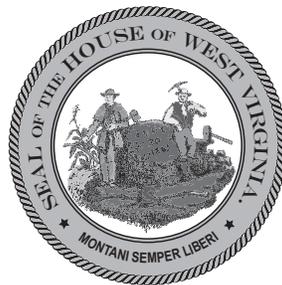


West Virginia Legislature

JOURNAL  
of the  
HOUSE of DELEGATES

Eighty-Seventh Legislature  
Second Regular Session

Held at Charleston  
Published by the Clerk of the House



January 26, 2026  
THIRTEENTH DAY



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Monday, January 26, 2026

**THIRTEENTH DAY**

[DELEGATE RILEY, MR. SPEAKER PRO TEMPORE, IN THE CHAIR]

The House of Delegates was called to order by the Honorable Clay Riley, Speaker Pro Tempore.

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

The Clerk proceeded to read the Journal of Friday, January 23, 2026, being the first order of business, when the further reading thereof was dispensed with and the same approved.

**Bills Introduced**

On motions for leave, bills were introduced and severally referred as follows:

At the request of Delegate Gearheart, and by unanimous consent, further reading of the bills was dispensed with and each bill was considered as formally introduced and referred to the appropriate committees as indicated on the Chamber Automation System.

**By Delegate Pritt:**

**H. B. 4801** - "A Bill to amend and reenact §7-28-14 of the Code of West Virginia, 1931, as amended, relating to permissible expenditures of counties and cities of revenue from the hotel occupancy tax; adding demolition of unsafe and unsanitary structures and planning for reuse or improvement of property owned by municipalities and county commissions as permissible expenditures"; to the Committee on the Judiciary.

**By Delegate Pinson:**

**H. B. 4802** - "A Bill to amend and reenact §11-24-23a of the Code of West Virginia, 1931, as amended, 1 relating to provide a credit for qualified rehabilitated buildings investment under the corporation net income tax"; to the Committee on Finance.

**By Delegate Pinson:**

**H. B. 4803** - "A Bill to amend and reenact §7-14D-7 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §7-14D-11a, relating to the Deputy Sheriff Retirement System Act; permitting the board to set the employer contribution rate; setting a maximum employer contribution rate upon payment of the first annual annuity adjustment; and providing an annual annuity adjustment of one percent for eligible deputy sheriff retirants and surviving spouses"; to the Committee on Finance.

**By Delegate Pinson:**

**H. B. 4804** - "A Bill to amend and reenact §7-14D-2, §7-14D-14, and §7-14E-2 of the Code of West Virginia, 1931, as amended, relating to providing increased benefits for retired sheriff's deputies; adjusting the percentage factor for members retired after July 1, 2018; increasing the

benefit amount for totally disabled retirees; and authorizing the increase of certain fees, paid by the county, for deposit into the Deputy Sheriff Retirement Fund"; to the Committee on Finance.

**By Delegate Pinson:**

**H. B. 4805** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §17C-4-18, relating to providing for environmental cleanup for motor vehicle crashes"; to the Committee on Energy and Public Works.

**By Delegate Pinson:**

**H. B. 4806** - "A Bill to amend and reenact §7-7-4 of the Code of West Virginia, 1931, as amended, relating to compensation of elected officials; and increasing the salaries of Sheriffs 10% more than the salaries of the County Clerk and Circuit Clerk"; to the Committee on Government Organization then Finance.

**By Delegates Worrell and Hite:**

**H. B. 4807** - "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 the code by adding a new section, designated §27-5-2b; and to amend the 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"; to the Committee on the Judiciary.

**By Delegates Leavitt, Akers, Riley, Browning, T. Howell and D. Cannon:**

**H. B. 4808** - "A Bill to amend and reenact §8-29-8 of the Code of West Virginia, 1931, as amended, relating to authorization of federally approved project delivery methods for airport capital improvement projects"; to the Committee on Government Organization.

**By Delegates Funkhouser and Leavitt:**

**H. B. 4809** - "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, 2028"; to the Committee on Finance.

**By Delegates Clark, Hornby, Horst, Hite, Browning, Ellington, Funkhouser, Masters, White and Rohrbach:**

**H. B. 4810** - "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, and §33-64-6, relating to dental health care service plans; defining terms; providing for transparency of expenditures of patient premiums; requiring carriers to file annual reports; prohibiting certain restrictions on method of payment to providers; prohibiting certain contracts, clauses or waivers; providing for enforcement by the Insurance Commissioner; 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 rulemaking"; to the Committee on Health and Human Resources then Finance.

**By Delegate Funkhouser:**

**H. B. 4811** - "A Bill to amend to amend and reenact §9-7-6 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §14-4-1, §14-4-2, §14-4-3, §14-4-4, §14-4-5, §14-4-6, §14-4-7, §14-4-8, §14-4-9, §14-4-10, §14-4-11, and §14-4-12; relating to creating the False Claims Act; amending the fraud and abuse provisions in Medicaid program to provide for damages under the False Claims Act; setting forth prohibited acts, damages, costs, and civil penalties, limitations on damages, and responsibilities of the Attorney General; providing for civil actions by private persons, rights of parties to qui tam proceedings, awards to qui tam plaintiffs, the barring of certain civil actions; providing that state is not liable for the expenses of private litigants; providing for private action for retaliatory conduct, limitation of actions, retroactive application, and state intervention in action by private person; addressing estoppel, jurisdiction and venue, non-exclusivity of act, liberality of construction, and distribution of proceeds"; to the Committee on the Judiciary.

**By Delegates Ridenour, Hillenbrand, Mazzocchi, Butler, Masters, Phillips, Martin, Brooks, Dillon and Anders:**

**H. B. 4812** - "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, §15-17-6, §15-17-7, §15-17-8, and §15-17-9, relating to the creation of the Anti-Federal Commandeering Act; providing for a short title; providing for legislative findings and intent; creating definitions; prohibiting federal commandeering; creating prohibitions on police activity; defining permitted activities; allowing the Attorney General to challenge unconstitutional federal actions; allowing the Attorney General to publish model policies; and providing law enforcement immunity"; to the Committee on the Judiciary.

**By Delegates Cooper, Clay, Miller, Sheedy, Roop, Toney and Canterbury:**

**H. B. 4813** - "A Bill to amend and reenact §11-15-3c of the Code of West Virginia, 1931, as amended, relating to exempting from the sales tax all-terrain vehicles and utility terrain vehicles used as farm equipment"; to the Committee on Finance.

**By Delegates Cooper, Clay, Roop, Miller and Toney:**

**H. B. 4814** - "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 creating 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"; to the Committee on Government Organization then the Judiciary.

**By Delegates Cooper, Clay, Roop, Toney and Canterbury:**

**H. B. 4815** - "A Bill to amend and reenact §8-32-4 of the Code of West Virginia, 1931, as amended, relating to permitting a political subdivision-based community health center to pay bonuses and incentives under certain conditions"; to the Committee on Health and Human Resources.

**By Delegate Burkhammer:**

**H. B. 4816** - "A Bill to amend and reenact §8-13-13 of the Code of West Virginia, 1931, as amended, relating to eliminating municipal fire protection fees on a person or business located outside of the municipalities boundaries if there is a fee imposed by the county"; to the Committee on the Judiciary.

**By Delegate Crouse:**

**H. B. 4817** - "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"; to the Committee on Education then Finance.

**By Delegate Crouse:**

**H. B. 4818** - "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 public buildings for public charter schools, providing definitions; authorizing rulemaking; requiring reporting of underused and unused school properties by the of each county superintendent of schools to the department of education; providing that these underused and unused school properties be offered to public charter schools for use; creating plans for purchase or lease; providing right of first refusal for the school board should the public charter school later seek to sell the property; and permitting a public charter school to petition the State Auditor for lists of all underused and unused school properties in the state"; to the Committee on Education then Finance.

**By Delegate Crouse:**

**H. B. 4819** - "A Bill to amend and reenact §21-1-6, §21-5-5c, §21-14-6, and §21-16-7; and to amend and reenact §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"; to the Committee on Government Organization.

**By Delegate Kump:**

**H. B. 4820** - "A Bill to amend and reenact §55-7-15 of the code of West Virginia, 1931, as amended, relating to aid to victims of accidents, emergency, disaster or non-emergent situations voluntary and without remuneration"; to the Committee on the Judiciary.

**By Delegates Pushkin, Hornbuckle, Hansen, Williams, Young, Hamilton, Lewis and Fluharty:**

**H. B. 4821** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §9-4F-1, §9-4F-2, §9-4F-3, §9-4F-4, §9-4F-5, §9-4F-6, §9-4F-7, §9-4F-8, and §9-4F-9, all relating to creating the Affordable Medicaid Buy-In Program; requiring the Department of Human Services to develop and administer the Affordable Medicaid Buy-In Plan; setting eligibility criteria and coverage requirements; specifying role and duties of the Department of Human Services; establishing an advisory council to the Affordable Medicaid Buy-In Program; defining terms; setting limitations of employers; requiring a full-cost option be available for individuals who do not meet financial qualifications; requiring rule-making; and mandating application for necessary federal Medicaid options and innovation waivers to maximize federal funding of the Program"; to the Committee on Health and Human Resources then Finance.

**By Delegates Hansen, Hornbuckle, Garcia, Hamilton, Pushkin, Young, Williams, Lewis and Fluharty:**

**H. B. 4822** - "A Bill to amend and reenact §5B-2N-2a and §11-6N-4 of the Code of West Virginia, 1931, as amended; relating to High Impact Data Centers; requiring any monies generated for grid stabilization and maintenance be used to preserve all generation sources; reallocation of any positive tax increment ad valorem property taxes collected from High Impact Data Centers; and including funding to local school boards and the Public Insurance Financial Stability Fund"; to the Committee on Energy and Public Works then Finance.

**By Delegate Pritt:**

**H. B. 4823** - "A Bill to amend and reenact §11A-1-3 of the Code of West Virginia, 1931, as amended, relating to allowing for payment of real property taxes to be made on a quarterly basis rather than on a twice a year basis"; to the Committee on Finance.

**By Delegate Pritt:**

**H. B. 4824** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §24-2J-1, relating to requiring all public and private utility systems that are granted rate increases to set aside 5% of these funds for repairs and improvements to the physical utility infrastructure; establishing limitations on the use of these funds; prohibiting passing this cost on to the consumers"; to the Committee on Energy and Public Works then Finance.

**By Delegate Pritt:**

**H. B. 4825** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §8-12-28, relating to authorizing municipalities to place signage on state roads within their municipal jurisdiction and boundaries"; to the Committee on Energy and Public Works.

**By Delegate Pritt:**

**H. B. 4826** - "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 establishing the process of involuntary treatment for substance use disorder; establishing the patient's rights; creating criteria for involuntary treatment; petitions for treatment; proceedings for involuntary treatment; emergency treatment; and summons issued by the court"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegate Pritt:**

**H. B. 4827** - "A Bill to amend and reenact §16-5K-6 of the Code of West Virginia, 1931, as amended, relating to professional service 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"; to the Committee on Health and Human Resources then Finance.

**By Delegate Pritt:**

**H. B. 4828** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16-13A-26, relating to publication of notices of federal or state violations by public service districts"; to the Committee on the Judiciary.

**By Delegate Pritt:**

**H. B. 4829** - "A Bill to amend and reenact §17C-5-3 of the Code of West Virginia, 1931, as amended, relating to reckless driving offenses; and providing that driving at speeds that exceed 30 miles per hour over posted speed limits is a reckless driving offense; and criminal penalties"; to the Committee on the Judiciary.

**By Delegates Pritt and Flanigan:**

**H. B. 4830** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §14A-1-1, §14A-1-2, and §14A-1-3, relating to providing compensation to those who have been adversely impacted by the actions of the West Virginia Supreme Court of Appeals' Judicial Investigative Committee or any other division operating under the umbrella of the West Virginia Supreme Court of Appeals"; to the Committee on the Judiciary then Finance.

**By Delegates Pritt, Green, Brooks and Dillon:**

**H. B. 4831** - "A Bill to amend and reenact §17-22-2 and §17-22-4 of the Code of West Virginia, 1931, as amended; relating to lewd public content; providing definitions; and prohibiting 'lewd public content' from being advertised anywhere in West Virginia"; to the Committee on the Judiciary.

**By Delegates Hansen, Young, Hamilton, Williams, Garcia, Hornbuckle, Pushkin, Lewis and Fluharty:**

**H. B. 4832** - "A Bill to amend and reenact §5B-2-21a, §5B-2-21b, §22-26-2, §22-26-3 and §22-26-8 of the Code of West Virginia, 1931, as amended, relating to the use of state water resources; establishing high impact data centers water use reporting requirements; designating data centers as high volume water users; providing directives for high impact data center reporting; authorizing the department to prohibit or limit water withdrawals if adverse impacts will occur to a state water resource; providing a public hearing and public comment for a high impact data center; and removing language relating to a previously repealed joint legislative commission"; to the Committee on Energy and Public Works.

**By Delegates Barnhart, Moore, Shamblin, Hall and Bell:**

**H. B. 4833** - "A Bill to amend and reenact §8-37-3 of the Code of West Virginia, 1931, as amended, relating to removing the 30% cap on municipal stabilization funds"; to the Committee on Finance.

**By Delegates Jennings, Dittman and Ferrell:**

**H. B. 4834** - "A Bill to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended, relating to permitting women's wrestling in public high schools and public charter schools in this state as a sanctioned sporting event"; to the Committee on Education.

**By Delegate Pritt:**

**H. B. 4835** - "A Bill to amend and reenact §17C-3-2 of the Code of West Virginia, 1931, as amended, relating to traffic signals; and requiring that a three-second pause be added to all traffic-control lights and devices"; to the Committee on Energy and Public Works.

**By Delegate Pritt:**

**H. B. 4836** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §19-20-27, relating to prohibiting a person from taking a dog, cat, or other animal into a grocery store or retail establishment that sells food unless the animal is a registered service animal"; to the Committee on the Judiciary.

**By Delegates Ridenour, Butler, Mazzocchi, Jennings, Hillenbrand, Martin, Ward, Kimble and Kump:**

**H. B. 4837** - "A Bill to amend and reenact §6B-2-5 of the Code of West Virginia, 1931, as amended, relating to extending the one-year prohibition on lobbying by former public officials to five years"; to the Committee on the Judiciary.

**Miscellaneous Business**

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

H. B. 4812: Delegate Kump.

At 1:35 p.m., the House of Delegates adjourned until 11:00 a.m., Tuesday, January 27, 2026.

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



## **SPECIAL CALENDAR**

**Tuesday, January 27, 2026**

**14th Day**

**11:00 AM**

### **THIRD READING**

- Com. Sub. for H. B. 4002 - Establishing the West Virginia Collaboratory
- Com. Sub. for H. B. 4005 - Skills to work
- Com. Sub. for H. B. 4022 - CPS Allocation
- Com. Sub. for H. B. 4196 - To offer long-acting reversible contraception to patients receiving methadone and suboxone at the treatment facility for the methadone and suboxone
- Com. Sub. for H. B. 4354 - Relating to necessity allowance
- Com. Sub. for H. B. 4433 - Prohibiting Human Smuggling and Trafficking

### **SECOND READING**

- Com. Sub. for H. B. 4028 - Relating to sales tax on construction materials
- Com. Sub. for H. B. 4169 - Relating to mental health examination requirements.
- Com. Sub. for H. B. 4215 - Department of Health Rules Bundle
- Com. Sub. for H. B. 4364 - Relating to concurrent juvenile jurisdiction on military installations
- H. B. 4422 - To permit students in eighth and ninth grade to attend summer school in order to raise their grades and establish academic eligibility to play sports in the fall.

### **FIRST READING**

- Com. Sub. for H. B. 4393 - Requiring the development and implementation of statewide prevention plan
- H. B. 4410 - Relating to special stops required for on-track equipment
- H. B. 4437 - To allow Gold Star parents to receive one free Gold Star vehicle registration for personal use.
- Com. Sub. for H. B. 4610 - Safeguard the Right-To-Try Cutting-Edge Medicine Act

H. B. 4626 -

Relating to the establishment of a grant program to fund the United States Food and Drug Administration's drug development trials with ibogaine

**HOUSE CALENDAR**

**Tuesday, January 27, 2026**

**14th Day**

**11:00 AM**

No Bills



# **WEST VIRGINIA HOUSE OF DELEGATES**

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**TUESDAY, JANUARY 27, 2026**

**HOUSE CONVENES AT 11:00 A.M.**

**COMMITTEE ON RULES**

**10:30 A.M. – SPEAKERS CONFERENCE ROOM 218M**

**COMMITTEE ON FINANCE**

**9:00 A.M. – FINANCE COMMITTEE ROOM 460M**

**COMMITTEE ON JUDICIARY**

**9:00 A.M. – JUDICIARY COMMITTEE ROOM 410M**

**SUBCOMMITTEE ON LEGAL SERVICES**

**9:45 A.M. – JUDICIARY COMMITTEE ROOM 410M**

**SUBCOMMITTEE ON HOMELAND SECURITY**

**10:00 A.M. – JUDICIARY COMMITTEE ROOM 410M**

**SUBCOMMITTEE ON COURTS**

**10:15 A.M. – JUDICIARY COMMITTEE ROOM 410M**

**COMMITTEE ON EDUCATION**

**1:30 P.M. – EDUCATION COMMITTEE ROOM 434M**

**SUBCOMMITTEE ON LOCAL GOVERNMENTS**

**1:00 P.M. – EAST WING COMMITTEE ROOM 215E**

**SUBCOMMITTEE ON AGRICULTURE, COMMERCE AND TOURISM**

**2:00 P.M. – EAST WING COMMITTEE ROOM 215E**

**COMMITTEE ON HEALTH AND HUMAN RESOURCES**

**3:30 P.M. – EAST WING COMMITTEE ROOM 215E**

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