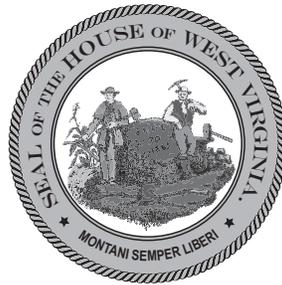


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February 11, 2026  
TWENTY-NINTH DAY



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Wednesday, February 11, 2026

**TWENTY-NINTH 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 Tuesday, February 10, 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. 4881**, Relating to obtaining title to abandoned or junked motor vehicles abandoned on the property or place of business of an automobile dealer,

**H. B. 4997**, Relating to residency restrictions for persons convicted of terroristic threats,

And,

**S. B. 208**, Exempting certain military records from public release,

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

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. 4865**, Providing for a program allowing election official trainees to be appointed as election officials,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 4865** - "A Bill to amend and reenact §3-1-28 of the Code of West Virginia, 1931, as amended, providing for a program allowing election official trainees to be appointed as election officials,"

And,

**H. B. 4996**, Relating to bail in cases involving terroristic threats to schools or children,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 4996** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §62-1C-17d, relating to bail in cases involving terroristic threats to schools or children; establishing mandatory conditions of bail prohibiting residence within 1,000 feet of educational facilities; providing for measurement; providing for enforcement of violations; and providing the manner of distribution by the clerk of the court of the court ordered conditions of bail,"

With the recommendation that the committee substitutes each 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. 5021**, Relating to the limited circumstances in which a registered nurse may administer anesthetics,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 5021** - "A Bill to amend and reenact §30-7-1 of the Code of West Virginia, as amended, 1931, relating to when a registered nurse may administer an anesthetic,"

With the recommendation that the committee substitute do pass.

Delegate Anderson, Chair of the Committee on Energy and Public Works submitted the following report, which was received:

Your Committee on Energy and Public Works has had under consideration:

**H. B. 4040**, Non-State Owned Roads Improvement Act,

And reports back a committee substitute therefore, as follows:

**Com. Sub. for H. B. 4040** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated §17-2F-1, §17-2F-2, §17-2F-3; §17-2F-4, and §17-2F-5; and by adding thereto a new article designated §36C-1-1, §36C-1-2, §36C-1-3, §36C-1-4, §36C-1-5, §36C-1-6, §36C-1-7, and §36C-1-8, all relating to the maintenance of roads and infrastructure; establishing a county and municipal orphan road program; permitting counties and municipalities to acquire or maintaining roads and bridges which are not maintained by any governmental entity for that purpose; providing for the procedure required to find and designate such roads or bridges; establishing public notification and transparency; authorizing funding; creating Infrastructure Only Common Ownership Associations; providing for uniformity of application; determining the construction and validity of Infrastructure Only Common Ownership Associations; providing for the filing of required plats and plans; and providing for the management, termination, and scope of Infrastructure Only Common Ownership Associations,"

With the recommendation that the committee substitute do pass, but that it first be referred to the Committee on the Judiciary.

In accordance with the former direction of the Speaker, the bill (Com. Sub. for H. B. 4040) was referred to the Committee on the Judiciary.

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. 5096**, Relating to removing services from requiring a certificate of need,

And reports the same back with the recommendation that it do pass, and with the recommendation that second reference to the Committee on Finance be dispensed with.

In the absence of objection, reference of the bill (H. B. 5096) to the Committee on Finance was abrogated.

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

Your Committee on Finance has had under consideration:

**H. B. 4003**, WV First Small Business Growth Act,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 4003** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5B-12-1, §5B-12-2, §5B-12-3, §5B-12-4, §5B-12-5, §5B-12-6 and §5B-12-7, relating to establishing the WV First Small Business Growth Act; defining terms; creating the WV First Small Business Growth Program to be administered by the Department of Commerce; establishing program procedures and requirements; providing application procedures and requirements; providing for the certification of capital investment authority; establishing insurance premium tax credit; providing tax credit claimant and recapture procedures; prohibiting certain investments; and requiring annual reporting,"

With the recommendation that the committee substitute do pass.

At the request of Delegate McGeehan, and by unanimous consent, the bill (Com. Sub. for H. B. 4003) was taken up for immediate consideration, read a first time, and ordered to second reading.

### **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. 1** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5B-12-1, §5B-12-2, §5B-12-3, §5B-12-4, §5B-12-5, §5B-12-6, §5B-12-7, and §5B-12-8, relating to establishing the Small Business Growth Act; defining terms; creating the Small Business Growth Program to be administered by the Department of Commerce; establishing program procedures and requirements; providing application procedures

and requirements; providing for the certification of capital investment authority; establishing insurance premium tax credit; providing tax credit claimant and recapture procedures; prohibiting certain investments; requiring annual reporting; and providing an effective date"

At the request of Delegate McGeehan, and by unanimous consent, reference of the bill (Com. Sub. for S. B. 1) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

### **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 Delegate Worrell:**

**H. B. 5430** - "A Bill to amend and reenact §5-16-9, §33-51-3, and §33-51-9 of the Code of West Virginia, 1931, as amended; and to amend the code by adding two new sections, designated §9-5-34 and §33-51-14, relating to pharmaceutical benefits; requiring an annual dispensing fee study; limiting amounts charged by pharmacy benefit managers; prohibiting certain pharmacy benefit manager contracts; and requiring implementation of a pharmacy cost containment tool"; to the Committee on Health and Human Resources.

#### **By Delegate Canterbury:**

**H. B. 5431** - "A Bill to amend and reenact §13-2G-3 of the Code of West Virginia, 1931, as amended; to amend said code by adding a new chapter, designated §13A-1-1, §13A-1-2, §13A-1-3, §13A-1-4, §13A-1-5, §13A-1-6, §13A-1-7, §13A-1-8, §13A-1-9, §13A-1-10, §13A-1-11, §13A-1-12, §13A-2-1, §13A-2-1a, §13A-2-2, §13A-2-3, §13A-2-4, §13A-2-5, §13A-2-6, §13A-2-7, §13A-2-8, §13A-2-9, §13A-2-10, §13A-2-11, §13A-2-12, §13A-2-13, §13A-2-14; §13A-3-1, §13A-3-1a, §13A-3-2, §13A-3-3, §13A-3-4, §13A-3-5, §13A-3-6, §13A-3-7, §13A-3-8, §13A-3-9, §13A-3-10, §13A-3-11, §13A-3-12, §13A-3-13, §13A-3-14, §13A-4-1, §13A-4-1a, §13A-4-2, §13A-4-3, §13A-4-4, §13A-4-5, §13A-4-6, §13A-4-7, §13A-4-8, §13A-4-9, §13A-4-10, §13A-4-11, §13A-4-12, and §13A-4-13; to repeal §17-26-1, §17-26-2, §17-26-3, §17-26-4, §17-26-5, §17-26-6, §17-26-7, §17-26-8, §17-26-9, §17-26-10, §17-26-11, §17-26-12, §17-26-13, §17-26-14, §17-26A-1, §17-26A-2, §17-26A-3, §17-26A-4, §17-26A-5, §17-26A-6, §17-26A-7, §17-26A-8, §17-26A-9, §17-26A-10, §17-26A-11, §17-26A-12, §17-26A-13, §17-26A-14, §31-15B-1, §31-15B-2, §31-15B-3, §31-15B-4, §31-15B-5, §31-15B-6, §31-15B-7, §31-15B-8, §31-15B-9, §31-15B-10, §31-15B-11, §31-15B-12, and §31-15B-13 of said code, relating generally to bonded indebtedness of the State of West Virginia; requiring recommendation from the State Treasurer prior to issuing refunding bonds beginning on a certain date; authorizing legislative rules related to refunding bonds, including emergency rules for a limited period; setting forth legislative intent and findings; defining terms; clarifying application of new article; specifying when the Treasurer may issue general obligation bonds; setting forth amount, form, and terms of general obligation bonds; declaring general obligation bonds to be covenants of the state and lawful investments; providing for manner of sale of general obligation bonds; requiring creation of a debt service fund for each general obligation bond series; specifying permissible use of a debt service fund; authorizing investment of a debt service fund; authorizing the Treasurer to issue certain refunding bonds; requiring the Treasurer to determine the bond counsel and financial advisor for general obligation bonds; exempting selection of bond-related services from certain state purchasing requirements; authorizing the Treasurer to pay general obligation bond issuance

expenses from the debt service fund; prohibiting conflicts of interest; creating a criminal misdemeanor offense and providing penalties for violation on conflict of interest provisions; authorizing legislative rules related to general obligation bonds, including emergency rules; relocating statutory language concerning the state's outstanding general obligation bonds to a single chapter of code; declaring legislative intent; providing for statutory construction; and making various technical corrections"; to the Committee on Finance.

**By Delegate Heckert:**

**H. B. 5432** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, §11-13NN-6, §11-13NN-7, §11-13NN-8, and §11-13NN-9, relating to establishing disaster repair and recovery effort tax credit for taxpayers subject to the severance and business privilege tax in certain circumstances; providing a short title; setting out legislative findings and purpose; defining terms; specifying the amount of the credit; providing for the application of credit, and carry forward of unused credit; requiring filing of application for disaster repair and recovery effort tax credit as condition precedent to claiming credit; specifying procedure for application for certification, contents of application and limitation on maximum amount of credits which can be approved; allowing transfer of credits to successors; providing for forfeiture of unused tax credits; providing legislative and emergency rulemaking; and establishing an effective date"; to the Committee on Energy and Public Works then Finance.

**By Delegates Bell, Campbell, Amos, Ellington and Heckert:**

**H. B. 5433** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding six new sections, designated §5-16-7h, §33-15-4y, §33-16-3aaa, §33-24-7z, §33-25-8w and §33-25A-8z, all relating generally to requiring health insurance coverage of hearing aids"; to the Committee on Finance.

**By Delegate Moore:**

**H. B. 5434** - "A Bill to amend and reenact §18-5-13a of the Code of West Virginia, 1931, as amended, relating to the creation of a moratorium for a period of two years on school closings or consolidation to allow for school funding formula revisions; and pausing school closings for the purpose of an optional emergency levy election to be held"; to the Committee on Education then Finance.

**By Delegates Moore, Dittman, Petitto, Kyle and Drennan:**

**H. B. 5435** - "A Bill to amend and reenact §18-9A-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-9A-2a, relating to increasing funding for rural county school systems in this state"; to the Committee on Education then Finance.

**By Delegates Kimble, Ferrell, Ridenour, Mazzocchi, Marple, Butler, Roop and B Ward:**

**H. B. 5436** - "A Bill to amend and reenact §30-29-1, of the Code of West Virginia, 1931, as amended, and to amend and reenact §61-2-10b of the code, relating to classifying police canine units as 'law enforcement officers' in relation to their standing as victims and the level of force able to be used in their protection"; to the Committee on the Judiciary.

**By Delegates McCormick, Maynor, Kyle, Akers, Clark, Fehrenbacher, Heckert and Drennan:**

**H. B. 5437** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-9H-1, §16-9H-2, §16-9H-3, §16-9H-4, §16-9H-5, §16-9H-6, §16-9H-7, §16-9H-8, §16-9H-9, §16-9H-10, §16-9H-11, §16-9H-12, §16-9H-13, and §16-9H-14, relating to

regulating vape and smoke shop retailers; creating definitions; regulating locations, operating requirements, and property standards for smoke retailers and vape retailers; creating license requirements for retailers; creating requirements for manufacturers and wholesalers; creating license fees; creating civil penalties; creating criminal penalties; providing for appeals; providing for rulemaking; providing regulatory authority of the Commissioner of the Alcohol Beverage Control Commission; providing jurisdictional requirements for retailers; and setting standards for inspections"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates Toney and Statler:**

**H. B. 5438** - "A Bill to amend and reenact §18-9A-10 of the Code of West Virginia, 1931, as amended, relating to modifying the foundation allowance to improve instructional programs; relating to the implementation and funding of a replacement uniform budgeting and accounting system; providing for the Governor to include in each budget for the reappropriation for expenditure during the ensuing fiscal year the unused accumulated balance remaining with the Department of Education to continue initiatives; providing funding to support the full implementation of the Third Grade Success Act; providing for the Department of Education to reduce retained funding by the unused accumulated balance; and providing that county boards of education may utilize up to 50% of the allocation for teacher and leader induction in any school year for the purpose of funding projects identified in the Safe Schools Fund"; to the Committee on Education then Finance.

**By Delegate Burkhammer:**

**H. B. 5439** - "A Bill to amend the Code of West Virginia, 1931, as amended to add a new article, designated §20-3C-1, relating to the creation of the Pollinator Protection Act; stating legislative findings; and providing program criteria"; to the Committee on Government Organization.

**By Delegate Pinson:**

**H. B. 5440** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-1D-1, §16-1D-2, §16-1D-3, §16-1D-4, §16-1D-5, §16-1D-6, §16-1D-7, §16-1D-8, and §16-1D-9, relating to establishing the Medical Ethics Defense Act; providing short title; establishing legislative findings and purpose; defining terms; establishing recognition of rights of conscience of healthcare providers; establishing whistleblower protections; establishing free speech protections; providing civil remedies; providing for severability; and setting an effective date "; to the Committee on Health and Human Resources then the Judiciary.

**By Delegate Hanshaw (Mr. Speaker)**

**[By Request of the Executive]:**

**H. B. 5441** - "A Bill to amend and reenact §5F-2-8, §11B-1-8, §29-6-1, §29-6-2, §29-6-4, §29-6-5, §29-6-6, §29-6-7, §29-6-10, §29-6-16, §29-6-24, and §49-10-101 of the Code of West Virginia, 1931, as amended; and to repeal §29-6-8, §29-6-9, §29-6-10a, §29-6-14, §29-6-25, §29-6-27, §49-10-102, and §49-10-103 of said code; relating to streamlining and reforming the Division of Personnel systems; eliminating special merit-based personnel system for Department of Transportation employees; transferring duplicative Department of Transportation personnel duties to the Division of Personnel; exempting new hires and promoted employees within the Department of Transportation from the classified civil service system and the state grievance procedures beginning on July 1, 2026; eliminating special merit-based personnel system for the State Tax Division and Bureau for Social Services; transferring duplicative State Tax Division and Bureau for Social Services personnel duties to the Division of Personnel; clarifying definitions related to the state's personnel systems; defining classified and classified-exempt service; removing provisions allowing additions to the classified service; identifying and defining

exemptions from the classified service; streamlining the functions of the Division of Personnel; terminating the State Personnel Board; transferring authority from the State Personnel Board to the Division of Personnel; clarifying and identifying the duties of the Division of Personnel; clarifying the rulemaking authority for the Division of Personnel; clarifying that the records of the division are subject to the Freedom of Information Act and its exemptions for personal identifying and personal health information; shortening the time frames for classified job openings and appointments; shifting the leave donation program to a program provided for through rulemaking; modernizing processes for posting job openings in classified service; removing archaic provisions; and technical cleanup throughout"; to the Committee on Government Organization.

**By Delegates Moore, Drennan, Ellington, Worrell and Crouse:**

**H. B. 5442** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §16-1-23 and §16B-3-22, relating to pregnancy and health; developing trainings on the uses and indications of certain drugs for pregnant women; and requiring licenses hospitals or similar institutions to complete training"; to the Committee on Health and Human Resources.

**By Delegate Burkhammer:**

**H. B. 5443** - "A Bill to amend and reenact §29-21-13a, §49-1-201, §49-4-405, §49-4-601, §49-4-602, §49-4-604, §49-4-608, and §49-4-610 of the Code of West Virginia, 1931, as amended, relating to increasing the compensation for legal counsel and other professionals involved in appointed cases within the Public Defender Services system; requiring certain reporting by the Public Defender Services relating to panel attorneys; adding definitions relevant to child abuse and neglect proceedings; allowing court appointed assistant guardians ad litem into the MDT; creating and appointing assistant guardians ad litem; expanding situations where reasonable efforts to preserve the family are not required to include situations where a parent is consensually terminated of their parental rights; and expanding what must be contained in the court's orders in child abuse and neglect cases"; to the Committee on Finance.

**By Delegate Akers:**

**H. B. 5444** - "A Bill to amend and reenact §62-12-17 of the Code of West Virginia, 1931, as amended, relating to increasing the amount of fees to be paid by parolees based on his or her ability to pay, not to exceed \$50 per month to defray the costs of supervision, which would be an increase from not to exceed \$40 to not to exceed \$50"; to the Committee on the Judiciary.

**By Delegate Akers:**

**H. B. 5445** - "A Bill to amend and reenact §15-14-7 of the Code of West Virginia, 1931, as amended, relating to revising the statute authorizing the West Virginia Division of Homeland Security and Emergency Management to run background checks on persons applying to be a Statewide Interoperable Radio Network ('SIRN') Radio Programmer and on persons seeking approval to work in SIRN network facilities; and explaining the requirements of submitting to the background checks"; to the Committee on the Judiciary.

**By Delegate Akers:**

**H. B. 5446** - "A Bill to amend and reenact §15A-10-3 and §15A-10-5 of the Code of West Virginia, 1931, as amended, relating to extending State Fire Marshal inspections, generally, to include municipalities with certified fire code officials, certified fire code inspectors and certified fire code plans examiners to perform duties in occupancies under the jurisdiction of the State Fire Marshal; clarifying the difference between certified and uncertified fire officials, fire inspectors, and fire plans examiners; explaining how training and examination for Fire Code Disciplines and

Categories are completed; and delineating the approved categories of examinations"; to the Committee on Government Organization.

**By Delegates Pritt and Worrell:**

**H. B. 5447** - "A Bill to amend and reenact §16-30C-3 and §16-30C-7 of the Code of West Virginia, 1931, as amended; and to amend said code by adding a new section designated §16-30C-7a, relating to the Do Not Resuscitate Act; adding definitions clarifying code status orders; compliance with do-not-resuscitate orders; and requiring hospitals and other health-care facilities to adopt or amend internal do-not-resuscitate order policy to reflect the availability of two-tier code status (DNR-CCA and DNR-CC)"; to the Committee on Health and Human Resources.

**By Delegate Akers:**

**H. B. 5448** - "A Bill to amend and reenact §15-5A-4 of the Code of West Virginia, 1931, as amended, revising the statute to allow the for the purposes of committee and board meetings any member of the state emergency response commission to delegate authority for an employee to serve as a designee in his or her stead as it is not always feasible to honor all requirements to attend and participate in such meetings"; to the Committee on the Judiciary.

**By Delegate Akers:**

**H. B. 5449** - "A Bill to repeal §62-15A-1, §62-15A-2, and §62-15A-3 of the Code of West Virginia, 1931, as amended, relating to repealing the Addiction Treatment Pilot Program to repeal all portions of the legislation as the pilot program no longer exists"; to the Committee on the Judiciary.

**By Delegate Akers:**

**H. B. 5450** - "A Bill to amend and reenact §15A-2-4 and §15A-9-3 of the Code of West Virginia, 1931, as amended, relating to removing the responsibility to hear appeals of certification decisions by Subcommittee from the Deputy Cabinet Secretary or his or her designee to the Office of Administrative Hearings, and clarifying that the Office of Administrative Hearings is to hear appeals from decisions or orders of any of the subcommittees of the Governor's Committee on Crime, Delinquency and Correction"; to the Committee on the Judiciary.

**By Delegate Akers:**

**H. B. 5451** - "A Bill to amend and reenact §15-11-2 of the Code of West Virginia, 1931, as amended, relating to funeral expenses; modifying the language in the statute to make it consistent with current code for survivor's benefit payment for first responders for purposes of payment for funeral expenses of law enforcement, safety, and emergency workers; and amending the internal effective date"; to the Committee on Finance.

**By Delegate Akers:**

**H. B. 5452** - "A Bill to amend and reenact §62-12-10 of the Code of West Virginia, 1931, as amended, relating to the standard of proof required for a final parole or probation revocation hearing being proof by a preponderance of the evidence"; to the Committee on the Judiciary.

**By Delegates Ellington, Statler, Toney, Hornby, Willis, Shamblin, Bell, Pritt, Campbell, Dean and Hanshaw (Mr. Speaker):**

**H. B. 5453** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-9A-27, relating to establishing a revised method of school aid funding; clarifying the base fund and establishing a supplemental fund; setting forth categories within the supplemental fund; providing for reporting; and providing for oversight"; to the Committee on Education then Finance.

**By Delegate Jennings:**

**H. B. 5454** - "A Bill to amend and reenact §15A-12-3 of the Code of West Virginia, 1931, as amended, relating to the select committee for the West Virginia Fusion Center; modifying the powers of the committee; providing for the select committees access to the West Virginia Fusion Center; providing for an annual audit of the Fusion Center; establishing the parameters of the annual audit; establishing best practices; precluding access to classified information; allowing personally identifiable information to be withheld; effect of violations of Fusion Center rules; and allowing criminal referrals"; to the Committee on the Judiciary.

**By Delegates Sheedy, Cooper, Worrell, Horst, Mallow, Hornby, Akers and Dittman:**

**H. B. 5455** - "A Bill amend the Code of West Virginia, 1931, by adding a new section, designated §17A-10-18, relating to special license plates; directing registration fees from all special license plates to the State Road Fund; authorizing voluntary donations at the time of registration or renewal; requiring donation options to correspond with the theme of the license plate; establishing deposit and administration of donated funds; and providing legislative findings and intent"; to the Committee on Energy and Public Works.

**By Delegates Hott, B Ward, Willis, Brooks, Flanigan, Martin, Mallow, Jennings, Dittman, Green and Hornbuckle:**

**H. B. 5456** - "A Bill to amend and reenact §15-2-29 of the Code of West Virginia, 1931, as amended, relating to increasing pay for State Troopers with permanent total disability from injuries received in the line of duty in accordance with the pay increases the Trooper would have received from seniority had the Trooper not been injured"; to the Committee on Finance.

**Special Calendar****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; 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. 72**), and there were--yeas 96, nays 1, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: G. Howell.

Absent and Not Voting: 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. 4012) passed.

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

**H. B. 4012** -- A Bill to amend and reenact §24-2-11, §24-2-11a, and §24-2-11c of the Code of West Virginia, 1931, as amended, all relating to reducing and altering the regulatory burden on utilities when constructing and maintaining facilities within this state; reducing the PSC statutory approval time for certificates of convenience and necessity from 270 to 240 days; reducing the PSC statutory approval time for water and sewer projects from 225 to 190 days; raising the projected cost limitation for extended the approval time for high voltage (220kV and above)

transmission lines from \$50 to \$100 million; reducing the extended statutory approval time for high voltage transmission lines from 400 to 360 days; requiring an examination of alternatives to high voltage line construction to include advanced transmission technologies; providing for a PSC waiver for maintenance and repair of high voltage facilities at the commission's discretion; reducing the PSC statutory approval time for siting certificates from 300 to 270 days; requiring annual reporting by PSC regarding costs and benefits of advanced transmission technologies; placing limitations and conditions on the granting of certificates of public convenience and necessity by PSC for high voltage transmission lines which concern costs to West Virginia ratepayers, benefits to West Virginia ratepayers, and legal obligations to construct off-take facilities to valid West Virginia retail loads when requested; limiting costs to ratepayers under certain circumstances; establishing that failure to provide clear and convincing evidence of compliance with certain limits and conditions are cause for denial of a certificate by PSC.

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

**H. B. 4089**, Preservation of hair during chemotherapy. Also known as the "Jessica Huffman Bill"; 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. 73**), and there were--yeas 97, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Kump and D. Smith.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4089) 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. 4466**, Extend the public intoxication of alcohol code to include being under the impairment of narcotics in public; 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. 74**), and there were--yeas 95, nays 2, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Anders and Horst.

Absent and Not Voting: 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. 4466) passed.

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

**H. B. 4466** -- "A BILL to amend and reenact §60-6-9 of the Code of West Virginia, 1931, as amended, relating to making it a misdemeanor to being under the impairment of controlled substances in public; providing for criminal penalties, fines and education upon conviction thereof;

and providing that three convictions for public intoxication by way of controlled substances within the preceding six months is considered evidence of dependence on controlled substances”;

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

**H. B. 4474**, Extending the Alzheimer’s Disease and Other Dementia Advisory Council sunset date; 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. 75**), and there were--yeas 97, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Kump and D. Smith.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4474) 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. 4501**, Relating to Dietitian Licensure Compact; 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. 76**), 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: Amos, 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. 4501) 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. 4695**, To double the criminal penalty for anyone found guilty of sexual assault on a minor; 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. 77**), 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: Amos, 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. 4695) passed.

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

**H. B. 4695** -- “A BILL to amend and reenact §61-8B-5, §61-8B-9, §61-8D-4a, §61-8D-5 and §61-8D-6 of the Code of West Virginia, 1931, as amended, relating to increasing the criminal

penalties for crimes against minors; increasing criminal penalties and fines for the offenses of sexual assault in the third degree; increasing criminal penalties and fines for sexual abuse in the third degree; increasing criminal penalties and fines for child neglect resulting in death; increasing criminal penalties and fines for a parent, guardian, or custodian, or other person in a position of trust in relation to the child engaging or attempting to engage in sexual exploitation of, or in sexual intercourse, sexual intrusion or sexual contact with a child under his or her care, custody or control; increasing criminal penalties and fines for knowingly procuring, authorizing, or inducing, or attempting to do the same, another person to engage in or attempt to engage in or attempting to engage in sexual exploitation of, or in sexual intercourse, sexual intrusion or sexual contact with a child under his or her care, custody or control by a parent, guardian or custodian and the child is less than 16 years of age or disabled as defined in the code; increasing criminal penalties and fines for knowingly procuring, authorizing, or inducing, or attempting to do the same, another person to engage in or attempt to engage in or attempting to engage in sexual exploitation of, or in sexual intercourse, sexual intrusion or sexual contact with a child under his or her care, custody or control by a parent, guardian or custodian and the child is over 16 years of age; and increasing criminal penalties and fines for sending, distributing, exhibiting, possessing, displaying, or transporting material by a parent, guardian, or custodian, or person in a position of trust, depicting a child engaged in sexually explicit conduct;

*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. 4767**, Relating to requiring the Bureau for Medical Services to file a legislative rule; 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. 78**), and there were--yeas 96, nays 1, absent and not voting 2, with the yeas and the absent and not voting being as follows:

Nays: Amos.

Absent and Not Voting: 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. 4767) passed.

Delegate McGeehan moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 79**), and there were--yeas 97, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Kump and D. Smith.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4767) takes effect from its passage.

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

**H. B. 5022**, Relating to expanding the programs to be included in the annual capitation rate review; 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. 80**), and there were--yeas 97, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Kump and D. Smith.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 5022) 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**

**Com. Sub. for H. B. 4412**, Require certain websites to utilize age verification methods to prevent minors from accessing content; coming up in regular order, was read a second time and ordered to engrossment and third reading,

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

Unanimous consent was obtained for the bill to be advanced to third reading with amendment pending, and the rule was suspended to permit the offering and consideration of amendments on that reading.

And,

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

And,

**Com. Sub. for H. B. 4784**, Extending the Qualified Opportunity Zones until July 1, 2032.

#### **Leaves of Absence**

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

#### **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. 4452:** Delegate Martin;

**H. B. 4568:** Delegate Heckert;

**H. B. 4608:** Delegate Ridenour;

**H. B. 4665:** Delegate Horst, Young, and Garcia;

**H. B. 4495:** Delegate Mazzocchi;

**H. B. 5025:** Delegate Heckert;

**H. B. 5065:** Delegate Hillenbrand;

**H. B. 5086:** Delegate Lewis;

And,

**H. B. 5437:** Delegate Worrell.

At 12:14 p.m., the House of Delegates adjourned until 11:00 a.m., Thursday, February 12, 2026.

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

## **SPECIAL CALENDAR**

**Thursday, February 12, 2026**

**30th Day**

**11:00 A.M.**

### **THIRD 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. [Right to Amend]
- H. B. 4801 - Defining Permissible expenditures for municipalities and counties

### **SECOND READING**

- Com. Sub. for S. B. 1 - Small Business Growth Act
- Com. Sub. for H. B. 4003 - WV First Small Business Growth Act
- 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.

### **FIRST READING**

- S. B. 208 - Exempting certain military records from public release
- Com. Sub. for H. B. 4865 - Providing for a program allowing election official trainees to be appointed as election officials
- H. B. 4881 - Relating to obtaining title to abandoned or junked motor vehicles abandoned on the property or place of business of an automobile

dealer

Com. Sub. for H. B. 4996 - Relating to bail in cases involving terroristic threats to schools or children

H. B. 4997 - Relating to residency restrictions for persons convicted of terroristic threats

Com. Sub. for H. B. 5021 - Relating to the limited circumstances in which a registered nurse may administer anesthetics.

Com. Sub. for H. B. 5096 - Relating to removing services from requiring a certificate of need

**HOUSE CALENDAR**

**Thursday, February 12, 2026**

**30th 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**

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**THURSDAY, FEBRUARY 12, 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**

**SUBCOMMITTEE ON COURTS**

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

**COMMITTEE ON GOVERNMENT ORGANIZATION**

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

**SUBCOMMITTEE ON AGRICULTURE, COMMERCE AND  
TOURISM**

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

**COMMITTEE ON HEALTH AND HUMAN RESOURCES**

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

**SUBCOMMITTEE ON PUBLIC EDUCATION**

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





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