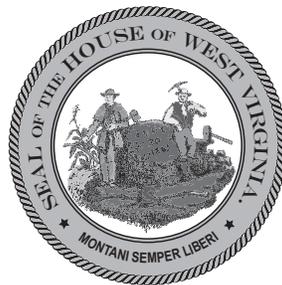


West Virginia Legislature

JOURNAL  
of the  
HOUSE of DELEGATES

Eighty-Seventh Legislature  
Second Regular Session

Held at Charleston  
Published by the Clerk of the House



January 27, 2026  
FOURTEENTH DAY



---

Tuesday, January 27, 2026

**FOURTEENTH DAY**

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

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

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

The Clerk proceeded to read the Journal of Monday, January 26, 2026, being the first order of business, when the further reading thereof was dispensed with and the same approved.

**Committee Reports**

Delegate Akers, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

**H. B. 4415**, Creating crime of attempting to smuggle contraband into federal correctional institutions within the state,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 4415** - "A Bill to amend and reenact §61-5-8 of the Code of West Virginia, 1931, as amended, relating to federal correctional institutions; adding federal correctional institutions to the list of correctional facilities in which it is a criminal offense to deliver anything unlawfully to a person in custody or confined therein; related to adding telecommunications device as a prohibited object that may be delivered or transported, or caused to be delivered or transported, into a correctional institute as defined therein; related to updating and expanding the definition of telecommunications device; also amending, enhancing, and modifying criminal penalties relate to crimes contained within §61-5-8 of this code,"

With the recommendation that the committee substitute do pass.

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

Your Committee on Rules has had under consideration:

**Committee Substitute for H. C. R. 3**, House Infrastructure Naming Resolution,

And reports back a committee substitute therefor, as follows:

**Com. Sub. For Com. Sub. for H. C. R. 3** - "Requesting that the Division of Highways name the following infrastructure specified in this resolution,"

With the recommendation that the committee substitute be adopted.

### Messages from the Senate

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. 15** - "Strengthening protections for certain natural resource interests affected by carbon capture and underground carbon storage projects"; which was referred to the Committee on Energy and Public Works.

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

**S. B. 66** - "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"; which was referred to the Committee on Government Organization.

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. 137** - "A Bill to amend and reenact §61-2-3 of the Code of West Virginia, 1931, as amended, relating to criminal penalties for murder of the second degree; and parole eligibility for the crime of murder in the second degree"; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

**Com. Sub. for S. B. 207** - "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; and establishing that county commission determines eligibility for commission"; which was referred to the Committee on the Judiciary.

### Resolutions Introduced

Resolutions were introduced and severally referred as follows:

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

**By Delegates Dillon and Kimble:**

**H. R. 4** —"Expressing support of the Soft Lights Foundation's Petition to the U.S. Food and Drug Administration Urging a Report to Congress on the Health and Safety Hazards of Flat Panel LED Lights and Vehicle LED Lights"; to the Committee on Health and Human Resources then Rules

**By Delegate Dillon:**

**H. R. 5** - "Designating October 10 as "Blue Light Awareness Day"; to the Committee on Rules

And,

**By Delegate Pinson:**

**H. C. R. 14** - " Requesting passage of The Charlie Kirk Memorial First Amendment Freedom Act"; to the Committee on the Judiciary then Rules

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

**By Delegates Green, Ward, Brooks, Mallow, Hott, Foggin, Hanshaw (Mr. Speaker), Phillips, McGeehan, Worrell and Heckert:**

**H. J. R. 26** - " Proposing an amendment to the Constitution of the State of West Virginia, amending section three, article IX thereof, relating to modifying term limits for sheriffs; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on the Judiciary.

And,

**By Delegates Ridenour, Martin, Dillon, Coop-Gonzalez, Kump, Mazzocchi, Jeffries, Kimble, Anders and Clark:**

**H. J. R. 27** - " Proposing an amendment to the Constitution of the State of West Virginia by repealing Amendment III – the Good Roads Amendment of 1920; repealing Amendment 4 – The Good Roads Amendment of 1928; repealing Amendment 5 – Fifty Million Dollar Bond Issue for Roads Amendment; repealing Amendment 8 – Better Roads Amendment; repealing Amendment 9 – Roads Development Amendment; repealing Amendment 9 – Roads Development Amendment; repealing Amendment 11 – Better Highways Amendment; repealing Amendment 16 – Safe Roads Amendment of 1996; repealing Amendment 18 – Roads to Prosperity Amendment of 2017; and amending the amendments portion of the Constitution of the State of West Virginia by adding thereto a new amendment, designated Amendment 19, relating to returning control of roads in West Virginia from the state to counties; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Finance then the Judiciary.

### **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 Ridenour:**

**H. B. 4838** - "A Bill to amend and reenact §17A-10-3c of the Code of West Virginia, 1931, as amended, relating to increasing registration fees for alternative fuel vehicles"; to the Committee on Finance.

**By Delegates Flanigan, Funkhouser, Pritt, Mallow, Jennings, Ward, Miller, Roop, Bridges, Hanshaw (Mr. Speaker) and Clark:**

**H. B. 4839** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15-2-5a, relating to the West Virginia State Police; establishing a geographic assignment compensation differential"; to the Committee on Government Organization then Finance.

**By Delegates Chiarelli, Amos and Hite:**

**H. B. 4840** - "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 federally qualified health centers are exempted from the prior authorization gold card process"; to the Committee on Health and Human Resources.

**By Delegates Chiarelli, McCormick, Kyle, Mallow, Statler, Street, Pritt, Shamblin and Hornby:**

**H. B. 4841** - "A Bill to amend the Code of West Virginia, 1931, as amended by adding thereto a new section, designated §17-4-17f, relating to road repair; requiring Division of Highways county supervisors consult with county commissions to submit petitions requesting local road repair by the Division of Highways; establishing a petition procedure; and requiring reporting by Division of Highways"; to the Committee on Finance.

**By Delegates Akers, Funkhouser, Shamblin and Ferrell:**

**H. B. 4842** - "A Bill to amend and reenact §55-20-3 of the Code of West Virginia, 1931, as amended, relating to civil remedies for the unauthorized disclosure of intimate images; clarifying that the article applies to sexual extortion; clarifying that liability is joint and several; and creating civil penalties"; to the Committee on the Judiciary.

**By Delegates Akers, Horst, Ridenour, Butler and T. Howell:**

**H. B. 4843** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §46A-6-111, relating to consumer protection and the collection of certain personally identifiable information; prohibiting the use of scanner technology to collect certain personally identifiable information in certain consumer transactions; creating definitions; providing that a violation of the section is an unfair or deceptive act or practice; and creating penalties"; to the Committee on the Judiciary.

**By Delegates Ferrell, Toney, Dittman, Pritt, Dillon and Clark:**

**H. B. 4844** - "A Bill to amend and reenact §18A-4-10 of the Code of West Virginia, 1931, as amended, relating to modifying the procedure for teachers when using leave"; to the Committee on Education.

**By Delegates Ridenour, Martin, Kump, Hillenbrand, Coop-Gonzalez, Mazzocchi, Butler, Ward, Phillips, Funkhouser and Jeffries:**

**H. B. 4845** - "A Bill to amend and reenact §15-2-24, §62-11C-11, §62-12-2, and §62-12-13 of the Code of West Virginia, as amended, to amend said code by adding four new sections, designated §29-12A-19, §29-12A-20, §29-12A-21, and §29-12A-22; to amend said code by adding thereto 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; and §61-17-8; and to amend said code by adding thereto a new article, designated §62-17-1, §62-17-2, and §62-17-3, all relating to procedures regarding illegal entry into the state; requiring the Criminal Identification Bureau maintain certain records regarding illegal entry into state; providing immunity to local and state officials for actions taken to enforce law regarding illegal entry into state; establishing findings and definitions regarding illegal entry

into state; creating the offense of illegal entry into state; creating the offense of illegal reentry into state; creating the offense of refusal to comply with an order; prohibiting community supervision for person convicted of certain offenses; prohibiting parole for persons convicted of illegal entry or reentry; prohibiting enforcement of crimes of illegal entry or reentry in certain locations; establishing procedures for court to order deportation of certain individuals; and providing no abatement of prosecution for defendants whose status is not determined by federal government"; to the Committee on the Judiciary.

**By Delegate Street:**

**H. B. 4846** - "A Bill to amend and reenact §11-6J-3 of the Code of West Virginia, 1931, relating to the ad valorem property valuation of specialized high-technology property"; to the Committee on Finance.

**By Delegates Funkhouser, Horst, Linville, Anders and Ridenour:**

**H. B. 4847** - "A Bill to amend and reenact §18-9A-12 of the Code of West Virginia, 1931, as amended, relating to providing for local shares of teacher and personnel pay"; to the Committee on Education then Finance.

**By Delegates Funkhouser, Linville, Hott and Ridenour:**

**H. B. 4848** - "A Bill to amend and reenact §3-8-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §3-8-8a, relating to requiring certain disclosures of election expenditures; clarifying when contributions are required to be disclosed; creating exceptions; clarifying that certain federal entities must make certain state disclosures; requiring disclosure of covered transfers; stating legislative findings; defining terms; providing requirements for disclosure of donations related to the transfer of certain sums of money regarding campaign-related disbursements; requiring certain disclosures be made within 48 hours; specifying information required in the disclosures; clarifying the relationship between covered transfers and other regulated areas of election expenditures; creating criminal penalties; and authorizing rulemaking"; to the Committee on the Judiciary.

**By Delegates Dillon, Butler, Adkins, Parsons, Pritt, Masters, Ferrell, Foggin and T. Howell:**

**H. B. 4849** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-9D-22, relating to authorizing the Superintendent of the county school district or the local School Improvement Committee to apply to the School Building Authority for emergency funding to remediate hazards from natural processes"; to the Committee on Education.

**By Delegate Funkhouser:**

**H. B. 4850** - "A Bill to amend and reenact §44-1-1 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §44-1-1a, relating to providing the option to all executors and administrators of estates to complete the viewing of an instructional education video, requiring that the Supreme Court of Appeals create this instructional video, what information must be in the video training, and including a start date"; to the Committee on the Judiciary.

**By Delegates Dillon and T. Howell:**

**H. B. 4851** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-13e, relating to creating a moratorium on school closures and consolidations pending a West Virginia Department of Education ('WVDE') school aid formula proposal"; to the Committee on Education then Finance.

**Special Calendar****Third Reading**

**Com. Sub. for H. B. 4002**, Establishing the West Virginia Collaboratory; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 15**), and there were—yeas 76, nays 12, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Anders, Brooks, Burkhammer, Butler, Clay, Coop-Gonzalez, Dillon, Foggin, T. Howell, Kimble, Kump and Ridenour.

Absent and Not Voting: Bridges, J. Cannon, Canterbury, Dean, McGeehan, Miller, Petitto, D. Smith, Street, Ward and White.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4002) passed.

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

**Com. Sub. for H. B. 4005**, Skills to work; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 16**), and there were—yeas 83, nays 5, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Hamilton, Hansen, Pushkin, Williams and Young.

Absent and Not Voting: Bridges, J. Cannon, Canterbury, Dean, McGeehan, Miller, Petitto, D. Smith, Street, Ward and White.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4005) passed.

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

**Com. Sub. for H. B. 4022**, CPS Allocation; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 17**), and there were—yeas 88, nays none, absent and not voting 11, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, J. Cannon, Canterbury, Dean, McGeehan, Miller, Petitto, D. Smith, Street, Ward and White.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4022) passed.

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

**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; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 18**), and there were—yeas 83, nays 5, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Anders, Chiarelli, Dillon, Kimble and Pritt.

Absent and Not Voting: Bridges, J. Cannon, Canterbury, Dean, McGeehan, Miller, Petitto, D. Smith, Street, Ward and White.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4196) passed.

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

**Com. Sub. for H. B. 4354**, Relating to necessity allowance; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 19**), and there were—yeas 88, nays none, absent and not voting 11, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, J. Cannon, Canterbury, Dean, McGeehan, Miller, Petitto, D. Smith, Street, Ward and White.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4354) passed.

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

**Com. Sub. for H. B. 4433**, Prohibiting Human Smuggling and Trafficking; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 20**), and there were—yeas 81, nays 9, absent and not voting 9, with the nays and the absent and not voting being as follows:

Nays: Fluharty, Garcia, Hamilton, Hansen, Hornbuckle, Lewis, Pushkin, Williams and Young.

Absent and Not Voting: Bridges, J. Cannon, Canterbury, Dean, McGeehan, Petitto, D. Smith, Street and Ward.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4433) passed.

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

### **Second Reading**

The following bills on second reading, coming up in regular order, were each read a second time and ordered to engrossment and third 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,

And,

**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 participate in extracurricular activities in the fall.

### **First Reading**

The following bills on first reading, coming up in regular order, were each read a first time and ordered to second 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,

And,

**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.

### **Leaves of Absence**

At the request of Delegate Gearheart, and by unanimous consent, leaves of absence for the day were granted Delegates Bridges, J. Cannon, Canterbury, Dean, McGeehan, Petitto, D. Smith, Street and Ward.

**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. 4088:** Delegate Heckert;

**H. B. 4154:** Delegate Fehrenbacher;

**H. B. 4698:** Delegate Mazzocchi;

**H. B. 4772:** Delegate Willis;

**H. B. 4773:** Delegates Drennan and Moore;

And,

**H. B. 4834:** Delegates Hornby, Shamblin, and Willis.

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

**H. B. 4146:** Delegate Dillon;

And,

**H. B. 4677:** Delegate Foggin.

At 1:54 p.m., the House of Delegates adjourned until 11:00 a.m., Wednesday, January 28, 2026.

---

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



**SPECIAL CALENDAR**

**Wednesday, January 28, 2026**

**15th Day**

**11:00 A.M.**

**UNFINISHED BUSINESS**

Com. Sub. for H. C. R. 3 - House Infrastructure Naming Resolution

**THIRD 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.

**SECOND 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

**FIRST READING**

Com. Sub. for H. B. 4415 - Creating crime of attempting to smuggle contraband into federal correctional institutions within the state

**HOUSE CALENDAR**

**Wednesday, January 28, 2026**

**15th Day**

**11:00 A.M.**

No Bills

# **WEST VIRGINIA HOUSE OF DELEGATES**

---

**WEDNESDAY, JANUARY 28, 2026**

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

**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 GOVERNMENT ORGANIZATION**

**1:00 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