rule relating to the Hope Scholarship Program.

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 369, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com.

Sub. for S. B. 369) passed with its House of Delegates amended title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 369) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Senate Bill 492, Removing outdated provisions governing political committees.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Senate Bill 621, Authorizing digital court records.

The Senate proceeded to the fourth order of business.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Senate Bill 763, Creating Public Electrical Savings Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 763 (originating in the Committee on Energy, Industry, and Mining)—A Bill to amend and reenact §24-2-1 of the Code of West Virginia, 1931, as amended, relating to the creation of the Public Electrical Savings Act.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Christopher A. Rose,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 763) contained in the preceding report from the Committee on Energy, Industry, and Mining was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 810, Clarifying requirements for administration of anesthesia.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 810 (originating in the Committee on Government Organization)—A Bill to amend and reenact §30-7-15 of the Code of West Virginia, 1931, as amended, relating to clarifying the qualifications required for the administration of anesthesia and chronic pain practice by certain licensed nurses.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 810) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration, read a first time, and ordered to second reading.

At the request of Senator Martin, and by unanimous consent, the bill was referred to the Committee on Health and Human Resources.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 820, Whistleblower Protection Fund Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 820 (originating in the Committee on Government Organization)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16B-22-1, §16B-22-2, §16B-22-3, §16B-22-4, §16B-22-5, and §16B-22-6, relating to creating the Whistleblower Protection Fund Act; providing a short title; establishing findings and purpose; creating the Whistleblower Protection Fund as a special revenue fund; providing the fund's sources of funding; requiring the Office of the Inspector General to administer the article and fund; and setting forth reporting requirements.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Barrett, as chair of the Committee on Finance, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on Government Organization.

At the further request of Senator Barrett, and by unanimous consent, the bill (Com. Sub. for S. B. 820) was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 839, Requiring Division of Labor establish separate rules for residential or commercial plumbing.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Barrett, as chair of the Committee on Finance, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on Government Organization.

At the further request of Senator Barrett, and by unanimous consent, the bill (S. B. 839) was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Concurrent Resolution 22 (originating in the Committee on Government Organization)—Requesting the Joint Committee on Government and Finance study incentives and policies to promote location of certain beverage container recycling and redemption centers in the state.

And reports the same back with the recommendation that it be adopted.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Rucker, unanimous consent being granted, the resolution (S. C. R. 22) contained in the foregoing report from the Committee on Government Organization was then referred to the Committee on Rules.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 935—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, Department of Homeland Security – Office of the Secretary, fund 0430, fiscal year 2025, organization 0601, and to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2025, organization 0606, by adding new items of appropriation for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 936—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 2025, organization 0432, by adding new items of appropriation for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 937—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 Economic Development – Office of the Secretary, fund 0256, fiscal year 2025, organization 0307, by adding a new item of appropriation for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 21, Requesting study of sexual assault crime rates in WV.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on the Judiciary.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 128, Preventing courts from ordering services at higher rate than Medicaid.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 128) passed with its title.

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

Eng. Com. Sub. for Senate Bill 595, Creating Mountain Bike Responsibility Act.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: Garcia—1.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 595) passed with its title.

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

Eng. Com. Sub. for Senate Bill 721, Authorizing use of unmanned aerial vehicles to track certain mortally wounded wild animals.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 721) passed with its title.

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

Eng. Com. Sub. for Senate Bill 800, Relating to insurance holding company systems.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart,

Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 800) passed with its title.

Senator Martin moved that the bill take effect January 1, 2026.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 800) takes effect January 1, 2026.

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

Eng. Com. Sub. for House Bill 2158, Relating to removal of a sunset clause for the West Virginia spay and neuter program.

On third reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was referred to the Committee on Rules.

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 10, Exempting certain meat processes from consumers sales and service tax.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Thorne, the following amendment to the bill was reported by the Clerk and adopted:

On page 15, section 9, line 354, after the word "pork," by inserting the word "goat,".

The bill (Com. Sub. for S. B. 10), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 35, Permitting campus police officers to participate in Deputy Sheriffs Retirement System.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 54, Requiring age-appropriate instruction on Holocaust in public schools.

On second reading, coming up in regular order, was read a second time.

On motions of Senators Woodrum and Oliverio, the following amendment to the bill was reported by the Clerk and adopted:

On page 1, section 9b, line 1, by striking out the word "All" and inserting in lieu thereof the words "In collaboration with and utilizing guidance from the West Virginia Commission on Holocaust Education established pursuant to §5-28-1 *et seq.* of this code, all".

The bill (Com. Sub. for S. B. 54), as amended, was then ordered to engrossment and third reading.

Senate Bill 249, Expanding employment and training requirements necessary for SNAP benefits.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 292, Allowing doula services be covered by Medicaid and PEIA.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Com. Sub. for Senate Bill 464, Creating license plate for recipients of Medal of Valor.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Com. Sub. for Senate Bill 474, Ending diversity, equity, and inclusion programs.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Eng. Com. Sub. for Senate Bill 526, Creating Pharmacist Prescribing Authority Act.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on Rules, was reported by the Clerk:

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

ARTICLE 5A. PHARMACIST PRESCRIBING AUTHORITY ACT.

§30-5A-1. Short title.

This Act shall be known and may be cited as the Pharmacist Prescribing Authority Act.

§30-5A-2. Purpose.

The purpose of this Act is to authorize pharmacists to practice the full extent of their education and training to prescribe low-risk medications to patients.

§30-5A-3. Practice of pharmacy.

The scope of the practice of pharmacy includes all of §30-5-1 et seq. of this code, as well as the prescribing of drugs, drug categories, or devices, excluding controlled substances, that are prescribed in accordance with the product's federal Food and Drug Administration-approved labeling and that are limited to conditions for which a relevant patient medication history has been taken and:

(1) Do not require a new diagnosis; or

(2) Have a test that is used to guide diagnosis or clinical decision-making that is waived under the federal Clinical Laboratory Improvement Amendments of 1988 that indicates the existence of a condition that is minor and generally self-limiting; or

(3) In the professional judgment of the pharmacist, are patient emergencies.

(4) The pharmacist may, within 72 hours, notify the patient's primary care physician, if identified, of the test result and any permissible drug, drug categories, or devices that are prescribed.

§30-5A-4. Exemption from review requirements.

The addition of prescribing authority to the scope of the practice of pharmacy in West Virginia, as provided in §30-5A-3 of this code, is exempt from the requirements of §30-1A-1 et seq. of this code.

On motion of Senator Martin, the following amendment to the Rules committee amendment to the bill (Eng. Com. Sub. for S. B. 526) was reported by the Clerk:

On page 1, section 3, after line 13, by adding a new subdivision (5) to read as follows:

(5) Any prescription dispensed or prescribed pursuant to this article is limited to up to a 30-day supply within a six-month period: *Provided*, That if more than 10 days is prescribed or dispensed, then the pharmacist shall notify the primary care physician, if identified.

Following discussion,

The question being on the adoption of Senator Martin's amendment to the Rules committee amendment to the bill, the same was put and prevailed.

The question now being on the adoption of the Rules committee amendment to the bill, as amended, the same was put and prevailed.

The bill (Eng. Com. Sub. for S. B. 526), as amended, was again ordered to engrossment and third reading.

Com. Sub. for Com. Sub. for Senate Bill 587, Relating generally to government contracting.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 617, Discouraging gang activity.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Com. Sub. for Senate Bill 646, Increasing non-traditional instruction days for WV teachers.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Com. Sub. for Senate Bill 652, Expanding cardiac arrest provisions to be applicable to elementary schools.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 655, Providing limited immunity for mental health providers who are involved in mental hygiene checks.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 705, Allowing Board of Education to promulgate rules for submission to Legislature.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 725, Relating to unlawful expenditures by local fiscal bodies.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 864, Clarifying inference of criminal intent in burglary prosecution.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 899, Protecting coal and gas minerals from carbon capture practices.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Eng. Com. Sub. for House Bill 2382, Camping ban on certain public property.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was referred to the Committee on Rules.

Eng. House Bill 2402, Relating to providing access to medical records; providing access to a minor's medical record.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Eng. Com. Sub. for House Bill 2411, To provide and change graduation requirements and change duties relating to academic content standards.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 505, Ensuring Reliable and Affordable Electricity Act.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Grady.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 11:48 a.m., the Senate recessed until 4:30 p.m. today.

The Senate reconvened at 4:54 p.m. and, at the request of Senator Martin, and by unanimous consent, returned to the third order of business.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2111—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated §31-17B-1; §31-17B-2; §31-17B-3; §31-17B-4; §31-17B-5; §31-17B-6; and §31-17B-7; relating to establishing the Uniform Mortgage Modification Act; providing an article citation designation; defining terms; providing the applicability of this article to certain mortgage modifications and providing exceptions thereto; providing that certain existing terms and conditions of a mortgage continue to be in effect when other specified terms are modified without altering the loans secured priority against the property for which the loan is held; requesting courts to promote uniformity between states when applying and construing this act; providing that this act does limit and modify certain provisions of the Global and National Commerce Act and providing an exception thereto; and providing that the provisions of this act apply only to those mortgage modifications made on or after the effective date of the act.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect July 1, 2025, and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2499—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-3-13, relating to creating an in-person training course for principals in public schools; informing teachers of their state rights and protections; and providing for an Individualized Education Program meeting format.

Referred to the Committee on Education.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2679—A Bill to amend and reenact §7-14-8 of the Code of West Virginia, 1931, as amended, relating to amending guidelines for reinstating sheriff's deputies to their former departments after resignation; clarifying that reinstatement is at the discretion of the sheriff; and clarifying that a former deputy sheriff may seek reinstatement within five years of resignation.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2948—A Bill to amend and reenact §17-24A-4 of the Code of West Virginia, 1931, as amended, relating to obtaining titles to abandoned or junked motor vehicles abandoned on the property or place of business of an automobile dealer, licensed automobile auction, motor vehicle repair facility or towing company; and removing the requirement that the loan value of the motor vehicle be less than \$9,500 to allow the automobile dealer, licensed automobile auction, motor vehicle repair facility or towing company to obtain a certificate of title and registration for the abandoned motor vehicle or junked vehicle.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3168—A Bill to amend the Code of West Virginia, 1931, as amended, to add a new article designated §46A-6O-1, relating to creating The Rosi Act; requiring that entities providing goods, services, or utilities allow changes to

be made to an electronic account by telephone or mail; and providing for enforcement.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 3274—A Bill to amend and reenact §51-7-1 of the Code of West Virginia, 1931, as amended, relating to reports of circuit court proceedings; and authorizing circuit courts to appoint court reporters or use electronic means approved by the Supreme Court of Appeals.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 3275—A Bill to amend and reenact §58-5-4 of the Code of West Virginia, 1931, as amended, relating to time for appeal; providing that the time for filing a notice of appeal, perfecting an appeal, and filing related documents with the Intermediate Court of Appeals and Supreme Court of Appeals shall be in accordance with rules promulgated by the Supreme Court of Appeals.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. House Bill 3277—A Bill to amend and reenact §16-29A-3 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Hospital Finance Authority Act; and providing definitions.

Referred to the Committee on Health and Human Resources.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3336—A Bill to amend and reenact §22-6-24 of the Code of West Virginia, 1931, as amended, relating to methods of plugging a wells; defining the terms "modern well" and "non-modern well"; eliminating four and one-half inch casing for modern or later-day wells; eliminating the removal of intermediate or surface casings for non-modern or older wells; establishing requirements concerning plugs and casing perforations; establishing monitoring and documentation requirements; and exempting the removal of casing under certain defined circumstances.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3338—A Bill to amend and reenact §62-6B-2 and §62-6B-3 of the Code of West Virginia, 1931, as amended, relating to amending the definition of "child witness", also relating to allowing testimony of child witnesses by closed-circuit television in matters that allege physical, sexual, or psychological abuse to the child;

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the adoption by that body and requested the concurrence of the Senate in the adoption of the following resolutions:

Com. Sub. for House Concurrent Resolution 46—Requesting the Division of Highways name bridge number: 39-072/00-005.99 () (39A142), (39.31693, -79.69367) locally known

as FLAG RUN BRIDGE, carrying WV 072 over FLAG RUN in Preston County, the "U.S. Army SP4 Ronald Gene Sypolt Memorial Bridge".

Com. Sub. for House Concurrent Resolution 47—Requesting the Division of Highways name a bridge bearing the Bridge Number: 39-072/00-001.85 () (39A236), (39.28332, -79.73050) locally known as Etam Bridge, carrying WV 072 over Buffalo Creek in Preston County as the "U.S. Army Sgt Clinton 'Randy' Dean 101st Airborne Vietnam Veterans Memorial Bridge".

Com. Sub. for House Concurrent Resolution 50—Requesting the Division of Highways name Bridge Number: 52-N00/99-000.03 () (52A902), (39.68368, -80.45805) locally known as Wetzel Street Bridge, carrying City N00/99 over Church Fork in Wetzel County, the "U.S. Army PFC Alfred E. Garrison Memorial Bridge".

Com. Sub. for House Concurrent Resolution 54—Requesting the Division of Highways name bridge number 52-009/00.004.54(52A159) at Latitude/Longitude 39.70766, -80.53262, locally known as Sugar Run Bridge carrying CR 09 over West Virginia Fork of Fish Creek in Wetzel County, the "U.S. Army PFC Howard Bissett Memorial Bridge".

Com. Sub. for House Concurrent Resolution 56—Requesting the Division of Highways name bridge number: 13-060/87-000.15 () (13A243), (37.79351, -80.30456) locally known as Greenbrier Avenue Bridge, carrying CR 060/87 over Howard Creek in Greenbrier County, the "U.S. Army SP4 Thomas William 'Tom Bill' Dudley, Sr. Memorial Bridge".

Com. Sub. for House Concurrent Resolution 60—Requesting the Division of Highways name Bridge Number: 25-079/00-135.62 () (25A260), (39.46437, -80.13663) locally known as PLEASANT VALLEY BRIDGE, carrying I-79 over Mar. Co. Rt. 64 in Marion County, the "Janice L. Cosco Memorial Bridge" with accompanying signage stating, "Marion County's Longest Serving Clerk."

Com. Sub. for House Concurrent Resolution 61—Requesting the Division of Highways name a portion of State Route 16, specifically beginning at the northern city limits of Gauley Bridge, West Virginia and continuing for a mile in Fayette County, the "U.S. Navy S1c Guy Harlow Waugh Memorial Road."

Com. Sub. for House Concurrent Resolution 62—Requesting the Division of Highways name Bridge Number: 39-066/00-002.25 () (39A218), (39.3584862709588, -79.8283876471375) locally known as YORK RUN BOX CULVERT, carrying Yorks Run Road over York Run, the "U.S. Army PFC Henry James Miller Memorial Bridge".

Com. Sub. for House Concurrent Resolution 63—Requesting the Division of Highways name bridge number 34-001/00-006.32 (34A002), at Latitude 38.5011610265538, Longitude -80.7633140291533, and locally known as Birch River Bridge, carrying Widen Dille Road over Birch River in Nicholas County, the "U.S. Army Spec 4 Gary W. Spinks Memorial Bridge".

Com. Sub. for House Concurrent Resolution 67—Requesting the Division of Highways name a planned bridge in Kanawha County, beginning at Latitude 38.355694, Longitude -81.713474, carrying Jefferson Road, County Route 601, over Kanawha Boulevard and Davis Creek, ending at Latitude 38.353792, Longitude -81.711736, the "U. S. Army 2nd Lt Darwin Keith 'Gus' Kyle Memorial Bridge—a Medal of Honor Recipient", with a Medal of Honor symbol after his name.

Com. Sub. for House Concurrent Resolution 68—Requesting the Division of Highways name Bridge Number: 30-003/05-016.21 () (30A288), (37.90962, -82.24858) locally known as Breeden Bridge, carrying CR 03/05 over West FK of Twelvepole CK in Mingo County the "Jim Marcum and Airiel Shai Wallace Memorial Bridge".

Com. Sub. for House Concurrent Resolution 69—Requesting the Division of Highways to add an additional sign to bridge number 30-3/5-13.59 (30A016) on County Route 3/5 in Mingo County, West Virginia, currently named the "Baisden

Family Memorial Bridge," with a sign reading "Landen, Fannie, Katherine, Ab, and Laura Baisden" added below the current signage.

Com. Sub. for House Concurrent Resolution 71—Requesting the Division of Highways name bridge number 44-010/00-001.09 (44A024), locally known as MT OLIVE BRIDGE (SCBB), beginning at Latitude 38.815807, Longitude -81.430185, ending at Latitude 38.815550, Longitude -81.430992, carrying Reedyville Road, CR 10, over Left Fork Reedy Creek in Roane County, the "U.S. Army Corporal Leonard N. Miller Memorial Bridge".

Com. Sub. for House Concurrent Resolution 79—Requesting the Division of Highways to name the portion of County Route 3/2, also named Moses Fork Road, from its intersection at Old County Road (37.872177, -82.174614) to its intersection at East Fork of Twelvepole Road (37.872016, -82.151667) in Mingo County, the "Donald Tackett, Jr. Memorial Road".

Com. Sub. for House Concurrent Resolution 83—Requesting the Division of Highways name Bridge Number: 20-061/00-000.32 () (20A177), (38.18011, -81.33495) locally known as MORRIS CK BR #2492.1, carrying WV 61 over MORRIS CK & PRIVATE RD in Kanawha County, the "Fire Chief Benny Filiaggi, III Memorial Bridge".

The preceding resolutions were referred to the Committee on Transportation and Infrastructure.

A message from the Clerk of the House of Delegates announced the adoption by that body and requested the concurrence of the Senate in the adoption of

Com. Sub. for House Concurrent Resolution 72—Proclaiming March "Black Lung Awareness Month" in West Virginia to both pay tribute to those who have or are suffering from coal worker's pneumoconiosis and to help reduce the risk of black lung disease in coal miners.

Referred to the Committee on Energy, Industry, and Mining.

The Senate again proceeded to the fourth order of business.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 89, Creating alternative high-risk population public charter schools.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 225, Expanding powers of National Park Service law-enforcement officers.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 225 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §15-10-5 of the Code of West Virginia, 1931, as amended, relating to expanding the powers of law-enforcement officers of the National Park Service to include the authority to enforce all laws of this state and the authority to investigate pursuant to that authority.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 252, Requiring coverage of home blood pressure monitoring devices for certain Medicaid recipients.

And,

Senate Bill 913, Relating to brain injury screening training.

And reports the same back with the recommendation that they each do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bills, under the original double committee references, were then referred to the Committee on Finance.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 529, Relating generally to liability insurance coverage for Board of Education.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 529 (originating in the Committee on Education)—A Bill to amend and reenact §18-5-19d of the Code of West Virginia, 1931, as amended, relating to changing the minimum amount of insurance that county boards of education must maintain in order for the specified limitation of liability to apply; and requiring that the insurance purchased be obtained from a company licensed to do business in this state.

And,

Senate Bill 737, Creating WV Farm Equipment Repair Pilot Program.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 737 (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §19-40-1, §19-40-2, §19-40-3, and §19-40-4, relating to creating the West Virginia Farm Equipment Repair Pilot Program; stating legislative findings; providing definitions; allowing the Commissioner of Agriculture, when a need is identified by one of the specified entities, to authorize a farm equipment repair pilot program in which a career and technical education center, comprehensive high school, or the community and technical college works with businesses to establish and facilitate a program to ensure that instructors are provided with the educational or technologies required to make localized repairs to farm equipment and train students for future jobs in the program; limiting number of pilot programs to five; allowing program to be set up in a community partnership-style arrangement and to be initiated by first meeting with the commissioner to collaborate and form a plan of implementation, operation, and scope that will result in a functional effort and startup model; allowing certain agreements to be included in the deliverable, result-based items included in the strategic plan of implementation; prohibiting repair providers and businesses from being required to disclose any proprietary training, tools, or software to participate in the pilot programs; allowing pilot program to be facilitated under guidelines set forth by the

commissioner alongside educational partners; and requiring the commissioner, in collaboration with the West Virginia Board of Education and the Higher Education Policy Commission, to propose legislative rules for promulgation.

With the recommendation that the two committee substitutes do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

At the request of Senator Martin, as a member of the Committee on Finance, unanimous consent was granted to dispense with the second committee reference of Committee Substitute for Senate Bill 529 contained in the foregoing report from the Committee on Education.

At the further request of Senator Martin, and by unanimous consent, Committee Substitute for Senate Bill 529 was taken up for immediate consideration, read a first time, and ordered to second reading.

Committee Substitute for Senate Bill 737, under the original double committee reference, was then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Com. Sub. for Senate Bill 570 (originating in the Committee on Economic Development), Requiring economic impact statements for certain legislative rules.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 570 (originating in the Committee on Government Organization)—A Bill to amend and reenact §29A-3-11 of the Code of West Virginia, 1931, as amended, relating to the submission of legislative rules; establishing factors to be considered in determining economic impact of proposed legislative rules; and mandating Legislative Rule-Making Committee identify whether rule submission met statutory requirements.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 570) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 690, Authorizing county commissions to increase compensation of elected county officials.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 690 (originating in the Committee on Government Organization)—A Bill to amend and reenact §7-7-1 and §7-7-4 of the Code of West Virginia, 1931, as amended, relating to authorizing county commissions to increase the compensation of elected county officials.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 690) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 821, Requiring child protective services workers to wear body-worn cameras.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 821 (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §49-2-802 of the Code of West Virginia, 1931, as amended, relating to body-worn cameras; requiring Child Protective Services workers to attempt to wear body-worn cameras during investigations; requiring workers to obtain consent to use body worn cameras; permitting workers to refrain from using cameras in specific circumstances; requiring audio and video to be maintained for specified time frame; and stating that audio and video file is part of the confidential child welfare record.

Senate Bill 822, Requiring Department of Human Services use mobile technology to assist in certain investigations.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 822 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §49-2-815, relating to the establishment of a pilot program for the use of mobile devices in child abuse and neglect investigations; setting forth effective date; setting forth requirements for system; setting forth term of pilot program; and requiring reporting.

Senate Bill 905, Requiring PEIA and other health insurance providers to provide payment parity for certain services.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 905 (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §5-16-7, §33-15-4u, §33-16-3ff, §33-24-7u, §33-25-8r, and §33-25A-8u of the Code of West Virginia, 1931, as amended, relating to requiring the Public Employees Insurance Agency and other health insurance providers to provide payment parity for the same services provided between behavioral health, mental health, and medical and surgical health care providers; setting forth providers eligible for parity payment; providing requirements for claim submission; prohibiting insurer from reducing reimbursement paid to physician; and setting forth an effective date.

And,

Senate Bill 922, Streamlining and enhancing early childhood education and child care services in WV.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 922 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article,

designated §18-3A-1, §18-3A-2, §18-3A-3, §18-3A-4, and §18-3A-5, relating to coordinating early childhood education in West Virginia; setting forth program's purpose; requiring the West Virginia Department of Education and Department of Health to coordinate programs; requiring reporting; and setting forth effective date.

With the recommendation that the four committee substitutes do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bills (Com. Sub. for S. B. 821, 822, 905, and 922), under the original double committee references, were then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 823, Clarifying and separating duties between Division of Emergency Management and DEP.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 823 (originating in the Committee on Government Organization)—A Bill to amend and reenact §15-5B-3a and §15-5C-2 of the Code of West Virginia, 1931, as amended, relating to revising the statutes to clarify and separate duties identified in the code between the Division of Emergency Management and the West Virginia Department of Environmental Protection according to what each agency has the resources and expertise to fulfill; delegating the duties of investigation of industrial facility emergency events and emergency incidents by

well and pipeline operators that are reported to the Division of Emergency Management; and implementing fines and penalties imposed upon industrial facilities and well and pipeline operators to the Department of Environmental Protection.

Senate Bill 829, Modifying classes of state of preparedness declared by Governor or Legislature.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 829 (originating in the Committee on Government Organization)—A Bill to amend and reenact §15-5-6 of the Code of West Virginia, 1931, as amended, relating to clarifying the declaration of a state of preparedness; alleviating the two classes of state of preparedness for simplicity; and providing one level of a state of preparedness similar to having only one level for a state of emergency.

Senate Bill 861, Updating references to reflect consolidation of Information Services and Communications Division into Office of Technology.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 861 (originating in the Committee on Government Organization)—A Bill to amend and reenact §12-3-10e of the Code of West Virginia, 1931, as amended, relating to modifying the Purchasing Card Advisory Committee membership to revise the names of outdated titles for certain state entities and to reflect the consolidation of the Information Services and Communications Division into the Office of Technology.

And,

Senate Bill 871, Removing persons who perform drywall services from definition of "contractor" in Contractor Licensing Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 871 (originating in the Committee on Government Organization)—A Bill to amend and reenact §30-42-3 of the Code of West Virginia, 1931, as amended, relating to professions and occupations; and providing that the definition of "contractor" in the Contractor Licensing Act does not include persons who perform drywall services for residential customers.

With the recommendation that the four committee substitutes do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bills (Com. Sub. for S. B. 823, 829, 861, and 871) contained in the preceding report from the Committee on Government Organization were each taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Jeffries, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Senate Bill 825, Permitting higher education institutions enter agreements with non-profit organizations for economic development and job creation.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 825 (originating in the Committee on Economic Development)—A Bill to amend and reenact §18B-12-1 and §18B-12-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section,

designated §18B-12-11, relating to permitting higher education institutions to enter into agreements with certain nonprofit organizations for purposes of economic development and job creation; defining terms; clarifying legislative findings and purpose; and establishing powers to govern the business relationship of any state higher education institution and nonprofit corporation contracting for such economic development purposes.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Glenn D. Jeffries,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 825) contained in the preceding report from the Committee on Economic Development was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Jeffries, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Senate Bill 834, Relating to tax credit for qualified rehabilitated buildings investment.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 834 (originating in the Committee on Economic Development)—A Bill to amend and reenact §11-24-23a of the Code of West Virginia, 1931, as amended, relating to the tax credit for qualified rehabilitated buildings investment; and providing that tax credit shall be available for the year the qualified rehabilitated building is placed-in-service.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Glenn D. Jeffries,
Chair.

The bill (Com. Sub. for S. B. 834), under the original double committee reference, was then referred to the Committee on Finance.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 866, Requiring WV Board of Education to promulgate legislative rule in consultation with WV Board of Physical Therapy.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Amy N. Grady,
Chair.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 856, Removing certain reporting requirements to Joint Committee on Government and Finance.

Senate Bill 862, Repealing antiquated language related to Voluntary Gilding Dome Check-Off Program.

Senate Bill 863, Removing reference to Information Services and Communications Division.

And,

Senate Bill 876, Terminating certain requirements for Tax Commissioner to submit reports, publish information, and provide notice.

And reports the same back with the recommendation that they each do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bills (S. B. 856, 862, 863, and 876) contained in the preceding report from the Committee on Government Organization were each taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Oliverio, from the Committee on Pensions, submitted the following report, which was received:

Your Committee on Pensions has had under consideration

Senate Bill 872, Allowing certain contracted counsel for executive agencies to purchase years of service in PERS.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Michael A. Oliverio II,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance, with an amendment from the Committee on Pensions pending.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 887, Creating intermediate conservatorship or guardianship process prior to individual being involuntarily committed.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 887 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §27-5-12, relating to creating an intermediate conservatorship or guardianship process prior to an individual being involuntarily committed; providing definitions; establishing the process to initiate a conservatorship or guardianship; establishing shortened times for temporary conservatorship or guardianship petition to be heard; allowing facility to hold an individual during that time period; establishing coordination with involuntary commitment proceedings; and authorizing rulemaking.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill (Com. Sub. for S. B. 887), under the original double committee reference, was then referred to the Committee on the Judiciary.

The Senate proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were removed as co-sponsors of the following bills on March 24, 2025:

Senate Bill 804: Senator Grady;

And,

Senate Bill 810: Senator Willis.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on March 24, 2025:

Senate Bill 89: Senators Willis and Rose;

Senate Bill 255: Senator Helton;

Senate Bill 260: Senator Helton;

Senate Bill 261: Senators Helton and Rose;

Com. Sub. for Senate Bill 439: Senator Willis;

Com. Sub. for Senate Bill 464: Senator Rose;

Com. Sub. for Senate Bill 570: Senators Rose and Willis;

Senate Bill 617: Senators Bartlett and Willis;

Senate Bill 722: Senator Rucker;

Senate Bill 755: Senator Helton;

Com. Sub. for Senate Bill 765: Senator Grady;

Senate Bill 807: Senator Hart;

Senate Bill 810: Senator Helton;

Senate Bill 832: Senator Rucker;

Senate Bill 849: Senator Woelfel;

Senate Bill 867: Senator Woelfel;

Senate Bill 879: Senator Woelfel;

Senate Bill 881: Senator Woelfel;

Senate Bill 888: Senator Woelfel;

Senate Bill 911: Senator Roberts;

Senate Bill 929: Senator Rucker;

Senate Bill 933: Senator Martin;

Senate Bill 934: Senator Woelfel;

Com. Sub. for Senate Joint Resolution 6: Senator Jeffries;

Senate Concurrent Resolution 16: Senator Jeffries;

Senate Concurrent Resolution 17: Senator Jeffries;

And,

Senate Concurrent Resolution 19: Senator Jeffries.

Pending announcement of a meeting of a standing committee of the Senate,

On motion of Senator Martin, at 5:11 p.m., the Senate adjourned until tomorrow, Wednesday, March 26, 2025, at 11 a.m.

WEDNESDAY, MARCH 26, 2025

The Senate met at 11:05 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Reverend Bret Layton, Superintendent of the West Virginia South District Church of the Nazarene, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Glenn D. Jeffries, a senator from the eighth district.

Pending the reading of the Journal of Tuesday, March 25, 2025,

At the request of Senator Chapman, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 199, Relating to elementary behavior intervention and safety.

On motion of Senator Martin, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 3, line 33, after the words "school social worker" by adding a comma, and the words "behavior specialist, board

certified behavior analyst, school psychologist, or other qualified employee with expertise in the behavioral area"

and,

On page 3, line 43, after the words "school social worker" by adding a comma, and the words "behavior specialist, board certified behavior analyst, school psychologist, or other qualified employee with expertise in the behavioral area"

and,

On page 4, line 73, after the words "school social worker" by adding a comma, and the words "behavior specialists, board certified behavior analysts, school psychologists, and other qualified employees with expertise in the behavioral area"

and,

On page 6, line 118, after the words "in an elementary setting" by adding a comma, and the words "or pre-K teacher at a publicly funded pre-K facility,".

On motion of Senator Martin, the following amendment to the House of Delegates amendments to the bill (Eng. Com. Sub. for S. B. 199) was reported by the Clerk and adopted:

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 199—A Bill to amend and reenact §18A-5-1 of the Code of West Virginia, 1931, as amended, relating to addressing student behavior issues; modifying provisions pertaining to student disorderly conduct, interference with an orderly educational process, obstruction of the teaching or learning process of others, threat, abuse, intimidation, attempted intimidation, willful disobedience of a school employee, or abusive or profane language directed at a school employee; adding partnering with a licensed behavioral health agency as any option for county boards to use to correct student behaviors; requiring students in alternative learning centers, in alternative placements,

or with a licensed behavioral health agency to meet regularly with a school social worker, behavior specialist, board certified behavior analyst, school psychologist, or other qualified employee with expertise in the behavioral area to address certain behavioral and mental health concerns and to assist in developing a transition plan back to the classroom and with that transition; clarifying that nothing herein may be construed to conflict with certain federal laws; requiring that county board discipline action policies provide that school social workers, behavior specialists, board certified behavior analysts, school psychologists, and other qualified employees with expertise in the behavioral area provide the training of school personnel in alternatives to discipline practices; defining terms; specifying protocol for when a grade kindergarten through six teacher, or a pre-K teacher at a publicly funded pre-K facility, in an elementary setting determines that the behavior of the student is violent, threatening, or intimidating toward staff or peers, or creates an unsafe learning environment or impedes on the other students' ability to learn in a safe environment; specifying protocol for when a county board does not have access to a behavioral intervention program; requiring State Board of Education rule which adopts a statewide disciplinary policy; and allowing school counselors, school social workers, or school psychologists to provide behavioral support.

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Senate Bill 199, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 199) passed with its Senate amended title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 283, Expanding grade levels of personal finance course requirements needed for graduation.

On motion of Senator Martin, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, section (c), line 9, after "their" and inserting "8th,"
And;

On page 1, section (c), line 10, after "to the" and inserting "8th"
And;

On page 1, section (c), line 12, after "during the" and inserting "8th".

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 283, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard,

Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 283) passed with its title.

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

A message from the Clerk of the House of Delegates announced the rejection by that body of

Eng. Com. Sub. for Senate Bill 460, Relating to vaccine requirements.

Executive Communications

The Clerk presented the following communication from His Excellency, the Governor, regarding bills approved by him:



Patrick Morrisey
Governor of West Virginia

March 25, 2025

The Honorable Lee Cassis, Clerk
West Virginia Senate
State Capitol
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, is the following bill:

Senate Bill No. Four Hundred Eighty-Seven (487), which was presented to me on March 19, 2025.

You will note that I have approved this bill on March 25, 2025.

Sincerely,


Patrick Morrisey
Governor

PM/an

cc: The Honorable Jeff Pack, Clerk

The Senate proceeded to the fourth order of business.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 707, Providing increase in salary to WV Birth-to-Three contracted therapists and employees.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 707) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 833, Excluding pharmaceutical medication from prior authorization gold card process.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 833 (originating in the Committee on Finance)—A Bill to amend and reenact §5-16-7f, §9-5-32, §33-15-4s, §33-16-3dd, §33-24-7s, §33-25-8p, and §33-25a-8s of the Code of West Virginia, 1931, as amended, relating to prior authorization; and clarifying that pharmaceutical medication if excluded from the prior authorization gold card process.

And,

Senate Bill 934, Relating to low-proof spirit alcohol products.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 934 (originating in the Committee on Finance)—A Bill to amend and reenact §60-1-5 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §60-8B-1, §60-8B-2, §60-8B-3, §60-8B-4, and §60-8B-5, relating to the manufacture, sale, and distribution of low-proof spirit alcohol products.

With the recommendation that the two committee substitutes do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bills (Com. Sub. for S. B. 833 and 934) contained in the preceding report from the Committee on Finance were each taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 865, Relating to best interests of child standard.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 865 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section,

designated §49-4-611, relating to the best interests of the child standard; establishing that the best interests of the child shall be the paramount consideration in all decisions made by specific state entities and individuals; providing that it is a comprehensive assessment; laying out the factors to assess; providing that all policies must be consistent with this principle; providing for review and appeal of decisions; and providing that guardian ad litem must advocate solely for the best interest of the child.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill (Com. Sub. for S. B. 865), under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 881, Modifying authority of certain higher education entities to sell and transfer property.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Government Organization.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Government Organization.

The Senate proceeded to the sixth order of business.

Senators Thorne and Hamilton offered the following resolution:

Senate Resolution 41—Designating March 27, 2025, as Local Food and Farm Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 10, Exempting certain meat processes from consumers sales and service tax.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: Tarr—1.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 10) passed.

On motion of Senator Thorne, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Senate Bill 10—A Bill to amend and reenact §11-15-9 of the Code of West Virginia, 1931, as amended, relating to exempting the processing of beef, pork, goat, or lamb by a slaughterhouse from the consumers sales and service tax.

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

Eng. Com. Sub. for Senate Bill 35, Permitting campus police officers to participate in Deputy Sheriffs Retirement System.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 35) passed with its title.

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

Eng. Com. Sub. for Senate Bill 54, Requiring age-appropriate instruction on Holocaust in public schools.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 54 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart,

Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 54) passed with its title.

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

Eng. Senate Bill 249, Expanding employment and training requirements necessary for SNAP benefits.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woodrum, and Smith (Mr. President)—32.

The nays were: Garcia and Woelfel—2.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 249) passed with its title.

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

Eng. Senate Bill 292, Allowing doula services be covered by Medicaid and PEIA.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 292) passed with its title.

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 464, Creating license plate for recipients of Medal of Valor.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 464) passed with its title.

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 474, Ending diversity, equity, and inclusion programs.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending extended discussion,

The question being "Shall Engrossed Committee Substitute for Committee Substitute for Senate Bill 474 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woodrum, and Smith (Mr. President)—32.

The nays were: Garcia and Woelfel—2.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 474) passed with its title.

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

Eng. Com. Sub. for Senate Bill 526, Creating Pharmacist Prescribing Authority Act.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo,

Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: Chapman—1.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 526) passed.

On motion of Senator Rucker, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Senate Bill 526—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §30-5A-1, §30-5A-2, §30-5A-3, and §30-5A-4, relating to creating the Pharmacist Prescribing Authority Act; authorizing pharmacists to prescribe low-risk medications to patients; listing the limitations of the prescriptions that fall under that authority; providing that pharmacist may notify the patient's primary care physician, if identified, within 72 hours; limiting prescription dispensed or prescribed to a 30-day supply within a six-month timeframe; requiring the pharmacist to notify the primary care physician, if identified, if more than 10 days is prescribed or dispensed; and exempting addition to scope of pharmacy practice from sunrise review.

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 587, Relating generally to government contracting.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart,

Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 587) passed with its title.

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

Eng. Com. Sub. for Senate Bill 617, Discouraging gang activity.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 617) passed with its title.

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 646, Increasing non-traditional instruction days for WV teachers.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: Chapman—1.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 646) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 646) takes effect from passage.

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 652, Expanding cardiac arrest provisions to be applicable to elementary schools.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 652) passed with its title.

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

Eng. Senate Bill 655, Providing limited immunity for mental health providers who are involved in mental hygiene checks.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Helton, Jeffries, Morris, Oliverio, Phillips, Queen, Roberts, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, Woodrum, and Smith (Mr. President)—26.

The nays were: Chapman, Garcia, Hart, Martin, Maynard, Rose, Thorne, and Woelfel—8.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 655) passed with its title.

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

Eng. Com. Sub. for Senate Bill 705, Allowing Board of Education to promulgate rules for submission to Legislature.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending extended discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 705 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Chapman, Charnock, Fuller, Hart, Helton, Martin, Maynard, Roberts, Rose, Rucker, Stuart, Tarr, Taylor, Thorne, Willis, and Smith (Mr. President)—19.

The nays were: Boley, Clements, Deeds, Garcia, Grady, Hamilton, Jeffries, Morris, Oliverio, Phillips, Queen, Takubo, Weld, Woelfel, and Woodrum—15.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 705) passed with its title.

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

Eng. Senate Bill 725, Relating to unlawful expenditures by local fiscal bodies.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart,

Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 725) passed with its title.

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

Eng. Com. Sub. for Senate Bill 899, Protecting coal and gas minerals from carbon capture practices.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 899) passed with its title.

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

At the request of Senator Queen, and by unanimous consent, Senator Queen addressed the Senate regarding Pancreatic Cancer Awareness Day at the Legislature.

Pending announcement of meetings of standing and select committees of the Senate,

On motion of Senator Martin, at 12:50 p.m., the Senate recessed until 4:30 p.m. today.

The Senate reconvened at 4:43 p.m. and proceeded to the ninth order of business.

Com. Sub. for Senate Bill 505, Ensuring Reliable and Affordable Electricity Act.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 529, Relating generally to liability insurance coverage for Board of Education.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Com. Sub. for Senate Bill 570, Requiring economic impact statements for certain legislative rules.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Rucker, the following amendments to the bill were reported by the Clerk, considered simultaneously, and adopted:

On page 2, section 11, line 21, by striking out the word "or" and inserting in lieu thereof the word "and";

On page 2, section 11, line 22, by striking out the word "or" and inserting in lieu thereof the word "and";

On page 2, section 11, line 25, by striking out the word "or" and inserting in lieu thereof the word "and";

And,

On page 4, section 11, lines 79 and 80, by striking out "agency's proposed legislative rule followed the established requirements stated in §29A-3-11(a)(1)-(11) of this code" and inserting in lieu thereof "agency failed to comply with any requirement of §29A-3-11(a) of this code when submitting the proposed rule".

The bill (Com. Sub. for Com. Sub. for S. B. 570), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 690, Authorizing county commissions to increase compensation of elected county officials.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 763, Creating Public Electrical Savings Act.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 820, Whistleblower Protection Fund Act.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 823, Clarifying and separating duties between Division of Emergency Management and DEP.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Rucker, the following amendment to the bill was reported by the Clerk and adopted:

On page 8, section 2, after line 57, by inserting a new subsection, designated (h), to read as follows:

(h) All moneys collected pursuant to this section shall be deposited in the Hazardous Waste Emergency Response Fund, as established pursuant to §22-19-3 of this code.

The bill (Com. Sub. for S. B. 823), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 825, Permitting higher education institutions enter agreements with non-profit organizations for economic development and job creation.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 829, Modifying classes of state of preparedness declared by Governor or Legislature.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 839, Requiring Division of Labor establish separate rules for residential or commercial plumbing.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 856, Removing certain reporting requirements to Joint Committee on Government and Finance.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 861, Updating references to reflect consolidation of Information Services and Communications Division into Office of Technology.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 862, Repealing antiquated language related to Voluntary Gilding Dome Check-Off Program.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 863, Removing reference to Information Services and Communications Division.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 864, Clarifying inference of criminal intent in burglary prosecution.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Weld, the following amendment to the bill was reported by the Clerk and adopted:

On page 1, section 11, lines 16 and 17, by striking out all of subsection (e).

The bill (Com. Sub. for S. B. 864), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 871, Removing persons who perform drywall services from definition of "contractor" in Contractor Licensing Act.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 876, Terminating certain requirements for Tax Commissioner to submit reports, publish information, and provide notice.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Eng. House Bill 2402, Relating to providing access to medical records; providing access to a minor's medical record.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Eng. Com. Sub. for House Bill 2411, To provide and change graduation requirements and change duties relating to academic content standard.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 225, Expanding powers of National Park Service law-enforcement officers.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senate Bill 866, Requiring WV Board of Education to promulgate legislative rule in consultation with WV Board of Physical Therapy.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

At the request of Senator Martin, and by unanimous consent, the Senate returned to the third order of business.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2646—A Bill to amend and reenact §18-5-39 of the Code of West Virginia, 1931, as amended, relating to permitting students in eighth and ninth grades to attend summer school in order to raise their grades and establish academic eligibility to participate in extracurricular activities.

Referred to the Committee on Education.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2960—A Bill to amend the code of West Virginia, 1931, as amended, by adding a new article, designated §17-9-1, relating to a pilot program for snow removal; requiring requests for proposals; establishing a time limit; establishing liability; creating criminal penalties; and providing terms for cancelling a contract.

Referred to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3000—A Bill to amend and reenact §19-14-2, §19-14-5, §19-14-10, and §19-14-14, of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §19-14-17; relating to commercial feed law; providing updated definitions; clarifying changes to feed adulteration; authorizing rules; authorizing regulations under the Federal Food, Drug, and Cosmetic Act; clarifying prohibited acts; updating the West Virginia Commercial Feed Law; and providing a severability clause.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3139—A Bill to amend and reenact §18-5G-4 of the Code of West Virginia, 1931, as amended, relating to making April 30 of the proposed school year the application deadline in the case of a conversion public charter school or a program conversion public charter school, for the purpose of soliciting applications for public charter schools, for applicants to complete applications, and for establishing quality charter contracts that include a framework for performance standards.

Referred to the Committee on Education.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3144—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new chapter, designated §31J-1-1, §31J-1-2, §31J-1-3, §31J-1-4, §31J-1-5, and §31J-1-6, all relating to wireless tower facilities and infrastructure; providing for conditions of permitting and applications for siting and colocation of wireless tower facilities and equipment; providing definitions; clarifying the timing and conditions to act on siting applications; clarifying the timing and conditions to act on wireless facilities and equipment modifications; establishing process and procedures for review of applications for siting and modifications; creating civil penalties; codifying the adoption of a construction code to be applicable to wireless infrastructure; providing for remedies; providing for and defining fees for applications; providing conflict of law provisions; and preserving state preemption.

Referred to the Committee on Economic Development.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 3272—A Bill to amend and reenact §55-3A-1 of the Code of West Virginia, 1931, as amended, relating to eviction proceedings; requiring hearing to be scheduled upon filing the petition; and providing that the hearing shall be scheduled five to 10 judicial days following filing of the petition.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 3313—A Bill to amend and reenact §18B-3C-4 of the Code of West Virginia, 1931, as amended, all relating to community and technical college/career and technical education consortia planning districts; adding Braxton County High School as a participating institution in the Southeastern District; and providing for partnerships outside designated region under certain conditions.

Referred to the Committee on Education.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 3504—A Bill to amend and reenact §61-10-34 of the Code of West Virginia, 1931, as amended, relating to protecting critical infrastructure; and defining terms.

Referred to the Committee on the Judiciary.

Executive Communications

The Clerk presented the following communications from His Excellency, the Governor, regarding bills approved by him:



Patrick Morrisey
Governor of West Virginia

March 26, 2025

The Honorable Lee Cassis, Clerk
West Virginia Senate
State Capitol
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Eight (8), which was presented to me on March 20, 2025.

Senate Bill No. Four Hundred Eighty-Six (486), which was presented to me on March 20, 2025.

You will note that I have approved these bills on March 26, 2025.

Sincerely,

A handwritten signature in blue ink that reads "Patrick Morrisey".
Patrick Morrisey
Governor

PM/an

cc: The Honorable Jeff Pack, Clerk



Patrick Morrisey
Governor of West Virginia

March 26, 2025

The Honorable Jeff Pack, Clerk
West Virginia House of Delegates
State Capitol
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, is the following bill:

House Bill No. Two Thousand Twenty-Two (2222), which was presented to me on March 20, 2025.

You will note that I have approved this bill on March 26, 2025.

Sincerely,

A handwritten signature in blue ink that reads "Patrick Morrisey".
Patrick Morrisey
Governor

PM/an

cc: The Honorable Lee Cassis, Clerk

The Senate proceeded to the fourth order of business.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 506 (originating in the Committee on Education), Relating to enhanced pay for teachers.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 506 (originating in the Committee on Finance)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18A-4-2d, relating to enhanced pay for certain teachers; setting out legislative findings; defining terms; requiring use of the highest of two multipliers to be used to set the amount of the market pay enhancement; requiring market pay enhancement to be adjusted annually; providing payments are in excess of certain other amounts; requiring West Virginia Board of Education report to the Joint Committee on Government and Finance; and allowing West Virginia Board of Education rules to explain and implement this new section.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 506) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 576, Authorizing fixed odds racing in horse and dog racing.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 576 (originating in the Committee on Finance)—A Bill to amend and reenact §29-22D-3 and §29-22D-4 of the Code of West Virginia, 1931, as amended; and to amend the code by adding five new sections, designated §29-22D-15a, §29-22D-17a, §29-22D-17b, §29-22D-17c, and §29-22D-25, relating to fixed odds racing; authorizing fixed odds racing in horse and dog racing; defining terms; creating a special revenue account entitled Fixed Odds Horse Racing Wagering Purse Supplement Fund; providing for administration of the fund; providing for distribution of certain proceeds into the fund; providing for use of the funds; allowing funds to be invested; providing for distribution of funds; creating a special revenue account entitled Fixed Odds Dog Racing Wagering Purse Supplement Fund; providing for administration of the fund; providing for distribution of certain proceeds into the fund; providing for use of the funds; allowing funds to be invested; providing for distribution of funds; precluding certain individuals from wagering; making conforming amendments; and making technical corrections.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 576) contained in the preceding report from the Committee on Finance was taken up for

immediate consideration, read a first time, and ordered to second reading.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 708, Providing state mine inspectors with raise.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 708) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Hamilton, from the Committee on Natural Resources, submitted the following report, which was received:

Your Committee on Natural Resources has had under consideration

Senate Bill 801, Creating WV Public Waterway Access Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 801 (originating in the Committee on Natural Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §20-3C-1, §20-3C-2, §20-3C-3, and §20-3C-4, relating to creating the West Virginia Public Waterway Act; establishing purpose and legislative findings; defining terms; requiring public access at bridge

crossings in certain circumstances; and requiring Department of Transportation, in cooperation with the Division of Natural Resources, to develop guidelines to implement West Virginia Public Waterway Act.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Government Organization.

Respectfully submitted,

Bill Hamilton,
Chair.

The bill (Com. Sub. for S. B. 801), under the original double committee reference, was then referred to the Committee on Government Organization.

Senator Hart, from the Committee on Agriculture, submitted the following report, which was received:

Your Committee on Agriculture has had under consideration

Senate Bill 805, Relating to land use associations.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 805 (originating in the Committee on Agriculture)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §36-4-20, relating to promoting personal agriculture; defining terms; declaring policy; providing that a covenant, restriction, or condition imposed by a homeowners association that unreasonably restricts cultivation of personal gardens or ownership of chickens is void and unenforceable; providing for exceptions; and providing for limitations.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Government Organization.

Respectfully submitted,

Craig A. Hart,
Chair.

The bill (Com. Sub. for S. B. 805), under the original double committee reference, was then referred to the Committee on Government Organization.

Senator Hart, from the Committee on Agriculture, submitted the following report, which was received:

Your Committee on Agriculture has had under consideration

Senate Bill 844, Exempting coturnix quail from game farm requirement if they are owned for agricultural purposes.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 844 (originating in the Committee on Agriculture)—A Bill to amend and reenact §20-2-47 of the Code of West Virginia, 1931, as amended, relating to licenses for private game farm for propagating animals and birds for commercial purposes.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Craig A. Hart,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 844) contained in the preceding report from the Committee on Agriculture was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Azinger, from the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration

Senate Bill 850, Creating Protecting Investors Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 850 (originating in the Committee on Banking and Insurance)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §31D-8-870 and §31D-8-871, relating to the creation of the Protecting Shareholders Act; providing definitions; establishing standards for a breach of fiduciary duty; and specifying prima facie evidence of breach of fiduciary duty.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Michael T. Azinger,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 850) contained in the preceding report from the Committee on Banking and Insurance was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 874 (originating in the Committee on Pensions), Permitting current home confinement officers to participate in Emergency Medical Services Retirement System.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 874 (originating in the Committee on Finance)—A Bill to amend and reenact §16-5V-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §16-5V-6f, relating to permitting current home confinement officers in this state to participate in the Emergency Medical Services Retirement System; updating definitions; including home confinement officers as members in the Emergency Medical Services Retirement System; and providing for home confinement officers to transfer from the Public Employees Retirement System to the Emergency Medical Services Retirement System.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 874) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Azinger, from the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration

Senate Bill 878, Reallocating portion of fire insurance and casualty premium tax to Municipal Pensions Security Fund in certain circumstances.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Michael T. Azinger,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance.

Senator Hamilton, from the Committee on Natural Resources, submitted the following report, which was received:

Your Committee on Natural Resources has had under consideration

Eng. House Bill 2387, To repeal the class A1 Pistol stamp for hunting.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Bill Hamilton,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Eng. H. B. 2387) contained in the preceding report from the Committee on Natural Resources was taken up for immediate consideration, read a first time, and ordered to second reading.

The Senate proceeded to the fifth order of business.

Senator Helton, from the Select Committee on Substance Use Disorder and Mental Health, submitted the following report, which was received:

Your Select Committee on Substance Use Disorder and Mental Health has had under consideration

Senate Bill 739, Relating to recovery residences.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 739 (originating in the Select Committee on Substance Use Disorder and Mental Health)—A Bill to amend and reenact §16-59-1, §16-62-1, and §16-62-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §16-59-1a, relating to recovery residences; setting forth legislative findings; reorganizing definitions section; and correcting internal citations in other sections of code referencing the definitions section.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Brian Helton,
Chair.

At the request of Senator Stuart, as chair of the Committee on the Judiciary, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Select Committee on Substance Use Disorder and Mental Health.

The Senate proceeded to the thirteenth order of business.

The following communications were reported by the Clerk:

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M.211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7800

March 26, 2025

The Honorable Patrick Morrissey, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

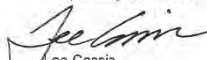
Dear Governor Morrissey,

The following bill, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, has been examined and found truly enrolled:

Com. Sub. for S. B. 336, Authorizing Department of Homeland Security to promulgate legislative rules.

This bill is presented to you on this day, March 26, 2025.

Respectfully submitted,


Lee Cassis
Clerk of the Senate

C: The Honorable Jeffrey Pack
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M-211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7800

March 26, 2025

The Honorable Patrick Morrisey, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Morrisey,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

Com. Sub. for S. B. 369, Authorizing miscellaneous boards and agencies to promulgate legislative rules;

S. B. 492, Removing outdated provisions governing political committees;

And,

S. B. 621, Authorizing digital court records.

These bills are presented to you on this day, March 26, 2025.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lee Cassis".

Lee Cassis
Clerk of the Senate

C: The Honorable Jeffrey Pack
Clerk of the House of Delegates

Under the provisions of Rule 15 of the Rules of the Senate, the following senator was removed as a co-sponsor of the following bill on March 25, 2025:

Senate Bill 757: Senator Helton.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills on March 25, 2025:

Senate Bill 472: Senators Weld and Willis;

Senate Bill 690: Senators Hamilton and Taylor;

Com. Sub. for Senate Bill 707: Senator Morris;

Senate Bill 763: Senator Taylor;

Com. Sub. for Senate Bill 802: Senator Hamilton;

Senate Bill 839: Senators Maynard and Rose;

Senate Bill 849: Senator Helton;

Senate Bill 850: Senator Helton;

Senate Bill 855: Senator Hamilton;

Senate Bill 864: Senator Rucker;

Senate Bill 865: Senator Rose;

Senate Bill 891: Senator Willis;

And,

Senate Bill 911: Senator Oliverio.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 5:02 p.m., the Senate adjourned until tomorrow, Thursday, March 27, 2025, at 11 a.m.

THURSDAY, MARCH 27, 2025

The Senate met at 11:16 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Dr. D. W. Cummings, Bethlehem Apostolic Temple, Wheeling, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Mark R. Maynard, a senator from the sixth district.

Pending the reading of the Journal of Wednesday, March 26, 2025,

At the request of Senator Grady, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the fourth order of business.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Com. Sub. for Senate Bill 663 (originating in the Committee on Banking and Insurance), Creating Fair Access to Financial Services Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 663 (originating in the Committee on the Judiciary)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §46A-6O-1, §46A-6O-2, §46A-6O-3, §46A-6O-4, and §46A-6O-5, relating to creating the Fair Access to Financial

Services Act; providing a short title; providing definitions; prohibiting discrimination by financial institutions; requiring transparency upon request; authorizing enforcement by certain persons and Attorney General; specifying penalties for violations and for recovery of attorney fees and litigation costs; and establishing statute of limitations.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 663) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 728, Relating generally to transfer on death deed.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Mike Stuart,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (S. B. 728) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Com. Sub. for Senate Bill 761 (originating in the Select Committee on Substance Use Disorder and Mental Health), Creating Joel Archer Substance Abuse Intervention Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 761 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §27-5-2 and §27-5-4 of the Code of West Virginia, 1931, as amended, relating to involuntary custody and involuntary hospitalization; providing additional grounds for application for involuntary hospitalization; modifying evidentiary standards for imposing civil liability on mental health professionals rendering services in mental hygiene cases; requiring individual to agree to voluntary treatment before being removed from involuntary hospitalization prior to probable cause hearing; providing additional grounds for satisfaction of probable cause and involuntary hospitalization standards in mental hygiene proceedings; providing name of amendments; permitting hospitalization of individuals with substance use disorder under certain circumstances; providing prohibition on consideration of refusal of substance abuse services when considering individual's judgment; providing for dismissal of involuntary hospitalization proceedings under certain circumstances; setting forth additional required findings by the chief medical officer; providing for restoration of firearm possession rights under certain circumstances; and providing for removal of individual from mental health registry under certain circumstances.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 761) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bill was introduced, read by its title, and referred to the appropriate committee:

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 938—A Bill expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2025, in the amount of \$4,516,702 from the Department of Administration, Division of General Services, fund 0230, fiscal year 2024, organization 0211, appropriation 67700.

Referred to the Committee on Finance.

At the request of Senator Martin, and by unanimous consent, the Senate returned to the fifth order of business.

Senator Helton, from the Select Committee on Substance Use Disorder and Mental Health, submitted the following report, which was received:

Your Select Committee on Substance Use Disorder and Mental Health has had under consideration

Senate Bill 939 (originating in the Select Committee on Substance Use Disorder and Mental Health)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16B-13-4a, relating to testing for substance use disorder; and setting forth testing guidelines for office-based medication-assisted treatment facilities.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Brian Helton,
Chair.

The Senate proceeded to the seventh order of business.

Senate Resolution 41, Designating March 27, 2025, as Local Food and Farm Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Hamilton, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 505, Ensuring Reliable and Affordable Electricity Act.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 505 pass?"

Senator Rose requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate as he is an employee of an electric utility company.

The Chair replied that any impact on Senator Rose would be as a member of a class of persons and that he would be required to vote.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Fuller, Hamilton, Hart, Helton, Martin, Maynard, Phillips, Queen, Roberts, Rose, Rucker, Taylor, Thorne, Willis, and Smith (Mr. President)—22.

The nays were: Deeds, Garcia, Grady, Jeffries, Morris, Oliverio, Takubo, Tarr, Weld, Woelfel, and Woodrum—11.

Absent: Stuart—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 505) passed with its title.

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

Eng. Com. Sub. for Senate Bill 529, Relating generally to liability insurance coverage for Board of Education.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Stuart—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 529) passed with its title.

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 570, Requiring economic impact statements for certain legislative rules.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Stuart—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 570) passed with its title.

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

At the request of Senator Woelfel, and by unanimous consent, the Senate returned to the second order of business and the introduction of guests.

The Senate again proceeded to the eighth order of business, the next bill coming up in numerical sequence being

Eng. Com. Sub. for Senate Bill 820, Whistleblower Protection Fund Act.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Stuart—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 820) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Stuart—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 820) takes effect from passage.

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

Eng. Com. Sub. for Senate Bill 823, Clarifying and separating duties between Division of Emergency Management and DEP.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Stuart—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 823) passed.

On motion of Senator Rucker, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Senate Bill 823—A Bill to amend and reenact §15-5B-3a and §15-5C-2 of the Code of West Virginia, 1931, as amended, relating to revising the statutes to clarify and separate duties identified in the code between the Division of Emergency Management and the West Virginia Department of Environmental Protection according to what each agency has the resources and expertise to fulfill; delegating the duties of investigation of industrial facility emergency events and emergency incidents by well and pipeline operators that are reported to the Division of Emergency Management; implementing fines and penalties imposed upon industrial facilities and well and pipeline operators to the Department of Environmental Protection; and establishing fund into which civil penalties are to be deposited.

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

Eng. Com. Sub. for Senate Bill 825, Permitting higher education institutions enter agreements with non-profit organizations for economic development and job creation.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Hart, Stuart, and Takubo—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 825) passed with its title.

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

Eng. Com. Sub. for Senate Bill 829, Modifying classes of state of preparedness declared by Governor or Legislature.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Hart, Stuart, and Takubo—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 829) passed with its title.

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

Eng. Senate Bill 839, Requiring Division of Labor establish separate rules for residential or commercial plumbing.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Tarr,

Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Hart, Stuart, and Takubo—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 839) passed with its title.

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

Eng. Senate Bill 856, Removing certain reporting requirements to Joint Committee on Government and Finance.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Stuart and Takubo—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 856) passed with its title.

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

Eng. Com. Sub. for Senate Bill 861, Updating references to reflect consolidation of Information Services and Communications Division into Office of Technology.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Stuart—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 861) passed with its title.

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

Eng. Senate Bill 862, Repealing antiquated language related to Voluntary Gilding Dome Check-Off Program.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Stuart—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 862) passed with its title.

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

Eng. Senate Bill 863, Removing reference to Information Services and Communications Division.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Stuart—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 863) passed with its title.

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

Eng. Com. Sub. for Senate Bill 864, Clarifying inference of criminal intent in burglary prosecution.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Stuart—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 864) passed.

On motion of Senator Weld, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Senate Bill 864—A Bill to amend and reenact §61-3-11 of the Code of West Virginia, 1931, as amended, relating to crimes against property; clarifying the inference of criminal intent in a burglary prosecution.

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

Eng. Com. Sub. for Senate Bill 871, Removing persons who perform drywall services from definition of "contractor" in Contractor Licensing Act.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hart, Helton, Martin, Maynard, Morris, Phillips, Roberts, Rose, Rucker, Tarr, Taylor, Thorne, Willis, and Smith (Mr. President)—24.

The nays were: Garcia, Hamilton, Jeffries, Oliverio, Queen, Takubo, Weld, Woelfel, and Woodrum—9.

Absent: Stuart—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 871) passed with its title.

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

Eng. Senate Bill 876, Terminating certain requirements for Tax Commissioner to submit reports, publish information, and provide notice.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Stuart—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 876) passed with its title.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 225, Expanding powers of National Park Service law-enforcement officers.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Com. Sub. for Senate Bill 506, Relating to enhanced pay for certain teachers.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 576, Authorizing fixed odds racing in horse and dog racing.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Barrett, the following amendment to the bill was reported by the Clerk and adopted:

On page 12, section 17c, lines 1 through 4 by striking out all of section 17c and inserting a new section 17c to read as follows:

Any funds distributed to licensed racetracks under 29-22d-17a and §29-22d-17b of this code may be expended by such licensed racetracks to support operations in this state authorized under 19-23-1, 29-22a-1, 29-22c-1, 29-22d-1, or 29-22e-1 of this code, or for capital improvements at facilities located in this state that are on or contiguous to the premises of the licensed racetrack.

The bill (Com. Sub. for S. B. 576), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 690, Authorizing county commissions to increase compensation of elected county officials.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Tarr, the following amendment to the bill was reported by the Clerk and adopted:

On page 8, section 4, line 150, by changing the period to a colon and inserting the following proviso: Provided, however, That no increases in compensation pursuant to this section may be made by the county commission of any county that is more than 90 days delinquent in payment of the annual regional jail per diem costs for which it is responsible pursuant to §15A-3-16 of this code.

The bill (Com. Sub. for S. B. 690), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 707, Providing increase in salary to WV Birth-to-Three contracted therapists and employees.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 708, Providing state mine inspectors with raise.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 763, Creating Public Electrical Savings Act.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Jeffries, the following amendments to the bill were reported by the Clerk and considered simultaneously:

On page 2, section 1, line 40, by striking out the words "public entity" and inserting in lieu thereof the words "pre-kindergarten, kindergarten, elementary, secondary, or postsecondary school or institution receiving state taxpayer funds, including but not limited to, the Hope Scholarship";

On page 2, section 1, line 44, by striking out the words "public entity" and inserting in lieu thereof the words "pre-kindergarten, kindergarten, elementary, secondary, or postsecondary school or institution receiving state taxpayer funds, including but not limited to, the Hope Scholarship";

And

On page 2, section 1, line 46, by striking out the words "public entity" and inserting in lieu thereof the words "pre-kindergarten, kindergarten, elementary, secondary, or postsecondary school or institution receiving state taxpayer funds, including but not limited to, the Hope Scholarship".

At the request of Senator Jeffries, unanimous consent being granted, the foregoing amendments offered by Senator Jeffries to the bill were withdrawn.

The bill (Com. Sub. for S. B. 763), was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 833, Excluding pharmaceutical medication from prior authorization gold card process.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 844, Exempting non-native quail and partridge from game farm requirement if owned for agricultural purposes.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 850, Creating Protecting Shareholders Act.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Senate Bill 866, Requiring WV Board of Education to promulgate legislative rule in consultation with WV Board of Physical Therapy.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Com. Sub. for Senate Bill 874, Permitting current home confinement officers to participate in Emergency Medical Services Retirement System.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 934, Relating to low-proof spirit alcohol products.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Queen, the following amendment to the bill was reported by the Clerk and adopted:

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

ARTICLE 1. GENERAL PROVISIONS.

§60-1-5. Definitions.

For the purposes of this chapter:

(1) "Alcohol" means ethyl alcohol whatever its origin and shall include synthetic ethyl alcohol but not denatured alcohol.

(2) "Alcoholic liquor" includes alcohol, beer, wine, low-proof spirit alcohol products, and spirits, and any liquid or solid capable of being used as a beverage, but shall not include nonintoxicating beer.

(3) "An agency" means a drugstore, grocery store, or general store designated by the commission as a retail distributor of alcoholic liquor for the West Virginia Alcohol Beverage Control Commission.

(4) "Beer" means any beverage obtained by the fermentation of barley, malt, hops, or any other similar product or substitute, and containing more alcohol than that of nonintoxicating beer.

(5) "Brewery" means an establishment where beer is manufactured or in any way prepared.

(6) "Commissioner" or "commission" means the West Virginia Alcohol Beverage Control Commissioner.

(7) "Department" means the organization through which the commission exercises powers imposed upon it by this chapter.

(8) "Distillery" means an establishment where alcoholic liquor other than wine or beer is manufactured or in any way prepared.

(9) "Intoxicated" means a person's faculties are impaired by alcohol or other substance to the point where physical or mental control or both are markedly diminished.

(10) "Low-proof spirit alcohol product" means any alcoholic liquor beverage drink, other than wine or beer containing one half of one percent or more of alcohol by volume, but not more than 15.5 percent alcohol by volume (31 proof) obtained by distillation, mixed with drinkable seltzer water, fruit juices, flavoring or coloring materials, other alcoholic or non-alcoholic beverages or other ingredients to create a beverage that is packaged in an aluminum or other metal can only.

~~(10)~~(11) "Manager" means an individual who is the applicant's or licensee's on-premises employee, member, partner, shareholder, director, or officer who meets the licensure requirements of §11-16-1 *et seq.* of this code and rules promulgated thereunder who actively manages, conducts, and carries on the day-to-day operations of the applicant or licensee with full and apparent authority or actual authority to act on behalf of the applicant or licensee. Such duties include, but are not limited to: coordinating staffing; reviewing and approving payroll; ordering and paying for inventory, such as nonintoxicating beer, wine, and liquor, as applicable; and managing security staff, security systems, video and other security equipment; and any further acts or actions involved in managing the affairs of the business, on behalf of owners, partners, members, shareholders, officers, or directors.

~~(11)~~(12) "Manufacture" means to distill, rectify, ferment, brew, make, mix, concoct, process, blend, bottle, or fill an original package with any alcoholic liquor.

~~(12)~~(13) "Manufacturer" means any person engaged in the manufacture of any alcoholic liquor, and among others includes a distiller, a rectifier, a wine maker, and a brewer.

~~(13)~~(14) "Nonintoxicating beer" means any beverage obtained by the fermentation of barley, malt, hops, or similar products or substitute, and containing not more alcohol than that specified by § 11-16-2 of this code.

~~(14)~~(15) "Original package" means any closed or sealed container or receptacle used for holding alcoholic liquor.

~~(15)~~(16) "Person" means an individual, firm, partnership, limited partnership, corporation, or voluntary association.

~~(16)~~(17) "Powdered alcohol" means an alcohol manufactured in a powder or crystalline form for either direct use or reconstitution as an alcoholic liquor or food. For purposes of this chapter, powdered alcohol excludes any material intended for industrial purposes.

~~(17)~~(18) "Public place" means any place, building, or conveyance to which the public has, or is permitted to have access, including restaurants, soda fountains, hotel dining rooms, lobbies, and corridors of hotels and any highway, street, lane, park, or place of public resort or amusement: *Provided*, That the term "public place" shall not mean or include any of the above-named places or any portion or portions thereof which qualify and are licensed under the provisions of this chapter to sell alcoholic liquors for consumption on the premises: *Provided, however*, That the term "public place" shall not mean or include any legally demarcated area designated solely for the consumption of beverages and freshly prepared food that directly connects and adjoins any portion or portions of a premise that qualifies and is licensed under the provisions of this chapter to sell alcoholic liquors for consumption thereupon: *Provided further*, That the term "public place" shall not include a facility constructed primarily for the use of a Division I, II, or III college or university that is a member of the National Collegiate Athletic Association, or its successor, and used as a football, basketball, baseball, soccer, or other Division I, II, or III sports stadium which holds a special license to sell wine pursuant to the provisions of §60-8-3 of this code, in the designated areas of sale and consumption of wine and other restrictions established by that section and the terms of the special license issued thereunder.

~~(18)~~(19) "Sale" means any transfer, exchange, or barter in any manner or by any means, for a consideration, and shall include all sales made by a principal, proprietor, agent, or employee.

~~(19)~~(20) "Selling" includes solicitation or receipt of orders; possession for sale; and possession with intent to sell.

~~(20)~~(21) "Spirits" means any alcoholic beverage obtained by distillation and mixed with potable water and other substances in solution and includes brandy, rum, whiskey, cordials, and gin.

~~(21)~~(22) "State liquor store" means a store established and operated by the commission under this chapter for the sale of alcoholic liquor in the original package for consumption off the premises.

~~(22)~~(23) "Wine" means any alcoholic beverage obtained by the fermentation of the natural content of fruits, or other agricultural products, containing sugar.

~~(23)~~(24) "Winery" means an establishment where wine is manufactured or in any way prepared.

§60-8B-1. Declaration of legislative findings, policy, and intent; construction.

It is hereby found by the Legislature and declared to be the policy of this state that it is in the public interest to regulate and control the manufacture, sale, distribution, transportation, storage, and consumption of the beverages regulated by this article within this state and that, therefore, the provisions of this article are a necessary, proper, and valid exercise of the police powers of this state and are intended for the protection of the public safety, welfare, health, peace, and morals and are further intended to eliminate, or to minimize to the extent practicable, the evils attendant to the unregulated, unlicensed, and unlawful manufacture, sale, distribution, transportation, storage, and consumption of such beverages and are further intended to promote temperance in the use and consumption thereof. The Legislature further finds and declares that advertising is essential to the growth of business and job promotion within the state. In order to further

these ends, the provisions of this article and of the rules promulgated pursuant thereto, shall be construed so that the accomplishment of these stated purposes may be effectuated.

§60-8B-2. Definition of low-proof spirit alcohol products.

"Low-proof spirit alcohol product" means any alcoholic liquor beverage drink, other than wine or beer, containing one half of one percent or more of alcohol by volume, but not more than 15.5 percent alcohol by volume (31 proof) obtained by distillation, mixed with drinkable seltzer water, fruit juices, flavoring or coloring materials, other alcoholic or non-alcoholic beverages or other ingredients to create a beverage that is packaged in an aluminum or other metal can only.

§60-8B-3. Applicability of other laws; license to manufacture, sell, and distribute low-proof spirits products.

(a) *Manufacture of Low-Proof Spirit Alcohol Products.* — Beginning July 1, 2030, except as stated in this article, all distillery licenses and other requirements for the manufacture of alcoholic liquors set forth in §60-4-2 and §60-4-3a of this code, and any rules promulgated by the Commissioner thereunder, shall apply to the manufacture of low-proof spirit alcohol products. All procedures for obtaining and maintaining a license for the manufacture of low-proof alcohol spirit products shall comply with the requirements of §60-4-1 *et seq.* of this code, and any rules promulgated by the commissioner thereunder. No additional alcoholic liquor license fees shall be charged for the privilege of manufacturing low-proof spirit alcohol products.

(b) *Sales of low-proof spirit product.* — Beginning July 1, 2030, any person or licensee legally authorized to manufacture, distribute, or sell low-proof spirit products may sell low-proof spirit products in the same manner and to the same persons, and subject to the same limitations and conditions, as such license or legal right authorizes him or her to manufacture, distribute, or sell nonintoxicating beer as set forth in §11-16-1 *et seq.* of this code: *Provided*, That no person or licensee shall be permitted to sell low-proof spirit alcohol products in growlers as defined in §11-16-1 *et*

seq. of this code, and any rules promulgated by the commissioner thereunder. The provisions of §60-4-3 of this code, which require that sales by a manufacturer of alcoholic liquors may only be sold to the West Virginia Alcohol Beverage Control Commissioner and to wholesalers and retailers licensed as provided in chapter 60 of this code, are inapplicable to sales of low-proof spirit alcohol products. No additional license fees shall be charged for the privilege of selling low-proof spirit alcohol products.

(c) *Distribution of low-proof spirit alcohol products.* — Beginning July 1, 2030, except as stated in this article, the distribution of low-proof spirit alcohol products shall be administered and carried out in the same manner as prescribed for nonintoxicating beer distribution as set forth in §11-16-1 et seq. of this code and any rules promulgated by the commissioner thereunder. Any person or licensee legally authorized to distribute low-proof spirit alcohol products must distribute low-proof spirit alcohol products in the same manner and to the same persons, and subject to the same limitations and conditions, as a license or legal right would authorize him or her to distribute nonintoxicating beer. No manufacturer or distillery may self-distribute low-proof spirit alcohol products. No additional license fees shall be charged for the privilege of distributing low-proof spirit alcohol products.

§60-8B-4. Taxation; reporting; penalties for failure to file returns; application of state tax law; rule-making authority.

(a) Beginning July 1, 2030, there is hereby levied and imposed on all low-proof spirit alcohol products sold on and after the effective date, by every distillery, or supplier to distributors, a tax of \$1.25 per gallon, in like ratio for any partial gallon or other unit of measure.

(b) Beginning July 1, 2030, on the 15th day of each month thereafter, every distillery and distributor shall make a written report under oath to the Tax Commissioner and the commissioner showing the identity of the purchasing person, the quantity, label, and alcoholic content of low-proof spirit alcohol products sold by the distillery to West Virginia distributors or to persons 21 years of

age or older who reside in West Virginia during the preceding month and at the same time shall pay the tax imposed by this article on the low-proof spirit alcohol products sold to the distributor or to persons 21 years of age or older who reside in West Virginia during the preceding month to the Tax Commissioner. The reports shall contain other information and be in the form required by the Tax Commissioner. For purposes of this article, the reports required by this section shall be considered tax returns covered by the provisions of §11-10-1 *et seq.* of this code. Failure to timely file the tax returns within five calendar days of the 15th day of each month subjects a distillery and distributor to penalties under §11-16-23 of this code.

(c) *Administrative procedures.* — Each and every provision of the West Virginia Tax Procedure and Administration Act set forth in §11-10-1 *et seq.* of this code applies to the taxes imposed pursuant to this section, except as otherwise expressly provided in this article, with like effect as if that act were applicable only to the taxes imposed by this section and were set forth in extenso in this article.

(d) *Criminal penalties.* — Each and every provision of the West Virginia Tax Crimes and Penalties Act set forth in §11-9-1 *et seq.* of this code applies to the taxes imposed pursuant to this section with like effect as if that act were applicable only to the taxes imposed pursuant to this article and were set forth in extenso in this article.

(e) The Tax Commissioner may propose legislative rules for legislative approval, pursuant to §29A-3-1 *et seq.* of this code to implement this section.

§60-8B-5. Rule-making authorization; effective date.

(a) The West Virginia Alcoholic Beverage Control Commissioner may propose legislative rules for legislative approval, pursuant to §29A-3-1 *et seq.* of this code, to implement this article.

(b) The provisions of this article shall take effect on July 1, 2030.

The bill (Com. Sub. for S. B. 934), as amended, was then ordered to engrossment and third reading.

Eng. House Bill 2387, To repeal the class A1 Pistol stamp for hunting.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Eng. House Bill 2402, Relating to providing access to medical records; providing access to a minor's medical record.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Eng. Com. Sub. for House Bill 2411, To provide and change graduation requirements and change duties relating to academic content standards.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 739, Relating to recovery residences.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Maynard.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 12:05 p.m., the Senate recessed until 4:30 p.m. today.

The Senate reconvened at 5:05 p.m. and, at the request of Senator Martin, and by unanimous consent, returned to the third order of business.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2880—A Bill to amend and reenact §49-1-201 and §49-4-405 of the Code of West Virginia, 1931, as amended, relating parent resource navigators; defining terms; including parent resource navigators within multidisciplinary teams.

Referred to the Committee on Health and Human Resources.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect July 1, 2026, and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2987—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §31A-8H-1, §31A-8H-2, §31A-8H-3, §31A-8H-4, and §31A-8H-5; and to amend said code by adding a new article, designated §46A-6O-1, §46A-6O-2, §46A-6O-3, §46A-6O-4, §46A-6O-5, §46A-6O-6, §46A-6O-7, §46A-6O-8, §46A-6O-9, §46A-6O-10, and §46A-6O-11, relating to the Safe Harbor for Cybersecurity Programs and the Consumer Data Protection

Act; providing for an affirmative legal defense to certain types of businesses against demands for an award of exemplary or punitive damages in lawsuits claiming that the business failed to implement reasonable cybersecurity protections and that as a result, a data breach of personal information or restricted information occurred if the business creates, maintains, and complies with a written cybersecurity program that contains administrative, technical, operational, and physical safeguards for the protection of personal information as set forth in this act; defining terms; describing the requirements of the cybersecurity program; construction of article; clarifying no private cause of action provided by article; and providing immunity in certain circumstances to certain institutions of higher education in this state that offer a cybersecurity assessment program as part of an undergraduate or graduate program relating to cybersecurity to any business in the state; establishing a framework for controlling and processing personal data of consumers in this state; creating definitions; limiting application to all persons that conduct business in this state and either control or process personal data of at least 100,000 consumers or derive over 50% of gross revenue from the sale of personal data and control or process personal data of at least 25,000 consumers; providing exemptions; delineating responsibilities and privacy protection standards for data controllers and processors; clarifying standards do not apply to state or local governmental entities; providing exceptions for certain types of data and information governed by federal law; providing that consumers have rights to access, correct, delete, obtain a copy of personal data, and to opt out of the processing of personal data for the purposes of targeted advertising; providing standards for data protection assessments; delineating processing of de-identified data; specifying limitations upon scope of the article; providing for civil penalty for violations of provisions of the article; clarifying that the Attorney General has exclusive authority to enforce violations of the law; providing for assistance of the Attorney General in obtaining relief; and providing for construction and an effective date.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3289—A Bill to amend and reenact §61-11-26a of the code of West Virginia 1931, as amended, relating to expungement of certain criminal convictions with certain programs; clarifying the criteria for expungements with substance use treatment; authorizing petition for expungement of certain criminal convictions upon compliance with and approved substance abuse treatment or recovery and counseling program for 90 days, graduation from approved job readiness adult training course, successful completion of drug court program, or any combination thereof; clarifying that graduation from drug court may be grounds for expungement under the section; and clarifying that the section does not supersede §61-11-26b.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3343—A Bill to amend and reenact §60A-2-204 of the Code of West Virginia, 1931, as amended, relating to schedule I drugs; and adding a provision relating to the scheduling of an organic psilocybin substance or crystalline polymorph psilocybin approved by the Food and Drug Administration and the Drug Enforcement Administration.

Referred to the Committee on Health and Human Resources.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 3344—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-67-1, §16-67-2, §16-67-3, §16-67-4, §16-67-5, §16-67-6, and §16-67-7, relating to the establishment of a grant program to fund the United States Food and Drug Administration's drug

development trials with ibogaine; the preparation and notice of funding opportunity; application requirements; the creation of a selection committee; the submission of an investigational new drug application with the United States Food and Drug Administration; requesting a breakthrough therapy designation for ibogaine from the United States Food and Drug Administration; the establishment of drug development trial sites; conducting drug development trials; the selection of an institutional review board; and funding.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3433—A Bill to amend and reenact §15-11-2 of the Code of West Virginia, 1931, as amended, relating to modifying the language in the statute to make it consistent with W.Va. Code §5H-1-2(b) for survivor's benefit payment for first responders for purposes of payment for funeral expenses of law enforcement, safety, and emergency workers; amending the internal effective date; and making technical corrections to the section.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3439—A Bill to amend and reenact §3-2-5, §16-19-3, §16-19-5, and §16-19-19 of the Code of West Virginia, 1931, as amended, relating to registration of voters and voluntary registration of organ donors; providing for applications for registration to include an option for the applicant to register as an organ donor and be included in a national organ donor database; revising a definition; authorizing the Secretary of State to provide donor registrant records collected to the donor

registry; requiring the Secretary of State to provide information on the election of organ donation on voter registration cards, and providing for promulgation of legislative rules.

Referred to the Committee on Health and Human Resources.

The Senate again proceeded to the fourth order of business.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 197, Limiting requirements for issuance of professional teaching certificate.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Amy N. Grady,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (S. B. 197) contained in the preceding report from the Committee on Education was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 517, Requiring medical professionals to report injuries and side effects from vaccines to Bureau for Public Health.

And,

Senate Bill 886, Relating to Foster Child Bill of Rights.

And reports the same back with the recommendation that they each do pass.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

At the request of Senator Martin, unanimous consent being granted, Senate Bill 517 contained in the preceding report from the Committee on Health and Human Resources was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Com. Sub. for Senate Bill 531 (originating in the Committee on Education), Defining assault and battery on sports officials.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 531 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §61-2-15a of the Code of West Virginia, 1931, as amended, relating to the offenses of assault and battery on athletic officials; increasing the fines for assault or battery on athletic officials; and providing criminal penalties for the offenses.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 593, Relating to electronic voting and preserving voting data.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 593 (originating in the Committee on Government Organization)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §3-4A-27a, relating to preservation of voting data from electronic voting machines; and requiring the Secretary of State to electronically publish cast vote records and images of each ballot cast in an election.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 593) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Com. Sub. for Senate Bill 626 (originating in the Committee on Economic Development), Relating to qualifications of regional airport authority members.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 626 (originating in the Committee on Government Organization)—A Bill to amend and reenact §8-29-6 of the Code of West Virginia, 1931, as amended, relating to qualifications of members of regional airport authority; and authorizing participating municipality or county to appoint a nonresident member to a regional airport authority after complying with required legal advertisement.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 626) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 632, Prohibiting surprise billing of ground emergency medical services by nonparticipating providers.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 632 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding five new sections, designated §33-15-24, §33-16-20, §33-24-46, §33-25-23, and §33-

25A-37, relating to surprise billing of out-of-network ambulance services; clarifying what is considered full payment to an ambulance service, what the rate of payment is, and the most an ambulance service can be paid; prohibiting billing an insured for additional costs except for fees the insurer required the insured to pay; providing procedure for payment; providing exceptions when the insurer does not have to pay within 30 days; and requiring written notices for denied claims.

And,

Senate Bill 925, Creating needs-based assessment for EMS.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 925 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-4G-1, §16-4G-2, §16-4G-3, §16-4G-4, §16-4G-5, §16-4G-6, §16-4G-7, and §16-4G-8, relating to requiring needs-based assessments of emergency medical services departments so that funding may be distributed according to need and not equally across the board; providing short title; providing legislative findings; providing definitions; providing process for implementation; providing for application of the assessment; providing for reporting and legislative oversight; authorizing rulemaking to the Office of Emergency Medical Services; and establishing an effective date.

With the recommendation that the two committee substitutes do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

At the request of Senator Barrett, as chair of the Committee on Finance, unanimous consent was granted to dispense with the

second committee reference of Committee Substitute for Senate Bill 632 contained in the foregoing report from the Committee on Health and Human Resources.

Committee Substitute for Senate Bill 925, under the original double committee reference, was then referred to the Committee on Finance.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 718, Relating to hospital transparency.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 718 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-67-1, §16-67-2, §16-67-3, §16-67-4, §16-67-5, §16-67-6, §16-67-7, and §16-67-8; and to repeal §16-29B-24, relating to hospital transparency; setting forth legislative findings; defining terms; setting forth duties of Insurance Commissioner; setting forth reports to be filed; setting forth the form of the reports to be filed; requiring the submission of public payor information; providing the commissioner may protect information; requiring rulemaking; providing for penalties; and adding effective date.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 718) contained in the

preceding report from the Committee on Health and Human Resources was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 722, Creating WV Short Line Railroad Modernization Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 722 (originating in the Committee on Finance)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, §11-13NN-6, §11-13NN-7, and §11-13NN-8, relating to creating the West Virginia Short Line Railroad Modernization Act; defining terms; setting out the amount of the tax credit; setting limitations on the credit; providing for requirements to claim the credit; setting out uses of the credit; providing for carryover of the credit; allowing the transfer of the credit; providing for review and accountability; and setting a sunset date.

And,

Senate Bill 748, Creating Safer Communities Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 748 (originating in the Committee on Finance)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §7-28-1, §7-28-2, §7-28-3, §7-28-4, §7-28-5, §7-28-6, and §7-28-7, relating to creating the Safer Communities Act; stating legislative findings and purpose; providing definitions; authorizing counties to levy a public safety sales or amusement tax; providing for voter

referendum prior to levying a public safety sales or amusement tax; providing passage by simple majority; requiring voter approval for rate change; setting a procedure for the referendum; setting out ballot language; requiring publication prior to election; requiring entry of an order following voter approval; requiring notification to certain offices; dedicating purposes of the funds; providing maximum tax rate amount; setting out an effective date; and providing exclusions.

With the recommendation that the two committee substitutes do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bills (Com. Sub. for S. B. 722 and 748) contained in the preceding report from the Committee on Finance were each taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 724, Relating to taxation.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 724 (originating in the Committee on Finance)—A Bill to amend and reenact §11-6B-3 and §11-6B-7 of the Code of West Virginia, 1931, as amended; and to repeal §11-8-6e, relating to taxation; providing for an increase in the homestead exemption; providing that change to exemption is contingent on passage of constitutional amendment; and repealing limitation on levy rates resulting in property tax increase.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 724) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Com. Sub. for Senate Bill 765 (originating in the Committee on Military), Establishing Troops to Teachers Program.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 765 (originating in the Committee on Education)—A Bill to amend and reenact §18A-3-1 and §18A-3-2a of the Code of West Virginia, 1931, as amended, relating to establishing the Troops-to-Teachers Program; providing for establishment and purpose of program; and setting out conditions for issuance of professional teaching certificate.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Amy N. Grady,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 765) contained

in the preceding report from the Committee on Education was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 790, Increasing oversight and regulatory authority of PSC over public service districts.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 790 (originating in the Committee on Government Organization)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding four new sections, designated §8-19-1a, §8-20-1d, §16-13-18b, and 16-13A-1d, relating to requiring quarterly reporting by water and wastewater utilities that are political subdivisions of the state to their governing bodies; and requiring annual continuing education for board members and senior management.

Senate Bill 890, Relating to auctioneers.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 890 (originating in the Committee on Government Organization)—A Bill to amend and reenact §19-2C-1, §19-2C-2, §19-2C-3, §19-2C-3a, §19-2C-4, §19-2C-5b, §19-2C-6, §19-2C-6a, §19-2C-7, §19-2C-8, §19-2C-9, and §19-2C-10 of the Code of West Virginia, 1931, as amended, relating to auctioneers; providing definitions; updating exceptions; requiring fees be established by legislative rule; raising the amount of bond an auctioneer must have; removing the board from being authorized to use records for screening applicants for licenses; extending how long apprentice auctioneer can perform after license has expired; clarifying investigation of complaints; providing

board members with compensation; clarifying hearing procedure; requiring civil penalties be payable to the Department on Agriculture; updating contract terms; and clarifying what is prohibited when advertising or promoting an auction.

Senate Bill 892, Relating to property valuation.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 892 (originating in the Committee on Government Organization)—A Bill to amend and reenact §11-1C-3 of the Code of West Virginia, 1931, as amended, relating to property valuation; clarifying requirements before an assessor can be nominated; and providing preference when certain requirements are met.

Senate Bill 916, Creating Agritourism Modernization Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 916 (originating in the Committee on Government Organization)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §19-36-7, relating to recognizing the constitutional authority of the Commissioner of Agriculture to intervene and supersede in matters that negatively affect agritourism; specifying the implementation of such authority; and requiring annual report to the Legislature.

And,

Senate Bill 921, Creating WV Medical Services Oversight and Support Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 921 (originating in the Committee on Government Organization)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated

§16-4F-1, §16-4F-2, §16-4F-3, §16-4F-4, and §16-4F-5, relating to mandating oversight, guidance, and support from the Office of Emergency Medical Services to county commissions; establishing duties of Office of Emergency Medical Services; and providing for implementation and reports to the Legislature.

With the recommendation that the five committee substitutes do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Barrett, as chair of the Committee on Finance, unanimous consent was granted to dispense with the second committee references of four of the bills (Com. Sub. for S. B. 790, 890, 892, and 916) contained in the foregoing report from the Committee on Government Organization.

Committee Substitute for Senate Bill 921, under the original double committee reference, was then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Com. Sub. for Senate Bill 801 (originating in the Committee on Natural Resources), Creating WV Public Waterway Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 801 (originating in the Committee on Government Organization)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §20-3C-1, §20-3C-2, §20-3C-3, and §20-3C-4,

relating to creating the West Virginia Public Waterway Access Act; establishing purpose and legislative findings; defining terms; requiring public access at bridge crossings in certain circumstances; and requiring Department of Transportation, in cooperation with the Division of Natural Resources, to develop guidelines to implement West Virginia Public Waterway Access Act.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 801) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Com. Sub. for Senate Bill 810, Clarifying requirements for administration of anesthesia and chronic pain practice by certain licensed nurses.

And has amended same.

Now on second reading, having been read a first time and referred to the Committee on Health and Human Resources on March 25, 2025;

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 837, Eliminating WV Office of Equal Opportunity.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (S. B. 837) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Jeffries, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Senate Bill 869, Creating Corridor H Advanced Energy and Economic Corridor Authority.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 869 (originating in the Committee on Economic Development)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding four new sections,

designated §17-28-13, §17-28-14, §17-28-15, and §17-28-16, relating to the Robert C. Byrd Corridor H Highway Authority; providing for legislative findings; continuing authority and providing for composition of authority members; providing for ex officio, nonvoting members and voting members; providing for terms of membership; providing for meeting and quorum requirements; providing that members are not compensated; reimbursing members for expenses; providing for certain powers and duties; and requiring annual reporting to the Joint Committee on Government and Finance.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Glenn D. Jeffries,
Chair.

At the request of Senator Barrett, as chair of the Committee on Finance, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on Economic Development.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 873, Providing for process to address homeless population.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 873 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section,

designated §9-5-31a, relating to the creation of the West Virginia Homelessness Rehabilitation and Public Safety Act.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill (Com. Sub. for S. B. 873), under the original double committee reference, was then referred to the Committee on Finance.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 875, Relating to container labeling of nonintoxicating beer and nonintoxicating craft beer.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 875 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §11-16-17 of the Code of West Virginia, 1931, as amended, relating to container labeling of nonintoxicating beer and nonintoxicating craft beer; permitting certain brewers, brewpubs, manufacturers, and resident brewers to make private labels for existing beer brands available for purchase; providing for label requirements; and providing for pricing and purchasing restrictions.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 875) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 904, Clarifying duties and responsibilities of Secretary of Department of Health, Commissioner of Bureau for Public Health, and State Health Officer.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 904 (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §16-1-5 of the Code of West Virginia, 1931, as amended, relating to the clarification of requirements for Commissioner of the Bureau for Public Health.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 904) contained in the preceding report from the Committee on Health and Human Resources was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Jeffries, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Senate Bill 907, Relating to high impact development projects.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Glenn D. Jeffries,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (S. B. 907) contained in the preceding report from the Committee on Economic Development was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Jeffries, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Senate Bill 908, Requiring Department of Economic Development to establish WV Produced or Manufactured Program.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 908 (originating in the Committee on Economic Development)—A Bill to amend and reenact §5B-2-3 of the Code of West Virginia, 1931, as amended, relating to requiring the Secretary of the Department of Economic Development to establish a West Virginia Produced or Manufactured Program as the department's official marketing program for products produced or manufactured in West Virginia; and requiring the secretary to propose legislative rules to implement the program.

With the recommendation that the committee substitute do pass; but with the further recommendation that it first be referred to the Committee on Finance.

Respectfully submitted,

Glenn D. Jeffries,
Chair.

At the request of Senator Jeffries, unanimous consent being granted, the bill (Com. Sub. for S. B. 908) contained in the foregoing report from the Committee on Economic Development was then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 940 (originating in the Committee on Government Organization)—A Bill to amend and reenact §22-11-8 of the Code of West Virginia, 1931, as amended, relating to specifying that a political subdivision that administers a water pollution permit under delegation from the Department of Environmental Protection may not impose standards or requirements more stringent than any federal or state rule, regulation, program, or permitting regime; and providing limited exceptions.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (S. B. 940) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Joint Resolution 16 (originating in the Committee on Finance)—Proposing an amendment to the Constitution of the State of West Virginia, amending section one-b, article X thereof, relating to homestead exemption increases; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

And reports the same back with the recommendation that it be adopted.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the resolution (S. J. R. 16) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Eng. House Bill 2516, To repeal antiquated and inoperative portions of code.

And,

Eng. Com. Sub. for House Bill 3192, To repeal obsolete, conflicting or inoperative provisions of code that pertain to higher education.

And reports the same back with the recommendation that they each do pass.

Respectfully submitted,

Amy N. Grady,
Chair.

The Senate proceeded to the eleventh order of business and the introduction of guests.

The Senate then proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were removed as co-sponsors of the following bills on March 26, 2025:

Senate Bill 599: Senator Phillips;

And,

Senate Bill 805: Senator Hart.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolution on March 26, 2025:

Senate Bill 85: Senators Taylor and Helton;

Com. Sub. for Senate Bill 708: Senator Phillips;

Com. Sub. for Senate Bill 761: Senator Helton;

Com. Sub. for Senate Bill 821: Senator Helton;

Senate Bill 844: Senators Hart and Deeds;

Senate Bill 880: Senator Clements;

And,

Senate Resolution 41: Senators Rose, Rucker, Woelfel, and Hart.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 5:26 p.m., the Senate adjourned until tomorrow, Friday, March 28, 2025, at 12 Noon.

FRIDAY, MARCH 28, 2025

The Senate met at 12:20 p.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by Dr. Seth N. Polk, Lead Pastor, Cross Lanes Baptist Church, Cross Lanes, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Robert Morris, Jr., a senator from the eleventh district.

Pending the reading of the Journal of Thursday, March 27, 2025,

At the request of Senator Woelfel, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the third order of business.

Executive Communications

The following communication from His Excellency, the Governor, was reported by the Clerk:



Patrick Morrisey
Governor of West Virginia

March 27, 2025

EXECUTIVE MESSAGE NO. 2
FIRST REGULAR SESSION

The Honorable Randy Smith
West Virginia Senate
State Capitol
Charleston, WV 25305

Dear President Smith:

I herewith submit, pursuant to the Constitution of the State of West Virginia, revisions to the FY 2026 budget bill 1 presented to the Legislature on February 12, 2025, for the fiscal year beginning July 1, 2025.

Sincerely,

A handwritten signature in blue ink, reading "Patrick Morrisey".

Patrick Morrisey
Governor

PM/hq



Patrick Morrisey
Governor of West Virginia

March 27, 2025

The Honorable Randy Smith
President of the Senate
State Capitol, Building 1, Room 229-M
Charleston, West Virginia 25305

The Honorable Roger Hanshaw
Speaker of the House of Delegates
State Capitol, Building 1, Room 228-M
Charleston, West Virginia 25305

Dear President Smith and Speaker Hanshaw:

After submission of my recommended FY 2026 Executive Budget on February 12, 2025, there are areas that require adjustment.

Therefore, pursuant to Section 51, Article VI of the Constitution of the State of West Virginia, I submit revisions to the FY 2026 Budget Bill for the following sections:

TITLE II – APPROPRIATIONS

Section 1. Appropriations from general revenue.

Executive

Governor's Office, Fund 0105, Fiscal Year 2026, Org 0100

(To add a new item of appropriation.)

- "Civil Contingent Fund (R)" (fund 0105, appropriation 61400) for \$9,308,802.

Department of Administration

West Virginia Public Employees Grievance Board, Fund 0220, Fiscal Year 2026, Org 0219

(To increase and restore cuts to the Personal Services and Employee Benefits.)

- Increase "Personal Services and Employee Benefits" (fund 0220, appropriation 00100) by \$100,000.

Office of Technology, Fund 0204, Fiscal Year 2026, Org 0231

The Honorable Randy Smith, President
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 March 27, 2025
 Page 2

- (To decrease Directed Transfer appropriation to offset funds needed in fund 0220.)
- Decrease "Directed Transfer" (fund 0204, appropriation 70000) by \$100,000.

Department of Tourism

Department of Tourism – Office of the Secretary, Fund 0246, Fiscal Year 2026, Org 0304

(To add a new line of appropriation and restore funding for Tourism which was funded in the previous fiscal year with FY25 surplus.)

- Add "Tourism (R)" (fund 0246, appropriation XXXXX) for \$7,000,000.

Division of Culture and History, Fund 0293, Fiscal Year 2026, Org 0432

(To restore funding for WV Humanities Council.)

- Add "WV Humanities Council" (fund 0293, appropriation 16800) for \$250,000.

Department of Education

State Board of Education – State Department of Education, Fund 0313, Fiscal Year 2026, Org 0402

(To decrease Hope Scholarship Program appropriation to correctly reflect the per pupil average provided by WV Department of Education – Office of School Finance.)

- Decrease "Hope Scholarship Program" (fund 0313, appropriation 30401) by \$4,344,832.

State Board of Education – State Aid to Schools, Fund 0317, Appropriation "Less Local Share"

(To decrease "Less Local Share" and "Adjustments" modifications to accurately reflect certified property valuations provided by County Assessors. The new "Less Local Share" total will now be -\$566,787,626 and the new "Adjustments" total will be -\$3,422,328)

- Decrease "Less Local Share" (fund 0317) by \$3,368,658.
- Decrease "Adjustments" (fund 0317) by \$8,845,312.

Department of Veterans' Assistance

Department of Veterans' Assistance, Fund 0456, Fiscal Year 2026, Org 0613

(To increase Personal Services and Employee Benefits to move FTE. Net zero alignment.)

- Increase "Personal Services and Employee Benefits" (fund 0456, appropriation 00100) by \$113,249.

Department of Veterans' Assistance, Fund 0456, Fiscal Year 2026, Org 0613

(To increase Current Expenses to better align spending goals. Net zero alignment.)

- Increase "Current Expenses" (fund 0456, appropriation 13000) by \$75,000.

Department of Veterans' Assistance, Fund 0456, Fiscal Year 2026, Org 0613

(To increase Veterans' Field Offices to better align spending goals. Net zero alignment.)

- Increase "Veterans' Field Offices (R)" (fund 0456, appropriation 22800) by \$180,000.

Department of Veterans' Assistance, Fund 0456, Fiscal Year 2026, Org 0613

(To decrease Veterans' Nursing Home to move FTE. Net zero alignment)

- Decrease "Veterans Nursing Home (R)" (fund 0456, appropriation 28600) by \$113,249.

Department of Veterans' Assistance, Fund 0456, Fiscal Year 2026, Org 0613

The Honorable Randy Smith, President
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- (To decrease Veterans' Reeducation Assistance to better align spending goals. Net zero alignment.)
- Decrease "Veterans' Reeducation Assistance (R)" (fund 0456, appropriation 32900) by \$30,000.

Department of Veterans' Assistance, Fund 0456, Fiscal Year 2026, Org 0613

- (To decrease Veterans' Grant Program to better align spending goals. Net zero alignment.)
- Decrease "Veterans' Grant Program (R)" (fund 0456, appropriation 34200) by \$225,000.

Thank you for your prompt attention to this matter. Your cooperation is always appreciated. Should you have any questions or require additional information, please call me at any time.

Sincerely,



Patrick Morrissey
Governor

cc: The Honorable Jason Barrett, Senate Finance Chairman
The Honorable Vernon Criss, House of Delegates Finance Chairman
State Budget Office

In compliance with Article VI, Section 51 of the Constitution, the Senate consented to receive the foregoing amendments to the Budget Bill, which were referred to the Committee on Finance.

The Senate proceeded to the fourth order of business.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 85, Prohibiting use or sale of abortifacients.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 85 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §16-2R-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §16-2R-10, relating to prohibiting mailing of abortifacients; prohibiting placing abortifacients in the stream of commerce; prohibiting prescribing abortifacients; prohibiting dissemination of abortifacients without lawfully valid prescription; defining terms; creating criminal penalties; providing for revocation of medical license in certain circumstances; providing exceptions; and creating severability.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mike Stuart,
Chair.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 585 (originating in the Committee on the Judiciary), Relating to Cohen Craddock Student Athlete Safety Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 585 (originating in the Committee on Finance)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-36-1, §18-36-2, §18-36-3, §18-36-4, §18-36-5, §18-36-6, and §18-36-7, relating to school student athlete safety; establishing the Cohen Craddock Student Athlete Safety Act; providing for a short title; providing legislative findings; defining terms; creating the Student Athlete Safety Advisory Committee; identifying composition of Student Athlete Safety Advisory Committee; providing duties of Student Athlete Safety Advisory Committee; requiring use of certain safety equipment during high school and middle school football practices; providing warranty and certification related to the usage of certain safety equipment; establishing the Cohen Craddock Memorial Grant Program and providing procedures; creating the Cohen Craddock Memorial Grant Fund; and providing a sunset date.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 911, Relating to adjunct teaching permits.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 911 (originating in the Committee on Education)—A Bill to amend and reenact §18A-3-2a of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18A-3-2b, relating to allowing an adjunct teaching permit to be issued to an individual meeting certain specified requirements; permitting an individual with an adjunct teaching permit to be hired to fill a vacant teaching position, offer a new program or class, or to supplement a program currently being offered only if no other teacher holding certification in the subject area is available and accepts the position or assignment; allowing adjunct teacher to be employed full- or part-time; allowing the compensation to be any amount both the county board and the adjunct teacher agree to; providing that county board is not required to provide any type of employment benefit unless both the county board and the adjunct teacher agree to those benefits; requiring county board and the adjunct teacher enter into a contract; specifying what is to be included in the contract; allowing adjunct teacher to teach in any content area in which the individual is allowed to teach based on the individual's experience; requiring assignment of a teacher mentor; requiring adjunct teacher to complete certain training and education; prohibiting adjunct teacher from providing special education instruction; requiring each county board that employees an adjunct teacher to report certain information to the West Virginia Department of Education; requiring posting of adjunct teacher position; allowing notification of parents of a vacant adjunct teacher position; and requiring county board to announce any vacant adjunct teacher positions at its meetings.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Amy N. Grady,
Chair.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 225, Expanding powers of National Park Service law-enforcement officers.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Barrett and Chapman—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 225) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Barrett and Chapman—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 225) takes effect from passage.

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 506, Relating to enhanced pay for certain teachers.

On third reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Eng. Com. Sub. for Senate Bill 576, Authorizing fixed odds racing in horse and dog racing.

On third reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Eng. Com. Sub. for Senate Bill 690, Authorizing county commissions to increase compensation of elected county officials.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Barrett and Chapman—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 690) passed with its title.

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

Eng. Com. Sub. for Senate Bill 707, Providing increase in salary to WV Birth-to-Three contracted therapists and employees.

On third reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Eng. Com. Sub. for Senate Bill 708, Providing state mine inspectors with raise.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Barrett and Chapman—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 708) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Barrett and Chapman—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 708) takes effect from passage.

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

Eng. Com. Sub. for Senate Bill 763, Creating Public Electrical Savings Act.

On third reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was referred to the Committee on Rules.

Eng. Com. Sub. for Senate Bill 833, Excluding pharmaceutical medication from prior authorization gold card process.

On third reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Eng. Com. Sub. for Senate Bill 844, Exempting non-native quail and partridge from game farm requirement if owned for agricultural purposes.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 844 pass?"

On the passage of the bill, the yeas were: Azinger, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Barrett and Chapman—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 844) passed with its title.

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

Eng. Senate Bill 866, Requiring WV Board of Education to promulgate legislative rule in consultation with WV Board of Physical Therapy.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Barrett and Chapman—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 866) passed with its title.

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 874, Permitting current home confinement officers to participate in Emergency Medical Services Retirement System.

On third reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Eng. Com. Sub. for Senate Bill 934, Relating to low-proof spirit alcohol products.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Charnock, Clements, Fuller, Garcia, Hamilton, Helton, Jeffries, Martin, Morris, Oliverio, Queen, Rose, Rucker, Stuart, Takubo, Taylor, Thorne, Weld, Willis, Woelfel, and Woodrum—21.

The nays were: Azinger, Bartlett, Boley, Deeds, Grady, Hart, Maynard, Phillips, Roberts, Tarr, and Smith (Mr. President)—11.

Absent: Barrett and Chapman—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 934) passed.

On motion of Senator Queen, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Senate Bill 934—A Bill to amend and reenact §60-1-5 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §60-8B-1, §60-8B-2, §60-8B-3, §60-8B-4, and §60-8B-5, relating to the manufacture, sale, and distribution of low-proof spirit alcohol products; defining terms; declaring legislative findings, policy, and intent; prescribing manufacture, sales, and distribution

requirements for low-proof spirit alcohol products; prescribing taxation amount and methodology for low-proof spirit alcohol products; setting internal effective date; and granting permissive rulemaking authority.

Senator Martin moved that the bill take effect July 1, 2025.

On this question, the yeas were: Azinger, Bartlett, Boley, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Barrett and Chapman—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 934) takes effect July 1, 2025.

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

The Senate proceeded to the ninth order of business.

Senate Bill 197, Limiting requirements for issuance of professional teaching certificate.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 517, Requiring medical professionals to report injuries and side effects from vaccines to Bureau for Public Health.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 593, Preserving voting data from electronic voting machines.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Com. Sub. for Senate Bill 626, Relating to qualifications of regional airport authority members.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Com. Sub. for Senate Bill 663, Creating Fair Access to Financial Services Act.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 718, Relating to hospital transparency.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 722, Creating WV Short Line Railroad Modernization Act.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 724, Relating to taxation.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 728, Relating generally to transfer on death deed.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 739, Relating to recovery residences.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 748, Creating Safer Communities Act.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Com. Sub. for Senate Bill 761, Creating Joel Archer Substance Abuse Intervention Act.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Com. Sub. for Senate Bill 765, Establishing Troops-to-Teachers Program.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Com. Sub. for Senate Bill 801, Creating WV Public Waterway Access Act.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 810, Clarifying requirements for administration of anesthesia and chronic pain practice by certain licensed nurses.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on Health and Human Resources, was reported by the Clerk:

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

ARTICLE 7. REGISTERED PROFESSIONAL NURSES.

§30-7-15. Administration of anesthetics.

~~In any case where it is lawful for a duly licensed physician or dentist practicing medicine or dentistry under the laws of this state to administer anesthetics, such anesthetics may lawfully be given~~

~~and administered by any person (a) who has been licensed to practice registered professional nursing under this article, and (b) who holds a diploma or certificate evidencing his or her successful completion of the educational program of a school of anesthesia duly accredited by the American association of nurse anesthetists: *Provided*, That such anesthesia is administered by such person in the presence and under the supervision of such physician or dentist.~~

(a) A certified registered nurse anesthetist may administer anesthesia in cooperation with a physician, dentist, or podiatrist when providing the anesthesia.

(1) As used in this section, "cooperation" means a process in which the certified registered nurse anesthetist and the physician, dentist, or podiatrist work together as a team with each contributing an area of expertise at their individual and respective levels of education and training. At all times during such cooperation, the medical or dental care of the patient is directed by the physician, dentist, or podiatrist.

(2) A dentist may cooperate with a certified registered nurse anesthetist under this section only if he or she holds an anesthesia permit pursuant to article §30-4A-1 *et seq.* of this code.

(3) The physician, dentist, or podiatrist is not liable for any act or omission of a certified registered nurse anesthetist who orders or administers anesthetics under this section.

(b) A certified registered nurse anesthetist lawfully may perform acts that determine, prepare, administer, and monitor anesthesia care and anesthesia care-related services if he or she:

(1) Has at any time held a registered professional nursing license under this article; and

(2) Holds a current advanced practice registered nurse license under this article; and

(3) Has completed successfully a nurse anesthetist educational program at a nationally accredited graduate or post-graduate advanced practice registered nurse educational institution; and

(4) Holds current certification by a national certifying body recognized by the Board of Nursing in the advanced practice registered nurse role and population foci appropriate for educational preparation.

(c) A certified registered nurse anesthetist does not have independent practice authority.

(d) A licensed advanced practice registered nurse practicing in the role of certified registered nurse anesthetist may only use the title "certified registered nurse anesthetist", "CRNA", "advanced practice registered nurse", or "APRN".

(e) On or before July 1, 2026, and annually thereafter, the Board of Nursing shall report to the Legislature regarding the implementation and impact of this section. The report shall include:

(1) Any problems or issues that have been reported to the board by hospitals, dental offices, podiatrist offices, ambulatory surgical centers, and all other locations where nurse anesthetists are authorized to practice in the state; and

(2) Any treatment complications resulting from the administration of anesthesia by certified registered nurse anesthetists.

Following discussion,

The question being on the adoption of the Health and Human Resources committee amendment to the bill, the same was put and prevailed.

The bill (Com. Sub. for S. B. 810), as amended, was then ordered to engrossment and third reading.

Senate Bill 837, Eliminating WV Office of Equal Opportunity.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 850, Creating Protecting Shareholders Act.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 875, Relating to container labeling of nonintoxicating beer and nonintoxicating craft beer.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 904, Clarifying requirements for Commissioner of Bureau for Public Health.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 907, Relating to high impact development projects.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 940, Relating to Water Pollution Control Act.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Joint Resolution 16, Homestead Exemption Increase Amendment.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Eng. House Bill 2387, To repeal the class A1 Pistol stamp for hunting.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

Eng. House Bill 2402, Relating to providing access to medical records; providing access to a minor's medical record.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Eng. Com. Sub. for House Bill 2411, To provide and change graduation requirements and change duties relating to academic content standards.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Grady, the following amendments to the bill were reported by the Clerk, considered simultaneously, and adopted:

On page 6, section 9, after line 125, by inserting a new subdivision (5), to read as follows:

(5) If a student uses a computer science course to fulfill a math or science credit, the school district shall denote that computer science course as equivalent to a high school math course or a high school science course, as applicable, on the student's transcript for the purpose of admission to a higher education institution in this state.;

And,

By renumbering the remaining subdivisions.

The bill (Eng. Com. Sub. for H. B. 2411), as amended, was then ordered to third reading.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 531, Relating to offenses of assault and battery on athletic officials.

