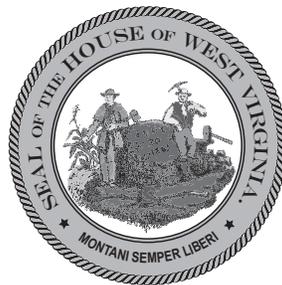


West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Seventh Legislature
Second Regular Session

Held at Charleston
Published by the Clerk of the House



February 10, 2026
TWENTY-EIGHTH DAY

Tuesday, February 10, 2026

TWENTY-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 Monday, February 9, 2026, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Reordering of the Calendar

Pursuant to the action of the Committee on Rules, the Clerk announced that Com. Sub. for S. B. 207, on First Reading, Special Calendar, had been transferred to the House Calendar.

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. 4098, To restore the right of a person to sit on a jury has been restored upon expungement of one's record,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4098 - "A BILL to amend and reenact §52-1-8 of the Code of West Virginia, 1931, as amended, relating to eligibility requirements for serving on jury; and clarifying that prospective juror whose conviction was expunged or set aside, or who subsequent thereto receives a pardon for said offense, shall not be disqualified from serving on a jury,"

With the recommendation that the committee substitute do pass.

Delegate Worrell, 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. 4602, Relating to requiring the Department of Human Services to establish a pilot program to contract for supplemental caseworker aide services for the Bureau for Social Services,

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

Delegate Phillips, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

H. B. 4463, Relating to the Board of Sanitarians,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4463 - "A Bill to amend and reenact §30-17-5, §30-17-8, §30-17-9 and §30-17-12 of the Code of West Virginia, 1931, as amended, relating to modifying rules related to the Board of Sanitarians; authorizing online training; establishing time limit on certain training; clarifying that a Registered Sanitarian may license individuals fulfilling requirements; and requiring board adopt reciprocity standards by May 1, 2026,"

And,

H. B. 4784, Extending the Qualified Opportunity Zones until July 1, 2032,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4784 - "A Bill to amend and reenact §11-24-6b of the Code of West Virginia, 1931, as amended, relating to extending Qualified Opportunity Zones until July 1, 2032,"

With the recommendation that the committee substitutes each do pass.

Delegate Phillips, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

H. B. 4462, Prohibition on cell-cultured products,

And,

H. B. 4561, Clarifying the sheriff's authority to hire within their office,

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

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. 440 - "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; adding telecommunications device as a prohibited object that may be delivered or transported, or caused to be delivered or transported, into a correctional institution; updating and expanding the definition of a telecommunications device; and amending, enhancing, and modifying criminal penalties related to crime of aiding escape and other offenses relating to adults and juveniles in custody or confinement"; 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. 592 - "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 an effective date and sunset date"; which was referred to the Committee on Finance.

A message from the Senate, by

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

Com. Sub. for S. B. 607 - "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"; 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. 615 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15-16-2a, relating to requiring law enforcement to notify federal agency regarding persons with illegal immigration status; and prohibiting laws to the contrary"; which was referred to the Committee on the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 625 - "A Bill to amend and reenact §16-13A-18a of the Code of West Virginia, 1931, as amended, relating to the responsibility of a board of a public service district to cooperate with a county commission in the sale of assets of a public service district that is being dissolved, sold, or merged with another public service district"; which was referred to the Committee on Energy and Public Works.

Resolutions Introduced

Resolutions were introduced and severally referred as follows:

At the request of Delegate McGeehan, 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 Fehrenbacher, Heckert, Anderson, Zatezalo, Criss, Riley, Flanigan, Sheedy, Linville, Lucas and Pinson:

H. R. 13 --"Proposing approval of United States H.R. 5966, Ohio River Restoration Program Act, to bring clean water, enhanced fish and aquatic wildlife, economic benefits, and expanded recreation opportunities to West Virginia"; to the Committee on Energy and Public Works then Rules.

By Delegates Pritt, Clay, B. Smith, Parsons, Eldridge, Adkins, Hornbuckle, Fehrenbacher, Flanigan, Martin and Vance:

H. C. R. 17 --"Requesting the Joint Committee on Government and Finance study the safety measures for pedestrians on the New River Gorge Bridge"; to the Committee on Rules.

And,

By Delegates Ridenour, Mazzocchi, Kimble, Jeffries, Jennings, Martin, Hillenbrand, B Ward, Holstein and Coop-Gonzalez:

H. C. R. 18 --"Requesting that West Virginia acknowledge and identify that the People's Republic of China is conducting an illegal, asymmetric war against the United States of America and West Virginia."; to the Committee on the Judiciary then Rules.

On motion for leave, a Joint Resolution was introduced and referred as follows:

By Delegates Statler and Toney:

H. J. R. 38 - " Proposing an amendment to the Constitution of the State of West Virginia to amend section 1, article 10 thereof, to modify the threshold for passage of an emergency services levy from 60% to 50%, and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on the Judiciary.

Bills Introduced

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

At the request of Delegate McGeehan, 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 Delegates Holstein and Pushkin:

H. B. 5386 - "A Bill to amend §3-5-7 of the Code of West Virginia, 1931, as amended, providing that the Secretary of State and the county clerks shall provide candidate information for display on the Secretary of State's website within five business days after receiving a certificate of announcement"; to the Committee on the Judiciary.

By Delegates G. Howell, Masters, Pritt, Butler, Hillenbrand, Stephens, G. Ward and Foggin:

H. B. 5387 - "A Bill to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating to high school graduation requirements; removing a mandatory stand-alone computer science graduation requirement; establishing a computer literacy proficiency requirement; restoring local flexibility; and preserving advanced computer science pathways"; to the Committee on Education.

By Delegates G. Howell, Young, Hanshaw (Mr. Speaker), Masters, Linville, Stephens and G. Ward:

H. B. 5388 - "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 a tax credit for certain West Virginia businesses participating in the official motorist services logo signing program"; to the Committee on Finance.

By Delegates G. Howell, Clay, Pritt, Cooper, Worrell, Sheedy, Butler, Hillenbrand, Masters, Linville and Stephens:

H. B. 5389 - "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 the creation of a transferable tax credit for the redevelopment of existing buildings into housing for homeless veterans; providing a short title; providing legislative findings and purpose; providing definitions; creating a tax credit; authorizing transferability; clarifying eligibility requirements; establishing application and certification procedures; authorizing recapture; providing rulemaking; and establishing an effective date"; to the Committee on Finance.

By Delegates G. Howell, Criss, Riley, Worrell, Statler, Anderson, Martin, Fehrenbacher, Masters, Linville and G. Ward:

H. B. 5390 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §4-2-10a, and §4-2-10b, relating to fiscal notes, establishing that fiscal notes submitted to the Legislature constitute sworn testimony, imposing criminal penalties for knowingly false or materially misleading fiscal notes, requiring referral for prosecution, and creating a safe harbor for those fiscal notes submitted and made in good faith"; to the Committee on the Judiciary.

By Delegates Holstein, Hornby, Funkhouser and Chiarelli:

H. B. 5391 - "A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-5V-25 and §16-5V-27 of said code; and to amend said code by adding a new article, designated §16-5EE-1, §16-5EE-2, §16-5EE-3, and §16-5EE-4, relating to the creation of the EMS Retirement Equity, Tax Relief, and Workforce Support Act; modifying the calculation of retirement benefits based on the five highest earning years of a member's career; exempting EMSRS pension income from West Virginia personal income tax; and removing the 1040 hour annual work limitation for retired EMS personnel who return to service in designated areas of need"; to the Committee on Finance.

By Delegate Roop:

H. B. 5392 - "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, §33-64-7, §33-64-8, and §33-64-9, relating to the creation of the 'West Virginia Public Adjuster Professional Standards Reform Act,' providing a title; creating application for licensure; detailing the public adjuster and insured contract requirements; creating an insured's rights; providing requirements for funds received or held by a public adjuster; creating fees and commissions for a public adjuster; providing for penalties; creating rules; and providing for an effective date"; to the Committee on Government Organization then Finance.

By Delegate Roop:

H. B. 5393 - "A Bill to amend and reenact §38-10-4 of the Code of West Virginia, 1931, as amended, relating to exemptions of property in bankruptcy proceedings; creating an exemption; and providing for a surviving spouse the ability to claim the deceased spouse's homestead

exemption so long as the home they owned together is owned by the surviving spouse"; to the Committee on Finance.

By Delegate Dillon:

H. B. 5394 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding three new sections, designated §3-1-53, §7-1-17, and §18-5-55, relating to providing for the process of a recall election for elected officials, county commissioners or county board of education officials"; to the Committee on the Judiciary.

By Delegate Statler:

H. B. 5395 - "A Bill to amend and reenact §47-21-11 of the Code of West Virginia, 1931, as amended, relating to authorizing raffle licensees to offer alcoholic beverages as raffle prizes"; to the Committee on the Judiciary.

By Delegate Statler:

H. B. 5396 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §47-21-31, relating to allowing the use of credit cards for charitable raffles"; to the Committee on the Judiciary.

By Delegates Foggin, Coop-Gonzalez, Anders, Marple, Masters, Mallow, Brooks and Heckert:

H. B. 5397 - "A Bill to amend and reenact §11-15-9u of the Code of West Virginia, 1931, as amended, relating to exempting sales of firearm suppressors from consumer sales and service tax; and providing a definition of a suppressor"; to the Committee on Finance.

By Delegates Anderson, Zatezalo and Fehrenbacher:

H. B. 5398 - "A Bill to amend and reenact §11-13A-3a of the Code of West Virginia, 1931, as amended, relating to dates and deposits for Oil and Gas Well Plugging; and allowing for the receipt of federal moneys for Abandoned Well Plugging if there is not more than \$6 million in unencumbered funds by September 30 of each year"; to the Committee on Energy and Public Works then Finance.

By Delegate Riley:

H. B. 5399 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-24-45, relating to providing a tax credit against the state corporation net income tax for expenditures and activities related to the establishment and operation of biochar manufacturing facilities; defining terms; providing for rulemaking; establishing the amount of the tax credit; providing for limitations of the tax credit; establishing the duration of the tax credit; and providing for verification requirements"; to the Committee on Finance.

By Delegates Masters, G. Howell, Jordan, Hillenbrand, Mallow, Parsons and Heckert:

H. B. 5400 - "A Bill to amend and reenact §61-8D-4a 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 neglect resulting in death"; to the Committee on the Judiciary.

By Delegates Funkhouser, Hillenbrand, Moore, Dittman, Mallow, Flanigan, Masters, Akers, Butler, Martin and Roop:

H. B. 5401 - "A Bill to amend and reenact §3-3-1 and §3-3-1a of the Code of West Virginia, 1931, as amended, relating to voting in West Virginia elections while residing overseas"; to the Committee on the Judiciary.

By Delegates Clark and Lucas:

H. B. 5402 - "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, and §11-13NN-5; and to amend the code by adding a new section, designated §17-16A-29a, relating to creating a Distribution Center Refundable Toll Payments Tax Credit Act; defining terms; providing for use of RFID Tag Reader or comparable systems at qualified distribution centers to compile toll payments refundable as a tax credit; allowing for rulemaking; and providing for an effective date"; to the Committee on Finance.

By Delegates Clark, Lucas, Hite and McCormick:

H. B. 5403 - "A Bill to amend and reenact §19-36-5 of the Code of West Virginia, 1931, as amended, relating to the agritourism responsibility act; and providing fire safety requirements for agritourism businesses"; to the Committee on Government Organization.

By Delegates Funkhouser, Moore, Dittman, Mallow, Flanigan, Akers, Jennings, Martin and Roop:

H. B. 5404 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §31D-18-1 and §31D-18-2, relating to establishing the Office of Entrepreneurship withing the West Virginia Secretary of State's Office and providing funding for two years"; to the Committee on Government Organization then Finance.

By Delegate Dillon:

H. B. 5405 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §31-22-1 and §31-22-2, relating to owners of 1,000 or more acres of land being designated as institutional landowners; requiring reports by the landowners to the Secretary of State; and annual reports from the Secretary of State to the Joint Standing Committee on Agriculture and Rural Development"; to the Committee on Government Organization.

By Delegates Akers, Funkhouser, Kimble, Mallow, Flanigan, Jennings, Marple, Shamblin, Zatezalo, Phillips and Heckert:

H. B. 5406 - "A Bill to amend and reenact §17C-5-4, §17C-5-5, §17C-5-6, §17C-5-6a, §17C-5-8, and §17C-5-10 of the Code of West Virginia, 1931, as amended, relating to driving under the influence; making the West Virginia State Police Forensic Laboratory the certifying entity for secondary chemical tests, method and administration of secondary chemical tests, and approval of preliminary breath analysis devices and use; eliminating rule-making authority of the Bureau of Public Health; providing rule-making authority for the State Police; correcting blood alcohol levels related to juveniles; removing propoxyphene from the list of substances tested for in a chemical analysis of blood; eliminating outdated references to urine collection and analysis; permitting those trained in phlebotomy to draw blood; and making technical corrections"; to the Committee on the Judiciary.

By Delegate Pinson:

H. B. 5407 - "A Bill to amend and reenact §49-4-602 of the Code of West Virginia, 1931, as amended, relating to facilitating the participation of medical and mental health professionals in juvenile abuse and neglect cases"; to the Committee on the Judiciary.

By Delegate Young:

H. B. 5408 - "A Bill to amend and reenact the Code of West Virginia, 1931, as amended, by adding a new section §1-8-2, relating to prohibiting government entities from disclosing information that will be used for the enforcement of federal immigration law in certain circumstances"; to the Committee on the Judiciary.

By Delegates Leavitt, Fehrenbacher, Moore, Dittman and Rohrbach:

H. B. 5409 - "A Bill to amend and reenact §22-6-1, §22-6-7, and §22-6A-5 of the Code of West Virginia, 1931, as amended, relating to the ownership of water and minerals in dissolved or undissolved form in produced liquids and solids related to oil and gas drilling"; to the Committee on Energy and Public Works.

By Delegate Kyle:

H. B. 5410 - "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 political subdivisions of their water and wastewater utilities to their governing bodies; and requiring annual continuing education for board members and senior management"; to the Committee on Energy and Public Works.

By Delegate Leavitt:

H. B. 5411 - "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, §24-9-4, §24-9-5, §24-9-6, §24-9-7, §24-9-8, and §24-9-9, relating to establishing the Energy Freedom and Fairness Act; providing a short title and legislative findings; defining terms; permitting retail freedom and competition for the purchase and sale of electric power for certain non-residential retail customers; providing procedures for the commission to establish eligible load capacity allowance; providing for the establishment of a subscription queue; providing notice requirements; providing utility rate transparency requirements for electric utilities; requiring the licensing of competitive service providers; requiring the commission prohibit unreasonable shifting of costs to ratepayers; requiring additional commission oversight measures; providing the commission rulemaking authority; establishing annual reporting requirements"; to the Committee on Energy and Public Works.

**By Delegates Hanshaw (Mr. Speaker) and Hornbuckle
[By Request of the Executive]:**

H. B. 5412 - "A Bill to amend and reenact §11-8-26, §18-2E-12 and §18-9A-10 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18A-3-13, relating to establishing the Future-Ready Education Act that seeks to facilitate the modernization of educational programs and technologies that can prepare students for future workforce needs; authorizing multi-year contracts by local fiscal bodies to procure educational materials with a technology licensing service component where it would result in material fiscal savings; requiring maintaining documentation regarding the fiscal savings from authorized multi-year contract; extending the Mountain State Digital Project to grades 9-12 and extending the program to include educational support and tutoring curriculum including in reading, mathematics, science, career-technical education; authorizing the Department of Education to retain \$7,100,000 from the foundational allowance for school year 2026-2027 to develop and provide to each Kindergarten through Grade 5 public school teacher that provides literacy instruction the high quality professional training in the science of reading; providing that beginning in 2026-2027 school year, each Kindergarten through Grade 5 public school teacher providing literacy instruction and intensive training in the science of reading; allowing public charter school educators to voluntarily participate in the training"; to the Committee on Education then Finance.

By Delegates Akers, Masters, Kimble, Mallow, Flanigan, Jennings, Marple, Funkhouser, Shamblin, Zatezalo and Phillips:

H. B. 5413 - "A Bill to amend and reenact §15-2C-2 and §15-12-2 of the Code of West Virginia, 1931, as amended, relating to the Central Abuse Registry; paying fees; and obligations of the West Virginia State Police for the Central Abuse Registry"; to the Committee on the Judiciary.

By Delegates Hansen, Petitto, Dean, Eldridge and Young:

H. B. 5414 - "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, and §22-10A-4 all relating to creating the New Oil and Gas Well Plugging Assurance Act that prevents new, horizontal oil and gas wells with no bona fide future use from remaining on surface owner's land with no funds available to plug the well; and requiring single-well full-cost plugging bonds or periodic set aside of plugging money in escrow in the Office of the State Treasurer"; to the Committee on Energy and Public Works then Finance.

By Delegates Hansen, Petitto, Dean, Eldridge and Young:

H. B. 5415 - "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 2026; 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; the procedures for prevention of orphaned wells; and requiring plugging money be set aside as escrow in the Office of the State Treasurer"; to the Committee on Energy and Public Works then Finance.

By Delegate Miller:

H. B. 5416 - "A Bill to amend and reenact §35-1-9 and §35-1-10 of the Code of West Virginia, 1931, as amended; and to amend said code by adding a new section, designated §35-1-10a, relating to religious organizations, churches, religious sects, societies, or denominations to borrow money; notice required before conveyance, sale or encumbrance of church property; and the effect of subsequent incorporation on prior conveyances and executed by trustees of a church, religious sect, society, or denomination pursuant to §35-1-9 of this code prior to the effective date of incorporation of that church or religious organization encumbrances"; to the Committee on the Judiciary.

By Delegates J. Cannon and Willis:

H. B. 5417 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-24a, relating to authorizing the use of professional fireworks displays on public school property; providing that such displays may only be conducted by a licensed professional pyrotechnician holding a valid certification from the State Fire Marshal's Office; requiring school board approval; establishing conditions for safety and compliance with applicable laws and regulations"; to the Committee on Education.

By Delegates J. Cannon, Pinson and Rohrbach:

H. B. 5418 - "A Bill to amend and reenact §19-23-3, §19-23-7, §19-23-12b, §29-22A-3, §29-22A-7, §29-22A-10b, §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; clarifying the share of net terminal income West Virginia Thoroughbred Development Fund dog racetracks are

no longer operating; and eliminating the requirement that a racetrack table games licensee at a dog racetrack must race a minimum number of dates"; to the Committee on the Judiciary.

By Delegate Pinson:

H. B. 5419 - "A Bill to amend and reenact §30-29-1 and §61-2-10b, of the Code of West Virginia, 1931, as amended, relating to classifying police canine units, and community search and rescue group canines under the West Virginia Emergency management Search and Rescue Program assisting law-enforcement officers in the search and rescue for individuals and cadavers, as 'law enforcement officers' in relation to their standing as victims and the level of force able to be used in their protection; and crimes against the person"; to the Committee on the Judiciary.

By Delegate Dillon:

H. B. 5420 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-2-9c; and to amend and reenact §18A-3-2a of said code, all relating to establishing the Logic for Living curriculum in public schools for grades seven through ten; requiring assessment of college and career readiness standards to identify improvements in logic and reasoning instruction; defining Logic for Living with emphasis on informal logic; requiring development of standards, curriculum, instructional materials, and assessments; providing for an interdisciplinary, cross-curricular approach; requiring phased implementation across counties; involving the Washington Center for Civics, Culture, and Statesmanship at West Virginia University in development, training, and implementation; providing for teacher training and separate endorsements in logic for grades seven through eight and nine through ten without additional burden on counties; requiring reports to the Joint Standing Committee on Education; authorizing stipends and incentives for teachers; and providing for teacher certification requirements"; to the Committee on Government Organization.

By Delegate Kyle:

H. B. 5421 - "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, and §15-17-4, relating to the creation of The Act to Prohibit the Purchase of Small Unmanned Aircrafts Manufactured or Assembled by a Covered Foreign Entity; providing for definitions; prohibiting the purchase of small unmanned aircraft from covered foreign entities; and providing for the drone replacement grant program"; to the Committee on Government Organization then Finance.

By Delegates Coop-Gonzalez, Martin, Sheedy and Brooks:

H. B. 5422 - "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"; to the Committee on Government Organization then the Judiciary.

By Delegates Funkhouser, Butler, Martin, Mallow, Marple, Phillips and Maynor:

H. B. 5423 - "A Bill to amend and reenact §3-1-34, §17B-2-1, and §17B-2-3 of the Code of West Virginia, 1931, as amended, relating to removing certain forms of identification as valid for voting purposes; requiring a special color driver's license for a documented non-citizen of the United States; providing that West Virginia will not recognize out-of-state driver's licenses issued to illegal aliens; and providing to whom a driver's license may be issued"; to the Committee on the Judiciary.

By Delegate Dillon:

H. B. 5424 - "A Bill to amend and reenact §21-1B-2, §21-1B-3, §21-1B-4, §21-1B-5, §21-1B-6, and §21-1B-7 of the Code of West Virginia, 1931, as amended; and to amend the code by

adding five new sections, designated §21-1B-9, §21-1B-10, §21-1B-11, §21-1B-12, and §21-1B-13, relating to the creation of the Worker Citizenship Verification Act of 2026; providing for expanded definitions; requiring employer verification; providing for investigation by the commissioner; providing for good faith compliance; providing for preemption of local ordinances; providing civil protections for employers verifying employee status; and providing for right of entry and inspection by inspectors"; to the Committee on Government Organization.

By Delegates Leavitt, Stephens, Roop, Pritt, Shamblin, Flanigan, Akers and Rohrbach:

H. B. 5425 - "A Bill to amend and reenact §16-18-30 and §31-18E-9 of the Code of West Virginia, 1931, as amended, relating to acquisitions of properties by land reuse agencies and urban renewal authorities"; to the Committee on Government Organization.

By Delegates Canterbury, Cooper, Hanshaw (Mr. Speaker), Heckert, Williams, Anderson and G. Howell:

H. B. 5426 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §19-12D-13, relating to designating the Bradford Peat Pear (*Pyrus calleryana*) to be a noxious weed"; to the Committee on Government Organization.

By Delegates Ridenour, Butler, Masters, Phillips, Martin, Funkhouser, Kimble, Mallow, B Ward, Jennings and Holstein:

H. B. 5427 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §61-8G-1, §61-8G-2, §61-8G-3, §61-8G-4, §61-8G-5, §61-8G-6, §61-8G-7, §61-8G-8, §61-8G-9, and §61-8G-10, relating to the 'Anti Doxxing and Privacy Protection Act'; creating short title; establishing finding and purpose; defining terms; prohibiting certain acts; establishing criminal penalties; establishing civil remedies; establishing procedures to allow redaction of personal information in certain circumstances; providing for enforcement and oversight of provision; providing for severability; and establishing an effective date"; to the Committee on the Judiciary.

By Delegate Pinson:

H. B. 5428 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-29-11a, relating to providing traumatic event counseling for peace officers, firefighters and 911 dispatchers; report; exceptions; and providing definitions"; to the Committee on Government Organization then Finance.

By Delegates Pinson, Burkhammer and Butler:

H. B. 5429 - "A Bill to amend and reenact §49-2-126 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §49-2-126a, relating to providing foster care children with their own luggage for transporting their personal belongings"; to the Committee on Health and Human Resources.

Special Calendar

Third Reading

Com. Sub. for H. B. 4011, Relating to advanced recycling; 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. 61**), and there were--yeas 96, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Anders, Kump and D. Smith.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4011) 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. 4053, To establish the blue envelope program; 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. 62**), and there were--yeas 96, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Anders, Kump and D. Smith.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4053) 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. 4179, To create felony charge for individuals who assault police officers or police dogs; 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. 63**), and there were--yeas 94, nays 2, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Foggin and Hornbuckle.

Absent and Not Voting: Anders, Kump and D. Smith.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4179) passed.

On motion of Delegate Akers, the title of the bill was amended to read as follows:

H. B. 4179 -- A Bill to repeal §19-20-24 of the Code of West Virginia, 1931, as amended relating to Causing death or injury to animals used by law-enforcement officials or by fire prevention or investigation officials; criminal penalties; and to amend and reenact §61-2-10b of the Code of West Virginia, 1931, as amended, relating to creating the felony crime of battery upon governmental representatives, health care providers, utility workers, law-enforcement officers, correctional employees and emergency medical service personnel and establishing the potential sentencing ranges, penalties, and fines for that offense; creating the felony crime of assault upon governmental representatives, health care providers, utility workers, law-enforcement officers, correctional employees and emergency medical service personnel and establishing the potential sentencing ranges, penalties, and fines for that offense; and to create §61-5-30 of the Code of West Virginia, 1931, as amended relating to creating the felony crime of Causing death or injury to animals used by law-enforcement officials or by fire prevention or investigation officials and

establishing the potential sentencing ranges, penalties, and fines for that offense; and relating to creating the requirements and conditions for an order of restitution upon a defendant for any trained dog or horse used by law-enforcement officials, the Department of Homeland Security or by fire prevention or investigation officials that is harmed or killed.

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. 4198, E-Verify Safe Harbor Act; on third reading, coming up in regular order, was reported by the Clerk.

At the request of Delegate McGeehan, and by unanimous consent, the bill (Com. Sub. for H. B. 4198) was moved to the foot of bills on third reading.

Com. Sub. for H. B. 4345, Relating to the preservation of missing persons records and evidence; 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. 64**), and there were--yeas 95, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Anders, Kump, Ridenour and D. Smith.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4345) 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. 4468, Relating to confidentiality of court files and law-enforcement records; 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. 65**), and there were--yeas 95, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Anders, Kump, Pritt and D. Smith.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4468) 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. 4600, Require all ballots for primary and general elections be received not later than the close of the polls on election day; 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. 66**), and there were--yeas 79, nays 17, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Bridges, Eldridge, Ellington, Fluharty, Garcia, Hall, Hamilton, Hansen, Hornbuckle, Lewis, Marple, McCormick, Pritt, Pushkin, Shamblin, Williams and Young.

Absent and Not Voting: Anders, Kump and D. Smith.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4600) passed.

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

H. B. 4749, Relating to adding requirements to the foster child bill of rights; on third reading, coming up in regular order, with the right to amend, was reported by the Clerk.

Delegate Akers moved to amend the bill by striking everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.

§49-2-126. The Foster Child Bill of Rights.

(a) Foster children and children in a kinship placement are active and participating members of the child welfare system and have the following rights:

(1) The right to live in a safe and healthy environment, and the least restrictive environment possible;

(2) The right to be free from physical, sexual, or psychological abuse or exploitation including being free from unwarranted physical restraint and isolation.

(3) The right to receive adequate and healthy food, appropriate and seasonally necessary clothing, and an appropriate travel bag;

(4) The right to receive medical, dental, and vision care, mental health services, and substance use treatment services, as needed;

(5) The right to be placed in a kinship placement, when such placement meets the objectives set forth in this article;

(6) The right, when placed with a foster or kinship family, to be matched as closely as possible with a family meeting the child's needs, including, when possible, the ability to remain with siblings;

(7) The right, as appropriate to the child's age and development, to be informed on any medication or chemical substance to be administered to the child;

(8) The right to communicate privately, with caseworkers, guardians ad litem, attorneys, Court Appointed Special Advocates (CASA), the prosecuting attorney, and probation officers;

(9) The right to have and maintain contact with siblings as may be reasonably accommodated, unless prohibited by court order, the case plan, or other extenuating circumstances;

(10) The right to contact the department or the foster care ombudsman, regarding violations of rights, to speak to representatives of these offices confidentially, and to be free from threats, retaliation, or punishment for making complaints;

(11) The right to maintain contact with all previous caregivers and other important adults in his or her life, if desired, unless prohibited by court order or determined by the parent, according to the reasonable and prudent parent standard, not to be in the best interests of the child;

(12) The right to participate in religious services and religious activities of his or her choice to the extent possible;

(13) The right to attend school, and, consistent with the finances and schedule of the foster or kinship family, to participate in extracurricular, cultural, and personal enrichment activities, as appropriate to the child's age and developmental level;

(14) The right to work and develop job skills in a way that is consistent with the child's age and developmental level;

(15) The right to attend Independent Living Program classes and activities if the child meets the age requirements;

(16) The right to attend court hearings and speak directly to the judge, in the court's discretion;

(17) The right not to be subjected to discrimination or harassment;

(18) The right to have access to information regarding available educational options;

(19) The right to receive a copy of, and receive an explanation of, the rights set forth in this section from the child's guardian ad litem, caseworker, and attorney;

(20) The right to receive care consistent with the reasonable and prudent foster parent standard; and

(21) The right to meet with the child's department case worker no less frequently than every 30 days.

(22) The right, when the child is 13 years of age or older, to receive timely notice of any hearing pursuant to this chapter that may have legal implications for the child. The child's guardian ad litem or legal counsel shall explain the nature of the hearing and inquire whether the child wishes to attend.

(23) The right, when the child is 13 years of age or older, to attend any hearing pursuant to this chapter that may have legal implications for the child. The child's guardian ad litem or legal counsel shall inform the child that attendance may involve distressing information but shall not discourage the child from attending. If the court determines that in-person attendance is impracticable, or not in the child's best interest, whether due to the facts of the case, the circumstances of the child's placement, or other relevant factors the court may require the child to attend the hearing virtually, such determination may be made by the court or based upon a written report from the guardian ad litem that addresses what method of attendance is in the child's best interest. If practicable and in the child's best interest, deference shall be given to the child's desire to attend in-person.

(24) The right to have the outcome of any hearing pursuant to this chapter that has legal implications for the child explained by the child's guardian ad litem or legal counsel.

(b) The rights provided in this section do not create an independent cause of action. Violations of these rights may be reported to and investigated by the foster care ombudsman. On or before December 15, 2021 and on or before December 15 of every year thereafter, the foster care ombudsman shall submit a written summary of the number and nature of reports received, and investigations conducted in response to said reports, to the Joint Standing Committee on Government and Finance, the West Virginia Supreme Court of Appeals, and the Governor: *Provided*, That the summary required by this section may not include any personally identifying information of a person named in a report, or a person submitting a report to, the ombudsman.

The bill was then read a third time, as amended.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 67**), and there were--yeas 96, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Anders, Kump and D. Smith.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4749) passed.

On motion of Delegate Akers, the title of the bill was amended to read as follows:

H. B. 4749 -- "A BILL to amend and reenact §49-2-126 of the Code of West Virginia, 1931, relating to adding three additional rights that foster children and children in a kinship placement have in the foster child bill of rights including the right to have timely notice of a hearing that may have legal implications for a child over 13, the right to attend a hearing that may have legal implications for a child over the age of 13, and the right to have the outcome of any hearing that has legal implications for the child explained to them by their guardian ad litem or legal counsel.";

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. 4893, Increase the penalties for contempt of court in a magistrate court; 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. 68**), and there were--yeas 95, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Anders, Kump, Shamblin and D. Smith.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4893) passed.

On motion of Delegate Akers, the title of the bill was amended to read as follows:

H. B. 4893 -- A Bill to amend and reenact §50-5-11 of the Code of West Virginia, 1931, as amended, relating to increasing the penalties and fines for a first, second, or third or subsequent

finding contempt of court pertaining to the same matter in magistrate court; and also relating to providing that a person adjudged guilty of a third or subsequent offense of contempt may, in the discretion of the magistrate, as an alternative to the sentence provided in the code, be sentenced in a manner consistent with §62-11A-1a of this code.”;

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. 4198, E-Verify Safe Harbor Act; on third reading, having been moved to the foot of bills, was reported by the Clerk.

On motion of Delegate Fehrenbacher, the amendment to the amendment was rejected.

Delegate Fehrenbacher moved to amend the revised amendment (2) filed by Delegates Ridenour and Coop-Gonzalez on page 2, section 3, subsection (e), subdivision (1), line 21, after the word “code” by inserting the following language:

“with 25 or more employees”

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

The yeas and nays having been ordered, they were taken (**Roll No. 69**), and there were--yeas 40, nays 55, absent and not voting 4, with the yeas and the absent and not voting being as follows:

Yeas: Adkins, Amos, Anderson, Bell, Burkhammer, Campbell, Clark, Clay, Cooper, Criss, Crouse, Eldridge, Fehrenbacher, Flanigan, Fluharty, Garcia, Hall, Hamilton, Hansen, Heckert, Hornbuckle, Hott, G. Howell, Kyle, Lewis, McCormick, Miller, Parsons, Pushkin, Riley, Rohrbach, Shamblin, Sheedy, B. Smith, Statler, Toney, Williams, Young, Zatezalo and Hanshaw (Mr. Speaker).

Absent and Not Voting: Anders, Kump, D. Smith and Worrell.

So, a majority of the members present not having voted in the affirmative, the amendment to the amendment was rejected.

On motion of Delegate Green, the amendment to the amendment was adopted.

Delegate Green moved to amend the revised amendment (2) filed by Delegates Ridenour and Coop-Gonzalez on page 2, section 3, subsection (e), line 27, by striking the entirety of subdivision (3) and inserting in lieu thereof the following language:

(3) If a new employee’s work authorization is not verified by the federal work authorization program, a private employer may not employ, continue to employ, or reemploy the new employee: *Provided*, That upon discovery that the employee’s work authorization has not been verified, the employer shall initiate the verification process through the federal work authorization program within two business days of such discovery. Upon initiation of the verification process, the employer may continue to employ the individual for a period not to exceed twenty calendar days to allow completion of the verification process. If the employee’s work authorization is not verified within this twenty calendar day period, the employer shall terminate the employee. An employer

may employ or reemploy the individual only upon verification of the individual's work authorization pursuant to this section.

On motion of Delegate Leavitt, the amendment to the amendment was adopted.

Delegate Leavitt moved to amend the amendment (Del. Ridenour & Del. Coop-Gonzalez 2-9_1 – revised (2)) to Committee Substitute for House Bill 4198 on page 2, section 5, line 42, immediately after the words “thereof the words” by striking the words “not less than \$500 nor more than \$2,500” and inserting in lieu thereof the words “\$500”;

And,

On page 3, section 7, line 49, immediately after the words “the commissioner shall”, by inserting the words “after providing notice and an opportunity to be heard pursuant to §29A-5-1 et seq. of this code”;

And,

On page 3, section 7, line 60, immediately after the word “shall”, by inserting the words “after providing notice and an opportunity to be heard pursuant to §29A-5-1 et seq. of this code”.

On motion of Delegate Ridenour, the amendment was adopted.

Delegates Ridenour, Coop-Gonzalez and McGeehan moved to amend the committee substitute for House Bill 4198 on page 2, section 2, line 38, immediately after the period, by inserting the following:

“§21-1B-3. Unauthorized workers; employment prohibited.

(a) It is unlawful for any employer to knowingly employ, hire, recruit or refer, either for him or herself or on behalf of another, for private or public employment within the state, an unauthorized worker who is not duly authorized to be employed by law.

(b) Employers shall ~~be required to~~ verify a prospective employee's legal status or authorization to work prior to employing the individual or contracting with the individual for employment services.

(c) For purposes of this article, proof of legal status or authorization to work includes, but is not limited to, a valid social security card, a valid immigration or nonimmigration visa, including photo identification, a valid birth certificate, a valid passport, a valid photo identification card issued by a government agency, a valid work permit or supervision permit authorized by the Division of Labor, a valid permit issued by the Department of Justice or other valid document providing evidence of legal residence or authorization to work in the United States.

(d) For purposes of enforcing the provisions of this article, and notwithstanding any other provision of this code to the contrary, the commissioner or his or her authorized representative may access information maintained by any other state agency, including, but not limited to, the Bureau of Employment Programs and the Division of Motor Vehicles, for the limited purpose of confirming the validity of a worker's legal status or authorization to work. The commissioner shall promulgate rules in accordance with ~~the provisions of~~ §29A-3-1 *et seq.* of this code to safeguard against the release of any confidential or identifying information that is not necessary for the limited purpose of enforcing the provisions of this article.

(e)(1) All employers as defined in §21-1B-2 of this code shall register and create an E-Verify employer account;

(2) After hiring an employee, an employer shall employ provisionally a new employee until the new employee's work authorization has been verified pursuant to this section. An employer shall submit a new employee's name and information for verification even if the new employee's employment is terminated less than three business days after becoming employed.

(3) If a new employee's work authorization is not verified by the federal work authorization program, a private employer may not employ, continue to employ, or reemploy the new employee: *Provided*, That an employer may reemploy the new employee upon having his or her work authorization verified pursuant to this section.

(4) All employers shall keep a record of the verification for the duration of the employee's employment with the employer or three years, whichever is longer.

(f) An employer is not required to comply with this section if:

(1) An employee was hired by the employer prior to the day of amendment of this section;

(2) The employer is not required to verify or reverify the employee's eligibility to work pursuant to federal law.

(g) An employer may not employ any employee who meets the definition of unauthorized worker as defined in §21-1B-2 of this code. Failure to comply with requirements in §21-1B-2 or §21-1B-3 shall be presumed to be violations of this section.”;

And,

On page 2, section 5, line 2, immediately after the words “shall be fined” by striking the remainder of the sentence and inserting in lieu thereof the words “not less than \$500 nor more than \$2,500 for each offense, and each day of noncompliance shall constitute a separate offense.”;

And,

On page 4, section 7, line 24, by striking subsection (d) in its entirety and inserting in lieu thereof a new subsection (d), to read as follows:

“(d) For purposes of enforcement under this section, upon a knowing and willful second violation of §21-1B-3 of this code, the commissioner shall:

(1) Publicly post notice of the violation on the division's website;

(2) Bring a civil action to prohibit the employer from bidding on, entering into, or renewing any contract with the state or any political subdivision thereof for a period of not less than two years; and

(3) Impose the maximum civil fine or sanction, as applicable, authorized under §21-1B-5 of this code.”;

And,

On page 4, section 7, line 32, by striking the current subsection (e) in its entirety and inserting in lieu thereof a new subsection (e), to read as follows:

“(e) Upon a knowing and willful third violation of §21-1B-3 of this code, the commissioner shall seek permanent revocation of the employer’s business license by bringing a civil action in a court of competent jurisdiction to permanently revoke the business license of the employer. The court shall permanently suspend the business license of the employer upon making specific findings that the employer knowingly and willfully violated the provisions of this article and shall then order that any applicable governing body will permanently suspend the employer’s business license.”;

And,

On page 5, section 7, line 49, immediately after the period, by inserting the following:

“An employer that does not utilize E-Verify shall bear the full burden of compliance and enforcement under this article and shall not be entitled to any presumption, defense, or reduction in penalties otherwise available under state law.

(h) Notwithstanding any other provision of this code to the contrary, an employer that does not utilize the federal E-Verify employment verification system at the time of hiring an employee shall not be eligible for any mitigation, reduction, warning, or discretionary leniency in the assessment of penalties, sanctions, or disciplinary actions imposed pursuant to this article.

(i) Any employer found to have knowingly and willfully violated §21-1B-3 of this code shall be ineligible, for a period of not less than three years from the date of the final order, to participate in any public-private partnership administered by the state or any political subdivision thereof.”

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

The yeas and nays having been ordered, they were taken (**Roll No. 70**), and there were-- yeas 48, nays 46, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Adkins, Amos, Anderson, Bell, Bridges, Browning, Burkhammer, Campbell, Clark, Cooper, Criss, Crouse, Dittman, Drennan, Eldridge, Ellington, Fehrenbacher, Flanigan, Fluharty, Garcia, Hall, Hamilton, Hansen, Heckert, Hornbuckle, Hott, G. Howell, Kyle, Lewis, Lucas, Marple, McCormick, Miller, Parsons, Pushkin, Rohrbach, Shamblin, Sheedy, Statler, Stephens, Toney, Williams, Willis, Young, Zatezalo and Hanshaw (Mr. Speaker).

Absent and Not Voting: Anders, Kump, B. Smith, D. Smith and Worrell.

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

The bill was then read a third time, as amended.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 71**), and there were-- yeas 69, nays 24, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Adkins, Amos, Bell, Bridges, Criss, Eldridge, Ellington, Fehrenbacher, Fluharty, Garcia, Hamilton, Hansen, Heckert, Hornbuckle, Kyle, Lewis, McCormick, Miller, Parsons, Pushkin, Sheedy, Stephens, Williams and Young.

Absent and Not Voting: Anders, Kump, Rohrbach, B. Smith, D. Smith and Worrell.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4198) passed.

On motion of Delegate Phillips, the title of the bill was amended to read as follows:

Committee Substitute for H. B. 4198 -- A Bill to amend and reenact §21-1B-2, §21-1B-3, §21-1B-5, and §21-1B-7 of the Code of West Virginia, 1931, as amended; and to repeal §21-1B-6, relating to the E-Verify employment verification system; providing a definition; requiring employers to register and create an E-Verify account; requiring employers to verify a new employee's authorization to work; creating exceptions; revising a certain penalty; removing certain criminal penalties; revising business-license sanctions; removing prohibition on claiming certain business-expense deductions; providing an affirmative defense for an employer that uses the E-Verify employment verification system.

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

Second Reading

Com. Sub. for H. B. 4012, Relating to reducing the regulatory burden on utility companies when constructing and maintaining electric power generation and transmission facilities within this state; on second reading, coming up in regular order, was read a second time,

On motion of Delegate Street, the amendment was adopted.

Delegates Street and Zatezalo moved to amend the bill on page 9, section 11a, after line 62, by inserting the following:

“(j) (1) Notwithstanding any other provision of this code, the Public Service Commission shall not grant a certificate of public convenience and necessity for the construction of any electric transmission line of 200 kilovolts or greater unless the applicant demonstrates by clear and convincing evidence that:

(A) The cost of the line and associated facilities, allocated to West Virginia load serving entities that provide service to West Virginia regulated ratepayers, is at least roughly commensurate with the benefits that will be received by such ratepayers; and

(B) No portion of the cost of construction, operation, or maintenance shall be recovered from West Virginia load serving entities and ratepayers unless such costs are at least roughly commensurate to the benefits to such ratepayers; and

(C) The applicant commits and agrees that as a condition of the Certificate, it shall, upon receipt of a valid and approved request to serve West Virginia retail load at its sole expense, design, construct, and place in service the off-take facilities reasonably necessary to provide such service within a reasonable timeframe.

(2) Failure to satisfy any requirements of this subsection shall constitute grounds for denial of the certificate."

On motion of Delegate Hansen, the amendment was adopted.

Delegate Hansen moves to amend Com Sub for HB4012 on page 9, Section 11a, line 62, following the period by inserting a new subsection, to read as follows:

"(j) As part of the annual management summary report required under §24-1-1(d) of this code, the commission shall include a section evaluating the implementation and effectiveness of advanced transmission technologies in improving electric transmission efficiency, including an analysis of the costs incurred by, or savings realized by, ratepayers resulting from the use of such technologies."

The bill was then ordered to engrossment and third reading.

H. B. 4089, Preservation of hair during chemotherapy. Also known as the "Jessica Huffman Bill"; 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. 4466, Extend the public intoxication of alcohol code to include being under the impairment of narcotics in public; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

H. B. 4474, Extending the Alzheimer's Disease and Other Dementia Advisory Council sunset date.; 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. 4501, Relating to Dietitian Licensure Compact; 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. 4695, To double the criminal penalty for anyone found guilty of sexual assault on a minor; 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. 4767, Relating to requiring the Bureau for Medical Services to file a legislative rule; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

And,

H. B. 5022, Relating to expanding the programs to be included in the annual capitation rate review.; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

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. 4412, Require certain websites to utilize age verification methods to prevent minors from accessing content,

H. B. 4725, Clarifying the disposition of animal subject to animal cruelty treatment,

And,

H. B. 4801, Defining Permissible expenditures for municipalities and counties.

Leaves of Absence

At the request of Delegate McGeehan, and by unanimous consent, leaves of absence for the day were granted Delegates Anders, Kump and D. Smith.

Miscellaneous Business

Delegate Rohrbach, who was absent on the passage votes for Com. Sub. for H. B. 4198, noted to the Clerk that he would have voted "Yea" thereon.

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

H. B. 4062: Delegates T. Howell, Kimble, Mazzochi, White;

H. B. 4360: Delegate Hott;

H. B. 4665: Delegate White;

H. B. 4709: Delegate Hillenbrand;

H. B. 4834: Delegate Heckert;

H. B. 4981: Delegate Worrell;

And,

H. B. 5363: Delegate Williams.

At 3:13 p.m., the House of Delegates adjourned until 11:00 a.m., Wednesday, February 11, 2026.

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

SPECIAL CALENDAR

Wednesday, February 11, 2026

29th Day

11:00 A.M.

THIRD READING

- Com. Sub. for H. B. 4012 - Relating to reducing the regulatory burden on utility companies when constructing and maintaining electric power generation and transmission facilities within this state
- H. B. 4089 - Preservation of hair during chemotherapy. Also known as the "Jessica Huffman Bill"
- Com. Sub. for H. B. 4466 - Extend the public intoxication of alcohol code to include being under the impairment of narcotics in public
- H. B. 4474 - Extending the Alzheimer's Disease and Other Dementia Advisory Council sunset date.
- Com. Sub. for H. B. 4501 - Relating to Dietitian Licensure Compact
- Com. Sub. for H. B. 4695 - To double the criminal penalty for anyone found guilty of sexual assault on a minor
- Com. Sub. for H. B. 4767 - Relating to requiring the Bureau for Medical Services to file a legislative rule
- H. B. 5022 - Relating to expanding the programs to be included in the annual capitation rate review.

SECOND READING

- Com. Sub. for H. B. 4412 - Require certain websites to utilize age verification methods to prevent minors from accessing content
- H. B. 4725 - Clarifying the disposition of animal subject to animal cruelty treatment.
- H. B. 4801 - Defining Permissible expenditures for municipalities and counties

FIRST READING

- Com. Sub. for H. B. 4098 - To restore the right of a person to sit on a jury has been restored upon expungement of one's record

- H. B. 4462 - Prohibition on cell-cultured products
- Com. Sub. for H. B. 4463 - Relating to the Board of Sanitarians
- H. B. 4561 - Clarifying the sheriff's authority to hire within their office.
- H. B. 4602 - Relating to requiring the Department of Human Services to establish a pilot program to contract for supplemental caseworker aide services for the Bureau for Social Services
- Com. Sub. for H. B. 4784 - Extending the Qualified Opportunity Zones until July 1, 2032.

HOUSE CALENDAR

Wednesday, February 11, 2026

29th Day

11:00 A.M.

SECOND READING

Com. Sub. for H. B. 4477 - To give the Secretary of State authority to refer allegations of violations of election laws to West Virginia Prosecuting Attorneys Institute.

FIRST READING

Com. Sub. for S. B. 207 - Clarifying sheriff's compensation for collection of taxes

Com. Sub. for H. B. 4640 - Relating to drugs and adding a provision relating to the scheduling of crystalline polymorph psilocybin approved by the Food and Drug Administration

WEST VIRGINIA HOUSE OF DELEGATES

WEDNESDAY, FEBRUARY 11, 2026

HOUSE CONVENES AT 11:00 A.M.

COMMITTEE ON RULES

10:45 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 COURTS

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

SUBCOMMITTEE ON HOMELAND SECURITY

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

SUBCOMMITTEE ON LEGAL SERVICES

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

SUBCOMMITTEE ON LOCAL GOVERNMENTS

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

SUBCOMMITTEE ON PUBLIC HEALTH

3:00 P.M. – EAST WING COMMITTEE ROOM 215E

SUBCOMMITTEE ON HUMAN SERVICES

4:00 P.M. – EAST WING COMMITTEE ROOM 215E

COMMITTEE ON EDUCATION

1:00 P.M. – EDUCATION COMMITTEE ROOM 434M

COMMITTEE ON ENERGY AND PUBLIC WORKS

3:00 P.M. – JUDICIARY COMMITTEE ROOM 410M

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