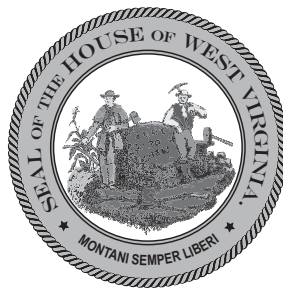


West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Sixth Legislature
First Regular Session

Held at Charleston
Published by the Clerk of the House



February 17, 2023
THIRTY-EIGHTH DAY

Friday, February 17, 2023

THIRTY-EIGHTH DAY

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

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

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

The Clerk proceeded to read the Journal of Thursday, February 16, 2023, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Delegate Howell, Chair of the Committee on Economic Development and Tourism, submitted the following report, which was received:

Your Committee on Economic Development and Tourism has had under consideration:

H. B. 3544, Offering a tax credit to property owners who provide lease land to the state for access for bike trails and rafting/kayaking,

And reports the same back, with amendment, with the recommendation that it do pass, as amended, but that it first be referred to the Committee on Finance.

In accordance with the former direction of the Speaker, the bill (H. B. 3544) was referred to the Committee on Finance.

Delegate Howell, Chair of the Committee on Economic Development and Tourism, submitted the following report, which was received:

Your Committee on Economic Development and Tourism has had under consideration:

H. B. 3096, Creating the Distribution and Manufacturing Center Tax Credit Act,

And reports the same back, with amendment, with the recommendation that it do pass, as amended, but that it first be referred to the Committee on Finance.

In accordance with the former direction of the Speaker, the bill (H. B. 3096) was referred to the Committee on Finance.

Delegate Howell, Chair of the Committee on Economic Development and Tourism, submitted the following report, which was received:

Your Committee on Economic Development and Tourism has had under consideration:

H. B. 3209, Providing tax credits to incentivize investments and improvements in blighted properties in West Virginia,

And reports the same back with the recommendation that it do pass, but that it first be referred to the Committee on Finance.

In accordance with the former direction of the Speaker, the bill (H. B. 3209) was referred to the Committee on Finance.

Delegate Summers, Chair of 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:

H. B. 3337, Prohibiting additional drug and alcohol treatment facilities and services in a certain county,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 3337 - "A Bill to amend and reenact §16-2D-9 of the Code of West Virginia, 1931, as amended, relating to prohibiting a certificate of need; prohibiting additional drug and alcohol treatment facilities and services in certain counties,"

With the recommendation that the committee substitute do pass.

Delegate Kelly, D., Chair of the Committee on Jails and Prisons, submitted the following report, which was received:

Your Committee on Jails and Prisons has had under consideration:

H. B. 3363, Law Enforcement Officers Safety Act,

And reports the same back, with amendment, with the recommendation that it do pass, as amended, but that it first be referred to the Committee on the Judiciary.

In accordance with the former direction of the Speaker, the bill (H. B. 3363) was referred to the Committee on the Judiciary.

Delegate Mazzocchi, Chair of the Committee on Senior, Children, and Family Issues, submitted the following report, which was received:

Your Committee on Senior, Children, and Family Issues has had under consideration:

H. B. 2946, Relating to eligibility verification for applicants for public assistance,

And reports the same back, with amendment, with the recommendation that it do pass, as amended, but that it first be referred to the Committee on the Judiciary.

In accordance with the former direction of the Speaker, the bill (H. B. 2946) was referred to the Committee on the Judiciary.

Delegate Mazzocchi, Chair of the Committee on Senior, Children, and Family Issues, submitted the following report, which was received:

Your Committee on Senior, Children, and Family Issues has had under consideration:

H. B. 2875, Clarifying that Circuit Court Judges have the ability/authority to waive the requirement that a party pass a home study performed by the DHHR,

And,

H. B. 3287, Providing that records of Department of Health and Human Services of sustained and non-sustained allegations of child abuse or neglect are preserved,

And reports the same back with the recommendation that they each do pass, but that they first be referred to the Committee on the Judiciary.

In accordance with the former direction of the Speaker, the bills (H. B. 2875 and H. B. 3287) were each referred to the Committee on the Judiciary.

Delegate Criss, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

Com. Sub. for H. B. 2538, Requiring usage of child welfare information technology systems,

H. B. 2827, Make public charter schools eligible for Safe Schools Funds,

H. B. 3391, Establishing filing deadlines for appeals of property tax valuations and issues involving property tax classification and taxability to the West Virginia Office of Tax Appeals,

H. B. 3427, Relating to consumers sales and service tax and use tax exemption for certain goods to be incorporated into a qualified, new or expanded warehouse or distribution facility,

And,

H. B. 3431, Eliminating the requirement that the apprenticeship training tax credit base be limited to wages paid to apprentices in the construction trades,

And reports the same back with the recommendation that they each do pass.

Delegate Ellington, Chair of the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration:

H. B. 3201, To include electric-powered school busses in the county foundation allowance,

And reports the same back, with amendment, with the recommendation that it do pass, as amended, but that it first be referred to the Committee on Finance.

In accordance with the former direction of the Speaker, the bill (H. B. 3201) was referred to the Committee on Finance.

Delegate Howell, Chair of the Committee on Economic Development and Tourism, submitted the following report, which was received:

Your Committee on Economic Development and Tourism has had under consideration:

H. B. 3387, Extending the moratorium on the authorization of new convention and visitors bureaus for an additional two years,

And reports the same back with the recommendation that it do pass.

Messages from the Executive and Other Communications

The Clerk announced that H. B. 2602 was presented to the Governor on February 16, 2023.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate, without amendment, of a concurrent resolution of the House of Delegates as follows:

H. C. R. 29, Amending Joint Rule 13 of the Joint Rules of the Senate and House that clarifies that when two or more bills amending the same statute are passed in the same session, the last passed controls.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 526 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-66-1, relating to including the early detection and diagnosis of Alzheimer's disease and other dementias in existing public health programs and services”; which was referred to the Committee on Health and Human Resources.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Technology and Infrastructure as follows:

Com. Sub. for S. C. R. 3 – “Requesting the Division of Highways name a portion of Route 92, beginning at point 38.359565, -79.880861 and ending at point 38.163267, -79.980827, in Pocahontas County, the ‘Dr. Roland P. Sharp Memorial Road’.”

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules as follows:

Com. Sub. for S. C. R. 4 – “Requesting the Division of Highways name bridge number 30-003/05-014.61 (30A290), 37.89328, -82.23771, locally known as Big Rock Beam Span Bridge,

carrying CR 3/5 over West Fork of Twelvepole Creek in Mingo County, the 'U.S. Navy S1 Ira "Noon" Copley and Marie Copley Memorial Bridge'."

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules as follows:

Com. Sub. for S. C. R. 6 - "Requesting the Division of Highways name bridge number 47-219/00-021.87 (47A060), (39.15277, -79.49617), locally known as Thomas Bridge, carrying U.S. Route 219 over North Fork Blackwater River in Tucker County, the 'U. S. Army SGT Vincent DiBacco Memorial Bridge'."

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules as follows:

S. C. R. 8 - "Requesting the Division of Highways name bridge number 10-041/00-000.29 (10A065), (37.85603, -81.06700), locally known as Strecherneck Bridge, carrying WV 41 over the CSX Railroad in Fayette County, the 'U. S. Army PV2 Harold Richard Plumley Memorial Bridge'."

Resolutions Introduced

Resolutions were introduced and severally referred as follows:

By Delegates Toney and Vance:

H. C. R. 45 – "Requesting the Division of Highways name a portion of road, being the offramp beginning at the Mullins/Sophia Exit on the Coalfields Expressway, to the end of the offramp at its intersection with WV 54 in Mullens, Wyoming County, the 'Lewis Joseph D'Antoni Memorial Road'; to the Committee on Technology and Infrastructure then Rules.

And,

By Delegate Forsht:

H. C. R. 46 – "Requesting the Joint Committee on Government and Finance study the current instances of rules enforcement and judication by the same organization and make recommendations for eliminating this practice"; to the Committee on Government Organization then Rules.

Special Calendar

Second Reading

Com. Sub. for S. B. 89, Requiring hospitals to staff qualified personnel to perform sexual assault forensic exams; on second reading, coming up in regular order, was read a second time.

An amendment recommended by the Committee on Health and Human Resources was reported by the Clerk.

Whereupon,

The bill was placed at the foot of all bills on second reading.

Com. Sub. for H. B. 2150, Requiring parents or guardians to participate in programs for juveniles in an out-of-home placement; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 2498, To require medication-assisted treatment programs to have written policies concerning community relations; on second reading, coming up in regular order, was reported by the Clerk.

At the request of Delegate Householder, and by unanimous consent, the bill was postponed one day.

Com. Sub. for H. B. 2848, Water and Sewer Operator licensing reciprocity; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 3101, 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.

Com. Sub. for H. B. 3147, To create the Upper Ohio Valley Trail Network; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 3215, Relating to land use; on second reading, coming up in regular order, was read a second time.

On motion of Delegates Riley and Foster, the bill was amended on page 8, section 8A-4-2, line 45, immediately following the header for subdivision (3), by striking the word "Encourage" and substituting in lieu thereof, the following:

"Guidelines for".

On motion of Delegate A. Hall, the bill was amended on page 4, section §8A-1-2, line 68, after the word "the" by removing the strikethrough in the word "development" and striking the inserted words "alteration or improvement".

The bill was then ordered to engrossment and third reading.

H. B. 3428, Relating to the West Virginia Business Ready Sites Program; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 3430, To prohibit the bureau from assessing a fee upon local health departments; on second reading, coming up in regular order, was reported by the Clerk.

At the request of Delegate Householder, and by unanimous consent, the bill was postponed one day.

The House then returned to consideration of **Com. Sub. for S. B. 89**, Requiring hospitals to staff qualified personnel to perform sexual assault forensic exams.

Whereupon,

The following amendment recommended by the Committee on Health and Human Resources, was adopted, on page 1, by striking everything after the enacting clause and inserting in lieu thereof the following:

“ARTICLE 9B. SEXUAL ASSAULT EXAMINATION NETWORK.

§15-9B-1a. Definitions.

As used in this article:

~~(1)~~ ‘Biological evidence’ includes a sexual assault forensic examination kit, semen, blood, saliva, hair, skin tissue, or other identified biological material.

~~(2)~~ ‘DNA’ means deoxyribonucleic acid. DNA is located in the nucleus of cells and provides an individual’s personal genetic blueprint. DNA encodes genetic information that is the basis of human heredity and forensic identification.

‘Hospital’ means a facility licensed pursuant to the provisions of §16-5B-1 *et seq.* of this code that primarily provides inpatient diagnostic, treatment, or rehabilitative services to the injured, disabled, or sick persons under the supervision of physicians with a 24-hour emergency department.

~~(3)~~ ‘Nonreported kit’ means a kit collected from an alleged victim who has consented to the collection of the kit, but has not consented to participation in the criminal justice process.

~~(4)~~ ‘Sexual assault forensic examination kit’ or ‘kit’ means a set of materials, including, but not limited to, swabs and tools for collecting blood samples, clothing, or other materials used to gather forensic evidence from a victim of a reported sexual offense and the evidence obtained with the materials.

~~(5)~~ ‘Sexual offense’ means any offense or attempted offense in the jurisdiction of the state in which a sexual assault forensic examination kit is collected, including, but not limited to, the following sections:

(A) §61-8-12 of this code;

(B) §61-8A-2 of this code;

(C) §61-8A-4 of this code;

(D) §61-8A-5 of this code;

(E) Any offenses listed in §61-8B-1 *et seq.* of this code;

(F) Any offenses listed in §61-8C-1 *et seq.* of this code;

(G) Any offenses listed in §61-8D-1 *et seq.* of this code.

~~(6)~~ 'Unfounded' means evidence developed after reasonable investigation and supported by proper documentation proving no crime occurred or where the alleged victim has recanted.

§15-9B-4. Submission, testing, and retention of sexual assault forensic examination kits.

(a) The Sexual Assault Forensic Examination Commission created by §15-9B-1 of this code shall establish a subgroup of persons with subject matter expertise to establish best-practice protocols for the submission, testing, retention, and disposition of sexual assault forensic examination kits collected by health care providers. The commission shall propose rules for legislative approval, in accordance with §29A-3-1 *et seq.* of this code, detailing best-practice protocols. Upon approval of the legislative rules, local sexual assault forensic examination boards shall follow the rules.

(b) Rules promulgated pursuant to subsection (a) of this section shall include:

(1) Time frames for submission of sexual assault forensic examination kits in the possession of law enforcement; ~~and~~

(2) Protocols for storage of DNA samples and sexual assault forensic examination kits; and,

(3) Requiring a hospital to have trained health care provider available or transfer agreement as provided in a county plan, to complete a sexual assault forensic examination. 'Available' includes, but not limited, having access to a trained sexual assault forensic examination expert via telehealth.

(c) The commission may promulgate emergency rules pursuant to the provisions of §29A-3-15 of this code in order to implement this section: *Provided*, That no emergency rule may permit the destruction of any DNA evidence.

(d) Upon collection, a sexual assault forensic examination kit shall be submitted for testing by the health care provider to the West Virginia State Police Forensic Laboratory within 30 days of collection or as soon thereafter as practicable. All packaging kits for transmittal and transmittal protocols shall be designed to meet applicable standards for maintaining the efficacy of the sample and chain of custody.

(e) No sexual assault forensic examination kit need be tested where the alleged victim has not consented to the testing, requests that the kit not be tested, where he or she recants as to the allegation of a sexual offense, or the allegation that a sexual offense occurred is determined to be unfounded. If the alleged victim does not consent to law enforcement involvement, the kit shall be designated a nonreported kit and transmitted to the Marshall University Forensic Science Center.

(f) The Commission shall, in cooperation with the West Virginia State Police, develop protocols for storage of previously tested materials to be made available for secondary testing upon a court order to do so.

(g) Biological evidence obtained through tests of a sexual assault forensic examination kit shall not be destroyed:

(1) During the time period of incarceration of a person whose DNA was identified by the use of the biological evidence, or while the person remains under continued supervision, whichever is later in time; or;

(2) For as long as the offense from which the biological evidence is obtained remains unresolved;

(h) Notwithstanding any provision of this code, or any rule or policy promulgated thereunder, upon completion of the processing and testing set forth in subsection (d) of this section, the sexual assault forensic examination kit shall be transmitted to the appropriate investigating local or state law-enforcement agency which shall retain all identified biological material that is secured in connection with any sexual offense or attempted sexual offense for the periods set forth in subsection (g) of this section.

(i) After processing and testing of a sexual assault forensic examination kit, the West Virginia State Police Laboratory shall transmit the sexual assault forensic examination kit to the appropriate investigating state or local law-enforcement agency through any reasonable means sufficient to establish the proper chain of custody, including, but not limited to, use of the United States Postal Service or hand delivery by appropriate personnel or a law-enforcement officer. The appropriate investigating state or local law-enforcement agency shall preserve the sexual assault forensic examination kit for the period of time prescribed in subsection (g) of this section in a condition where any biological evidence is suitable for DNA testing. The lack of timely submission, or the inadvertent loss or destruction of a sexual assault forensic examination kit, standing alone, shall not constitute a bar to the prosecution of a sexual offense.

(j) Sexual assault forensic examination kits retained pursuant to this section shall be made available for DNA testing pursuant to §15-2B-7 of this code or pursuant to an appropriate order of a circuit court of competent jurisdiction for secondary testing.

(k) The appropriate investigating state or local law-enforcement agency responsible for retaining the sexual assault forensic examination kit shall obtain approval from the circuit court of competent jurisdiction for the county in which the crime occurred before disposal of any biological evidence. Before the disposal of any sexual assault forensic examination kit, reasonable efforts shall be made to provide written notice to the victim by the prosecuting attorney of the county in which the crime occurred.

(l) Nothing in this section shall be construed as limiting a state or local law-enforcement agency's discretion concerning the conditions under which biological evidence is retained, preserved, or transferred among different entities if the evidence is retained in a condition that is suitable for DNA testing."

The bill was then ordered to third reading.

First Reading

Com. Sub. for S. B. 10, Campus Self-Defense Act; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 2283, Relating to authorized expenditures of revenues from certain state funds for fire departments; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 2607, Clarify that vehicles with a capacity larger than 10 passengers may be used to transport students provided that no more than 10 passengers may be transported at one time; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 2900, Relating to the Deputy Sheriff Retirement System; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 2917, Relating to allowing retired state employees who meet the minimum qualifications necessary, to render post-retirement employment with the Department of Health and Human Resources; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 2937, To reduce the business license fee for WV Volunteer Fire Departments to \$250; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 2955, Relating to the establishment and operation of regional water, wastewater and stormwater authorities; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 3005, Relating to accelerating the conversion of the state excise tax on the privilege of transferring real property into a county excise tax; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 3046, Fast Track for Agriculture Education Endorsement; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 3092, Relating to in-state food service permit reciprocity; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Revised Com. Sub. for H. B. 3110, Relating to funding the Office of Oil and Gas in the Department of Environmental Protection; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 3148, Relating to financing municipal policemen's and firemen's pension and relief funds; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 3166, To permit a hospital to hold a patient experiencing a psychiatric emergency for up to 72 hours; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 3233, Relating generally to uniform and equipment allowances for the National Guard; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 3278, Relating to the practice of optometry; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 3340, To revise the West Virginia Tax Increment Financing; on first reading, coming up in regular order, was reported by the Clerk.

At the request of Delegate Householder, and by unanimous consent, the bill was postponed one day.

H. B. 3353, Relating to the limitations on the financial relationships with foreign entities that have values antithetical to those of the State of West Virginia; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 3376, Relating to changing the term teacher in residence to clinical teacher of record; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 3408, To clean up statutory provisions regarding the Hope Scholarship program to better reflect the intent and operation of the program; on first reading, coming up in regular order, was reported by the Clerk,

At the request of Delegate Householder, and by unanimous consent, the bill was postponed one day.

H. B. 3441, Revising the training requirements for members of the Higher Education Policy Commission, Council for Community and Technical College Education and the institutional governing boards; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 3547, Increasing the number of personal leave days that county board of education employees may use; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 3548, Relating to teacher duty-free lunch and daily planning periods; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 3549, Relating to classroom teachers and special education classroom teachers individualized education program requirements; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Miscellaneous Business

Pursuant to House Rule 94b, a form was filed with the Clerk's Office to be added as a cosponsor of the following:

H. B. 3487: Delegate Tully.

At 10:04 a.m., the House of Delegates adjourned until 11:00 a.m., Monday, February 20, 2023.

**HOUSE OF DELEGATES
STEPHEN J. HARRISON, Clerk
Building 1, Room M-212
1900 Kanawha Blvd., East
Charleston, WV 25305-0470**

SPECIAL CALENDAR

Monday, February 20, 2023

41st Day

11:00 A. M.

THIRD READING

- Com. Sub. for S. B. 89 - Requiring hospitals to staff qualified personnel to perform sexual assault forensic exams (SUMMERS) (REGULAR)
- Com. Sub. for H. B. 2150 - Requiring parents or guardians to participate in programs for juveniles in an out-of-home placement (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2848 - Water and Sewer Operator licensing reciprocity (SUMMERS) (REGULAR)
- Com. Sub. for H. B. 3101 - Relating to notification of breast density (SUMMERS) (REGULAR)
- Com. Sub. for H. B. 3147 - To create the Upper Ohio Valley Trail Network (HOWELL) (REGULAR)
- H. B. 3215 - Relating to land use (HOWELL) (REGULAR)
- H. B. 3428 - Relating to the West Virginia Business Ready Sites Program (HOWELL) (REGULAR)

SECOND READING

- Com. Sub. for S. B. 10 - Campus Self-Defense Act (CAPITO) (EFFECTIVE FROM PASSAGE)
- H. B. 2283 - Relating to authorized expenditures of revenues from certain state funds for fire departments (CRISS) (REGULAR)
- Com. Sub. for H. B. 2498 - To require medication-assisted treatment programs to have written policies concerning community relations (SUMMERS) (REGULAR)
- Com. Sub. for H. B. 2538 - Requiring usage of child welfare information technology systems (CRISS) (EFFECTIVE FROM PASSAGE)
- H. B. 2607 - Clarify that vehicles with a capacity larger than 10 passengers may be used to transport students provided that no more than 10 passengers may be transported at one time (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 2900 - Relating to the Deputy Sheriff Retirement System (CRISS) (REGULAR)

- Com. Sub. for H. B. 2917 - Relating to allowing retired state employees who meet the minimum qualifications necessary, to render post-retirement employment with the Department of Health and Human Resources (CRISS) (EFFECTIVE FROM PASSAGE)
- H. B. 2937 - To reduce the business license fee for WV Volunteer Fire Departments to \$250 (CRISS) (JULY 1, 2023)
- H. B. 2955 - Relating to the establishment and operation of regional water, wastewater and stormwater authorities (PHILLIPS) (REGULAR)
- Com. Sub. for H. B. 3005 - Relating to accelerating the conversion of the state excise tax on the privilege of transferring real property into a county excise tax (CRISS) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 3046 - Fast Track for Agriculture Education Endorsement (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 3092 - Relating to in-state food service permit reciprocity (PHILLIPS) (REGULAR)
- Rev. Com. Sub. for H. B. 3110 - Relating to funding the Office of Oil and Gas in the Department of Environmental Protection (CRISS) (REGULAR)
- Com. Sub. for H. B. 3148 - Relating to financing municipal policemen's and firemen's pension and relief funds (CRISS) (REGULAR)
- H. B. 3166 - To permit a hospital to hold a patient experiencing a psychiatric emergency for up to 72 hours (CAPITO) (REGULAR)
- Com. Sub. for H. B. 3233 - Relating generally to uniform and equipment allowances for the National Guard (CRISS) (REGULAR)
- Com. Sub. for H. B. 3278 - Relating to the practice of optometry (PHILLIPS) (REGULAR)
- H. B. 3353 - Relating to the limitations on the financial relationships with foreign entities that have values antithetical to those of the State of West Virginia (PHILLIPS) (REGULAR)
- H. B. 3376 - Relating to changing the term teacher in residence to clinical teacher of record (ELLINGTON) (REGULAR)
- H. B. 3430 - To prohibit the bureau from assessing a fee upon local health departments (SUMMERS) (REGULAR)
- H. B. 3441 - Revising the training requirements for members of the Higher Education Policy Commission, Council for Community and Technical College Education and the institutional governing boards (ELLINGTON) (REGULAR)
- H. B. 3547 - Increasing the number of personal leave days that county board of education employees may use (ELLINGTON) (REGULAR)

H. B. 3548 - Relating to teacher duty-free lunch and daily planning periods (ELLINGTON) (REGULAR)

H. B. 3549 - Relating to classroom teachers and special education classroom teachers individualized education program requirements (ELLINGTON) (REGULAR)

FIRST READING

H. B. 2827 - Make public charter schools eligible for Safe Schools Funds (CRISS) (REGULAR)

Com. Sub. for H. B. 3337 - Prohibiting additional drug and alcohol treatment facilities and services in a certain county (SUMMERS) (EFFECTIVE FROM PASSAGE)

H. B. 3340 - To revise the West Virginia Tax Increment Financing Act (CRISS) (REGULAR)

H. B. 3387 - Extending the moratorium on the authorization of new convention and visitors bureaus for an additional two years (HOWELL) (REGULAR)

H. B. 3391 - Establishing filing deadlines for appeals of property tax valuations and issues involving property tax classification and taxability to the West Virginia Office of Tax Appeals (CRISS) (EFFECTIVE FROM PASSAGE)

H. B. 3408 - To clean up statutory provisions regarding the Hope Scholarship program to better reflect the intent and operation of the program (ELLINGTON) (REGULAR)

H. B. 3427 - Relating to consumers sales and service tax and use tax exemption for certain goods to be incorporated into a qualified, new or expanded warehouse or distribution facility (CRISS) (REGULAR)

H. B. 3431 - Eliminating the requirement that the apprenticeship training tax credit base be limited to wages paid to apprentices in the construction trades (CRISS) (REGULAR)

HOUSE CALENDAR

Monday, February 20, 2023

41st Day

11:00 A. M.

THIRD READING

Com. Sub. for H. B. 2075 - To provide a means to classify when medications should be continued or stopped for patients (SUMMERS) (REGULAR)

SECOND READING

Com. Sub. for S. B. 188 - Grid Stabilization and Security Act of 2023 (CRISS) (REGULAR)

Com. Sub. for H. B. 2017 - Relating to service of process in child abuse cases (CAPITO) (REGULAR)

Com. Sub. for H. B. 2196 - To remove opioid treatment programs from requiring a certificate of need (SUMMERS) (EFFECTIVE FROM PASSAGE)

Com. Sub. for H. B. 2471 - Relating to the suspension of driver's license for unpaid tickets (CAPITO) (REGULAR)

H. B. 2510 - To establish the Rare Earth Element and Critical Mineral Investment Tax Credit Act (HOWELL) (EFFECTIVE FROM PASSAGE)

**WEST VIRGINIA
HOUSE OF DELEGATES**

MONDAY, FEBRUARY 20, 2023

HOUSE CONVENES AT 11:00 A.M.

PUBLIC HEARING

COMMITTEE ON THE JUDICIARY

9:00 A.M. – HOUSE CHAMBER

**H. B. 3270, TO AMEND THE DELIBERATE INTENT STATUTE TO LIMIT
NONECONOMIC DAMAGES TO \$250,000.**

COMMITTEE ON THE JUDICIARY

10:15 A.M. – ROOM 410-M

COMMITTEE ON RULES

10:45 A.M. – BEHIND CHAMBER

COMMITTEE ON FINANCE

1:00 P.M. – ROOM 460-M

COMMITTEE ON GOVERNMENT ORGANIZATION

1:00 P.M. – ROOM 215-E

COMMITTEE ON EDUCATION

2:00 P.M. – ROOM 432-M

HOUSE OF DELEGATES
STEPHEN J. HARRISON, Clerk
Building 1, Room M-212
1900 Kanawha Blvd., East
Charleston, WV 25305-0470