

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE
REGULAR SESSION, 2026
THIRD DAY

Charleston, West Virginia, Friday, January 16, 2026

The Senate met at 9:38 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Honorable Michael T. Azinger, a senator from the third district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Jay Taylor, a senator from the fourteenth district.

Pending the reading of the Journal of Thursday, January 15, 2026,

At the request of Senator Grady, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the fourth order of business.

Senator Helton, from 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

Senate Bill 42, Authorizing over-the-counter sale of ivermectin.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Brian Helton,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Helton, from 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

Senate Bill 231, Relating to value-based payment requirements.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 231 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-67-1, §16-67-2, §16-67-3, §16-67-4, and §16-67-5, relating to value-based payment requirements; providing legislative intent; defining terms; establishing value-based measures; creating timelines for implementation; and setting out authority.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Brian Helton,
Chair.

The bill (Com. Sub. for S. B. 231), under the original double committee reference, was then referred to the Committee on Finance.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senator Deeds:

Senate Bill 430—A Bill to amend and reenact §15A-10-1, §15A-10-3, §15A-10-6, and §15A-10-25 of the Code of West Virginia, 1931, as amended; and to amend the code by adding two new sections, designated §15A-10-1a and §15A-10-26, relating generally to the qualifications and responsibilities of the State Fire Marshal.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 431—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §60-11-6a, relating to prohibiting Kratom products that resemble vapor or electronic cigarette devices.

Referred to the Committee on the Judiciary.

By Senator Deeds:

Senate Bill 432—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §17B-2-16, relating to issuing identification documents to homeless individuals residing at homeless shelters within this state at no cost; stating legislative intent; defining terms; creating a process by which a homeless individual may apply for certain identifying

documents to be provided at no cost; requiring the division to issue certain identifying documents to eligible homeless individuals at no cost; and requiring the commissioner to develop forms.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 433—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15A-4-13b, relating to reimbursement for costs of incarceration; providing reimbursement for pre-conviction and post-conviction incarceration costs; providing a hearing to determine a defendant's ability to pay; providing defendants the option to petition the court under certain circumstances; and requiring that all moneys seized as evidence be forfeited to meet the regional jail bill.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 434—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5-16E-1, §5-16E-2, §5-16E-3, §5-16E-4, §5-16E-5, §5-16E-6, §5-16E-7, §5-16E-8, §5-16E-9, §5-16E-10, §5-16E-11, and §5-16E-12, relating to establishing the PEIA Stability and Sustainability Act of 2026; providing legislative findings; creating a permanent PEIA Stabilization Reserve Fund; setting employer and employee cost-sharing ratios; providing for retiree premium protections; increasing transparency and accountability in plan management; authorizing reference-based pricing and cost-containment initiatives; establishing an independent oversight board; permitting rulemaking; providing effective dates; and providing a severability provision.

Referred to the Committee on Banking and Insurance; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 435—A Bill to amend the Code of West Virginia, 1931, as amended, by adding seven new sections, designated §5-16-8b, §9-5-34, §33-15-24, §33-16-20, §33-24-15, §33-25-23, and §33-25A-37, relating to requiring health benefit plan coverage; requiring coverage for oral health medical procedures that are necessary as a side effect of cancer treatments; explaining scope of procedures covered as a result of certain cancer treatments; and requiring annual reporting to Legislature.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 436—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §49-2-802b, relating to statewide prevention plan.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 437—A Bill to repeal §18-9A-1, §18-9A-2, §18-9A-3, §18-9A-4, §18-9A-5, §18-9A-6, §18-9A-7, §18-9A-8, and §18-9A-9 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §18-9H-1, §18-9H-1a, §18-9H-2, §18-9H-

3, §18-9H-4, §18-9H-5, §18-9H-6, §18-9H-7, §18-9H-8 and §18-9H-9, relating to establishing the Fair State Aid Formula Act of 2026; providing an equitable method of distributing state aid to county boards of education; recognizing the additional costs associated with rural, small, and high-need schools; and promoting fairness, transparency, and adequacy in education funding.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 438—A Bill to amend and reenact §49-4-605 and §49-4-610 of the Code of West Virginia, 1931, as amended, relating to increasing circumstances where the Department of Human Services is required to seek termination of parental rights; and increasing circumstances where the time limit for a respondent parent's improvement period, or combination or extension of the respondent parent's improvement period, applies.

Referred to the Committee on the Judiciary.

By Senator Deeds:

Senate Bill 439—A Bill to amend and reenact §49-2-125 of the Code of West Virginia, 1931, as amended, relating to creating a special revenue account to expand in-state residential treatment capacity for children; specifying the purposes of the fund; establishing funding sources; authorizing disbursements; and providing for administration.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 440—A Bill to amend and reenact §61-5-8 of the Code of West Virginia, 1931, as amended, relating to making transporting telecommunication devices into a state correctional facility a felony.

Referred to the Committee on the Judiciary.

By Senator Deeds:

Senate Bill 441—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §17B-2-16, relating to issuing identification documents to homeless individuals residing at homeless shelters within this state at no cost; stating legislative intent; defining terms; creating a process by which a homeless individual may apply for certain identifying documents to be provided at no cost; requiring the division to issue certain identifying documents to eligible homeless individuals at no cost; and requiring the commissioner to develop forms.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 442—A Bill to amend and reenact §18-8-4 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-8A-5, relating to homeless children; clarifying the duties of the attendance director and assistant directors; and creating a homeless education coordinator position in counties designated by the state board as an urban county.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Deeds:

Senate Bill 443—A Bill to amend and reenact §8-15-1 of the Code of West Virginia, 1931, as amended, relating to municipal fire departments; granting municipal fire marshals the authority to assist in the lawful execution of a law-enforcement officer's official duties; and clarifying that the authority to assist federal law enforcement is limited by certain provisions.

Referred to the Committee on Government Organization.

By Senator Roberts:

Senate Bill 444—A Bill to amend and reenact §17-3A-1, §17-3A-2, §17-3A-3, and §17-3A-4 of the Code of West Virginia, 1931, as amended, relating to enhancing the flexibility, responsiveness, and economic development potential of the Industrial Access Road Fund.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senators Taylor and Smith (Mr. President):

Senate Bill 445—A Bill to amend and reenact §18B-3D-6 of the Code of West Virginia, 1931, as amended, relating to adding Potomac State College of West Virginia University as an eligible institution for participation in the Learn and Earn Program; and removing reference to the program being a pilot program.

Referred to the Committee on Education.

By Senator Chapman:

Senate Bill 446—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16-1-8a, relating to including postpartum depression, anxiety, psychosis, and obsessive-compulsive disorders in existing public health programs.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senators Morris, Helton, and Jeffries:

Senate Bill 447—A Bill to amend and reenact §17-3A-1, §17-3A-2, and §17-3A-4 of the Code of West Virginia, 1931, as amended, relating to the Industrial Access Road Fund; raising monetary limits; clarifying how the fund money shall be expended; and providing a time frame relating to comments.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 448—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15A-3-19, relating to brain injury screening training; requiring training in brain injury screening for personnel at the Division of Corrections and Rehabilitation; requiring screening of all incoming and currently incarcerated individuals for brain injuries; requiring that the screening processes be designed with input from a study group dealing with competency and criminal responsibility; and requiring specific agencies to enter a memorandum of understanding with each other.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 449—A Bill to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating to teaching and instruction of world languages in public schools.

Referred to the Committee on Education.

By Senator Weld:

Senate Bill 450—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, §11-13NN-9, §11-13NN-10, §11-13NN-11, §11-13NN-12, §11-13NN-13, and §11-13NN-14; and to amend the code by adding two new sections, designated §11-21-8i and §11-24-23h, relating to the West Virginia historic rehabilitated buildings tax credits; providing a sunset on the current rehabilitation credits; providing a centralized article providing for historic rehabilitation credits; providing legislative findings; defining terms; setting forth procedures to claim the credit; providing for recapture of the credit; and providing effective dates.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 451—A Bill to amend and reenact §49-4-601a of the Code of West Virginia, 1931, as amended, relating to extending the time frame for the department to identify relatives and fictive kin of a child.

Referred to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 452—A Bill to amend and reenact §33-6-37 of the Code of West Virginia, 1931, as amended, relating to cancellation of homeowners insurance; and prohibiting cancellation of homeowners insurance for an isolated incident.

Referred to the Committee on Banking and Insurance.

By Senator Chapman:

Senate Bill 453—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-21-98, relating to personal income tax; and providing for a deduction of state payments for all medical payments by an individual; and establishing rules.

Referred to the Committee on Finance.

By Senator Chapman:

Senate Bill 454—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §61-3F-1, §61-3F-2, §61-3F-3, §61-3F-4, §61-3F-5, §61-3F-6, and §61-3F-7, relating to creating the Stop Non-Consensual Distribution of Intimate Deep Fake Media Act; providing for definitions; explaining manner of violation; providing for construction, safe harbor, and severability; providing for a penalty; creating a title; and allowing injunctive relief.

Referred to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 455—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §49-2-131, relating to state responsibilities for children; and ensuring equal financial support by the state for kinship parents and fictive kin as provided to certified foster parents.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 456—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §46A-9-1, §46A-9-2, and §46A-9-3, relating to older West Virginians' prescription drug pricing; defining terms; requiring pharmacies in West Virginia to charge senior citizens the lowest national price for prescription drugs; and granting enforcement powers to the Attorney General.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 457—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16-1-9h, relating to water quality affecting residents of the state; establishing findings; requiring Department of Health evaluate whether public water sources contain levels of contaminants making them unsafe; providing water filtration equipment or technology to residents whose water is deemed unsafe; and providing for rulemaking.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 458—A Bill to amend and reenact §17-2A-4b of the Code of West Virginia, 1931, as amended, relating to Division of Highways payroll; and providing a \$5,000 raise to state road employees.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 459—A Bill amend and reenact §48-9-102 of the Code of West Virginia, 1931, as amended, relating to ensuring meaningful contact between a child and his or her step-siblings.

Referred to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 460—A Bill to amend and reenact §11-21-12 and §11-21-71 of the Code of West Virginia, 1931, as amended, relating to exempting tips and overtime compensation from personal income tax; and requiring such income to be reported by employers.

Referred to the Committee on Finance.

By Senator Chapman:

Senate Bill 461—A Bill to amend and reenact §24-1-1 of the Code of West Virginia, 1931, as amended, relating to the authority of the Public Service Commission; providing limitations on the jurisdiction on all utilities by the Public Service Commission; requiring all rate adjustment recommendations be forwarded to the Legislature; and establishing rate adjustments require specific bill approval by the Legislature.

Referred to the Committee on the Judiciary.

By Senator Helton:

Senate Bill 462—A Bill to amend and reenact §21-1B-2, §21-1B-3, and §21-1B-4 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 labor commissioner; verifying legal employment status of workers; record-keeping requirements and employer compliance; defining "employment verification" as the electronic verification system as "E-Verify"; providing definitions for "employee" and "unauthorized worker"; investigations by the commissioner; prohibiting local governments from enacting ordinances that contravene or limit the commissioner; providing civil protections for employers using E-Verify; and right of entry and inspection by the commissioner or inspectors to determining compliance with the provisions of verifying the legal status of workers.

Referred to the Committee on Government Organization.

By Senator Chapman:

Senate Bill 463—A Bill to amend and reenact §16-22-3 of the Code of West Virginia, 1931, as amended, relating to requiring the Bureau for Public Health to test for mucopolysaccharidosis type 1.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 464—A Bill to amend the Code of West Virginia, 1931, as amended, by adding seven new sections, designated §5-16-7h, §9-5-34, §33-15-4y, §33-16-3ii, §33-24-7z, §33-25-8w, and §33-25A-8z, relating the West Virginia Public Employees Insurance Act, Human Services, and insurance; defining biomarker testing and other specific terms; requiring the coverage of biomarker testing; and requiring reporting.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 465—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-29-1, §11-29-2, §11-29-3, and §11-29-4, relating to creating the Caregiver Tax Credit Act; defining terms; listing the guidelines for implementation; authorizing rulemaking for the Department of Revenue; and providing an effective date of January 1, 2028.

Referred to the Committee on Finance.

By Senator Chapman:

Senate Bill 466—A Bill to amend and reenact §16-7-2 of the Code of West Virginia, 1931, as amended, relating to defining drugs as adulterated when they contain specified food dyes and additives.

Referred to the Committee on Health and Human Resources.

By Senator Chapman:

Senate Bill 467—A Bill to amend and reenact §17C-13-6 of the Code of West Virginia, 1931, as amended, relating to penalties for parking in Purple Heart parking spaces without the designation on the license plate or a placard.

Referred to the Committee on Transportation and Infrastructure.

By Senator Chapman:

Senate Bill 468—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §49-2-120a, relating to payment rates for child care services; requiring the Bureau for Family Assistance to annually adjust the base rate for each type of care based upon the Consumer Price Index; requiring the Bureau for Family Assistance to study the implementation of performance-based contracting's outcome on quality; and requiring reporting.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 469—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new articles, designated §17-2F-1, §22-26A-1, and §22-26A-2, relating to dredging and clearing waterways that are prone to flooding.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 470—A Bill to amend and reenact §9-5-12 of the Code of West Virginia, 1931, as amended, relating to requiring Medicaid to cover doula services.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 471—A Bill to amend and reenact §30-3-14, §30-3-15, and §31B-13-1301 of the Code of West Virginia, 1931, as amended, relating to physician assistants; authorizing physician assistants to own a business; denying a license or other authorization for physician assistants for referrals where the physician assistant has a proprietary interest; authorizing medical corporations that have physician assistant shareholders; and designating the profession of physician assistant as a professional service for the purposes of the Uniform Limited Liability Company Act.

Referred to the Committee on Health and Human Resources.

Senators Smith (Mr. President), Morris, Phillips, Martin, Grady, Deeds, Woodrum, and M. Maynard offered the following resolution:

Senate Concurrent Resolution 1—Requesting the Division of Highways to name certain bridges and roads.

Which, under the rules, lies over one day.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, leaves of absence for the day were granted Senators Roberts, Weld, Willis, and Woelfel.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on January 15, 2026:

Senate Bill 1: Senator Thorne;

Senate Bill 2: Senator Woelfel;

Senate Bill 3: Senator Woelfel;

Senate Bill 4: Senator Woelfel;

Senate Bill 5: Senator Woelfel;

Senate Bill 7: Senator Woelfel;

Senate Bill 9: Senator Woelfel;

Senate Bill 13: Senators Takubo and Woelfel;

Senate Bill 17: Senator Thorne;

Senate Bill 18: Senator Thorne;

Senate Bill 33: Senators Thorne and Rose;

Senate Bill 36: Senator Rose;

Senate Bill 37: Senators Thorne and Rose;

Senate Bill 42: Senators Thorne and Azinger;

Senate Bill 43: Senator Azinger;

Senate Bill 44: Senator Thorne;

Senate Bill 59: Senator Thorne;

Senate Bill 73: Senator Thorne;

Senate Bill 80: Senator Grady;

Senate Bill 82: Senator Thorne;

Senate Bill 84: Senator Rose;

Senate Bill 103: Senator Woelfel;

Senate Bill 113: Senator Woelfel;

Senate Bill 114: Senator Woelfel;

Senate Bill 116: Senator Woelfel;

Senate Bill 156: Senator Rose;

Senate Bill 160: Senator Woelfel;

Senate Bill 171: Senator Thorne;

Senate Bill 172: Senator Thorne;

Senate Bill 174: Senator Woelfel;

Senate Bill 175: Senator Rose;

Senate Bill 183: Senator Rose;

Senate Bill 184: Senator Thorne;

Senate Bill 188: Senator Rose;

Senate Bill 197: Senator Woelfel;

Senate Bill 228: Senator Woelfel;

Senate Bill 231: Senators Rose, Taylor, Rucker, and Deeds;

Senate Bill 237: Senator Rose;

Senate Bill 241: Senator Woelfel;

Senate Bill 244: Senator Rose;

Senate Bill 387: Senator Phillips;

Senate Bill 388: Senators Thorne and Deeds;

Senate Bill 396: Senator Deeds;

Senate Bill 408: Senator Rose;

Senate Bill 412: Senator Rose;

Senate Bill 415: Senator Rose;

Senate Bill 416: Senator Rose;

Senate Bill 425: Senators Deeds and Hamilton;

Senate Bill 426: Senator Hamilton;

Senate Bill 428: Senator Deeds;

Senate Joint Resolution 2: Senators Rose and Grady;

And,

Senate Joint Resolution 9: Senators Thorne and Grady.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 9:45 a.m., the Senate adjourned until Monday, January 19, 2026, at 11 a.m.

SENATE CALENDAR

**Monday, January 19, 2026
11:00 AM**

UNFINISHED BUSINESS

S. C. R. 1 - Requesting DOH name certain transportation infrastructure

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2026

Monday, January 19, 2026

2 p.m.	Pensions	(Room 451M)
3 p.m.	Judiciary	(Room 208W)