

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE
REGULAR SESSION, 2026
NINTH DAY

Charleston, West Virginia, Thursday, January 22, 2026

The Senate met at 11:04 a.m.

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

Prayer was offered by the Honorable Vince S. Deeds, a senator from the tenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Eric J. Tarr, a senator from the fourth district.

Pending the reading of the Journal of Wednesday, January 21, 2026,

At the request of Senator Woelfel, 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 Willis, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 55, Establishing criminal offense for crimes against public justice workers.

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

Com. Sub. for Senate Bill 55 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §61-5-17a of the Code of West Virginia, 1931, as amended, relating to establishing a felony criminal offense for knowingly, willfully, and forcibly obstructing or hindering a home incarceration supervisor or a social service worker while the home incarceration supervisor or social service worker is lawfully acting in their official capacity and the obstructing or hindering causes the death of the home incarceration supervisor or a social service worker; establishing felony criminal penalty therefor of imprisonment in a state correctional facility for 20 years to life; specifying minimum term of 20 years imprisonment for parole eligibility; and providing definitions.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Thomas E. Willis II,
Chair.

Senator Azinger, from the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration

Senate Bill 151, Exempting life insurance cash value from Medicaid eligibility calculations.

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

Com. Sub. for Senate Bill 151 (originating in the Committee on Banking and Insurance)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-3-7, relating to exempting cash value of life insurance policy from Medicaid eligibility calculations.

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

Respectfully submitted,

Michael T. Azinger,
Chair.

The bill (Com. Sub. for S. B. 151), under the original double committee reference, was then referred to the Committee on Health and Human Resources.

Senator Bartlett, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bills 281, 282, 283, 284, 285, and 286, Governor's Committee on Crime, Delinquency, and Correction rule relating to law-enforcement training and certification standards.

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

Com. Sub. for Senate Bill 281 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §64-6-1 *et seq.* of the Code of West Virginia, 1931, as amended, relating to authorizing certain agencies of the Department of Homeland Security to promulgate legislative rules; authorizing the rules as modified by the Legislative Rule-Making Review Committee and as amended by the Legislature; authorizing the Governor's Committee on Crime, Delinquency, and Correction to promulgate a legislative rule relating to law-enforcement training and certification standards; authorizing the Fire Commission to promulgate a legislative rule relating to the fire code; authorizing the State Emergency Response Commission to promulgate a legislative rule relating to emergency planning and community right-to-know; authorizing the West Virginia State

Police to promulgate a legislative rule relating to the West Virginia State Police Career Progression System; authorizing the West Virginia State Police to promulgate a legislative rule relating to contracted police or security services; and authorizing the West Virginia State Police to promulgate a legislative rule relating to the West Virginia State Police Member Grievance Procedure.

And,

Senate Bills 309, 310, and 311, DMV rule relating to motor vehicle equipment.

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

Com. Sub. for Senate Bill 309 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §64-8-1 *et seq.* of the Code of West Virginia, 1931, as amended, relating to authorizing certain agencies of the Department of Transportation to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee; authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to motor vehicle equipment; authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to compulsory motor vehicle liability insurance; and authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to special purpose vehicles.

With the recommendation that the two committee substitutes do pass.

Respectfully submitted,

T. Kevan Bartlett,
Vice Chair.

Senator Azinger, from the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration

Senate Bill 427, Relating to loan form.

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 Finance.

Respectfully submitted,

Michael T. Azinger,
Chair.

The bill, 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 Azinger:

Senate Bill 573—A Bill to amend and reenact §31-17-9 of the Code of West Virginia, 1931, as amended, relating to requirements for disclosures and recordkeeping; reinforcing state law regarding late fees; and clarifying that a state-specific closing disclosure is not required as long as federal closing disclosures are given accurately.

Referred to the Committee on Banking and Insurance.

By Senator Azinger:

Senate Bill 574—A Bill to amend and reenact §31A-8D-4 of the Code of West Virginia, 1931, as amended, relating to bank merger by interstate branching; and providing clarity regarding the disclosure required when an out-of-state bank acquires a West Virginia state-chartered bank.

Referred to the Committee on Banking and Insurance.

By Senator Barrett:

Senate Bill 575—A Bill to amend and reenact §17A-2-20 and §17C-5-7a of the Code of West Virginia, 1931, as amended, relating to refusal review hearings; clarifying legal representation at refusal review hearings; and providing that the county prosecuting attorney shall attend to all matters related to a refusal review hearing.

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

By Senators Garcia, Hamilton, and Woelfel:

Senate Bill 576—A Bill to amend and reenact §26-1-3 of the Code of West Virginia, 1931, as amended, relating to powers and duties of the Secretary of the Department of Health Facilities; requiring the secretary to continue carrying out duties to operate state-owned health facilities; and providing that the secretary may not divest the operations of, or real property related to, certain state-owned health facilities without approval of the Legislature.

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

By Senators Garcia and Woelfel:

Senate Bill 577—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §24-2-4i, relating to electric and natural gas utility rate increases; setting forth findings; directing the Public Service Commission to implement a one-year moratorium on certain rate increases for electric and natural gas utilities; providing exceptions to moratorium; and requiring legislative interim study of electric and natural gas utility rate increases.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Hamilton:

Senate Bill 578—A Bill to amend and reenact §46A-6A-2 of the Code of West Virginia, 1931, as amended, relating to consumer protection and new motor vehicle warranties; including within the definition of "motor vehicle" motor homes; and providing protections for new motor vehicles not conforming to express warranties apply to all portions of new motor homes that are covered by those warranties.

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

By Senator Rucker:

Senate Bill 579—A Bill to amend and reenact §18-9B-7 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-5-31, relating to improving school district efficiency; allowing a county board to exempt itself and all noncharter public schools under its jurisdiction from all statutes and rules as provided for public charter schools; requiring any county board making such an election to engage an external auditor to perform an independent audit of the county's finances once every three years; and limiting the county board's annual cost for the salaries of administrators to not more than six percent of the overall total annual budget of the county.

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

By Senator Takubo:

Senate Bill 580—A Bill to amend and reenact §30-23-1, §30-23-2, §30-23-3, §30-23-4, §30-23-5, §30-23-6, §30-23-7, §30-23-8, §30-23-9, §30-23-10, §30-23-11, §30-23-12, §30-23-14, §30-23-15, §30-23-16, §30-23-17, §30-23-18, §30-23-19, §30-23-22, §30-23-24, §30-23-25, §30-23-26, and §30-23-27 of the Code of West Virginia, 1931, as amended; to amend the code by adding three new sections, designated §30-23-31, §30-23-32, and §30-23-33; and to repeal §30-23-13, §30-23-20, §30-23-21, and §30-23-23 of the code, relating to updating practice act for West Virginia Medical Imaging and Radiation Therapy Technology Board; updating educational requirements for radiation therapists licensure to obtain degree from radiation therapy program without first obtaining degree from radiography school; updating criminal convictions to include only criminal convictions related to the practice of health care be considered grounds to deny an applicant for licensure; removing references to administering exams; eliminating six-month temporary licensure; adding new definitions; updating scope of practice for radiologic technologists, MRI technologists, radiation therapists, and nuclear medicine technologists to align with national standards; transferring regulation of radiologist assistants from the Board of Medicine to Medical Imaging Board; and making technical changes.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Azinger:

Senate Bill 581—A Bill to amend and reenact §31A-4-33 of the Code of West Virginia, 1931, as amended, relating to joint accounts in banking institutions; and eliminating the requirement that the commissioner approve joint account forms to be used by banking institutions.

Referred to the Committee on Banking and Insurance.

By Senator Azinger:

Senate Bill 582—A Bill to amend and reenact §31-17-4 of the Code of West Virginia, 1931, as amended, relating to requirements for licensure as a mortgage lender or broker; and allowing other forms of financial statements from broker applicants to show tangible net worth.

Referred to the Committee on Banking and Insurance.

By Senator Takubo:

Senate Bill 583—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-3-12a, relating to creating an emeritus physician license; and providing legislative rulemaking.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Azinger:

Senate Bill 584—A Bill to amend and reenact §11A-3-55 and §11A-4-4 of the Code of West Virginia, 1931, as amended, relating to decreasing the service period for notice of tax lien sales; and decreasing the statute of limitations for an action to set aside a deed.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

Senator Chapman offered the following resolution:

Senate Resolution 12—Recognizing the month of January as Human Trafficking Awareness month.

Which, under the rules, lies over one day.

Senator Takubo offered the following resolution:

Senate Resolution 13—Designating January 23, 2026, as Dental Hygienists Day at the Capitol.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Resolution 9, Designating January 22, 2026, Tucker County Day at Legislature.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Martin, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

The question being on the adoption of the resolution, and on this question, Senator Weld demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, M. Maynard, Z. Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Taylor and Willis—2.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 9) adopted.

Senate Resolution 10, Recognizing Day of the Bible at Capitol.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Bartlett, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

The question being on the adoption of the resolution, and on this question, Senator Bartlett demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, M. Maynard, Z. Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Taylor and Willis—2.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 10) adopted.

Thereafter, at the request of Senator Roberts, and by unanimous consent, the remarks by Senator Bartlett as to the adoption of Senate Resolution 10 were ordered printed in the Appendix to the Journal.

Senate Resolution 11, Congratulating State Government Affairs Council on its 50th anniversary.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Rucker, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 15, Protecting coal and gas minerals from carbon capture practices.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Rose, the following amendment to the bill was reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 11B. UNDERGROUND CARBON DIOXIDE SEQUESTRATION AND STORAGE.

§22-11B-4. Permit application requirements and contents; application fee; required findings; and rulemaking.

(a) Every permit application filed under this article shall be on a form as may be prescribed by the secretary, shall be verified, and shall contain all information specified by legislative rule.

(b) Upon filing an application for a permit, an applicant shall:

(1) Pay a fee in an amount set by the secretary. The amount of the fee shall be set by rule and shall be based on the secretary's anticipated cost of processing applications for permits, orders, or determinations under this article. The fee shall be deposited in the Carbon Dioxide Storage Facility Administrative Fund; and

(2) Pay to the secretary the costs the secretary incurs in publishing notices of applications and notices for hearings on applications submitted under this article.

(c) ~~Before a permit application may be approved, the secretary shall determine whether the proposed storage facility contains commercially valuable minerals and, if it does, a permit may be issued only if the secretary is satisfied that the interests of the mineral owners or mineral lessees will not be adversely affected or have been addressed in an written agreement entered into by the mineral owners, mineral lessees, and the storage operator~~ require that the applicant design a carbon sequestration or storage facility to isolate the nearby commercially valuable mineral, including the coal or oil and gas estate and oil and gas storage operations, from the facility's carbon dioxide plume and to ensure existing or future development or storage of such commercially valuable mineral will not be adversely affected.

(1) The carbon sequestration or storage facility permit application shall indicate whether the area within the proposed boundaries of the storage facility and the contiguous area to the proposed boundaries of the storage facility, including the other subsurface horizons above and below the storage facility, contains any commercially valuable mineral, including any coal or oil and gas estate or oil and gas storage field. If it does, a permit may be issued only if the department is satisfied that the interests of the mineral owners, mineral lessees, and storage operators of the commercially valuable mineral estate will not be adversely affected.

(2) The application shall include evidence that the applicant has provided notice of the proposed carbon sequestration or storage facility to the other pore space owners and pore space lessees within the storage facility, and to the mineral owners, mineral lessees, and operators of any commercially valuable mineral, including storage operators of any oil and gas, within any strata within the storage facility's proposed boundaries and contiguous to the boundaries of the storage facility. The notice shall be in writing, include information regarding the application, boundaries, and storage horizons for the facility, and include a copy of the notice of the hearing.

(3) The pore space owners and lessees, if not the applicant, mineral owners, mineral lessees, and operators of a commercially valuable mineral, including storage operators of any oil and gas, may submit an objection to the department regarding the design of a carbon sequestration or storage facility based on the potential adverse effect to the commercially valuable mineral. The applicant shall address the objection to the department's satisfaction before proceeding with the application process.

(d) ~~No permit shall~~ A permit may not be issued under this article unless the secretary finds that:

(1) ~~That~~ The application and the proposed operations comply with all requirements established by the secretary, including any applicable underground injection rules, and with all applicable provisions of state and federal law;

(2) ~~That~~ The storage facility is suitable and feasible for carbon dioxide injection and sequestration;

(3) ~~That the storage operator~~ The applicant has made a good-faith effort to obtain the consent of all persons who own or lease the storage reservoir's pore space and

~~(4) That The storage operator~~ has obtained the written consent of persons who own at least 75 percent of the storage reservoir's pore space;

~~(4) The applicant has attempted in good faith and have at least begun the process~~ to obtain the remaining nonconsenting interests through the commission;

(5) ~~That~~ The proposed storage facility will not adversely affect surface waters or formations containing fresh water;

(6) ~~That~~ The storage facility will not unduly endanger human health or the environment;

(7) ~~That~~ Adequate horizontal and vertical boundaries of the storage reservoir are defined, including buffer areas, to ensure that the storage facility is operated safely and prudently;

(8) ~~That~~ The storage operator will establish monitoring facilities and protocols to assess the location and migration of carbon dioxide injected for storage and to ensure compliance with all permit, statutory, and administrative requirements;

(9) ~~That~~ All nonconsenting pore space owners and lessees are or will be justly and reasonably compensated in accordance with the rules and procedures set forth in or promulgated under this article by the secretary and the commission; ~~and~~

(10) ~~That~~ The storage facility is in the public interest; and

(11) Adequate notice has been provided to the pore space owners and lessees, if not the applicant, mineral owners, mineral lessees, and operators of any commercially valuable mineral, including storage operators of any oil and gas, within the proposed boundaries of the storage facility and the contiguous area to the proposed boundaries of the storage facility, including the other subsurface horizons above and below the storage facility.

(e) To the extent not inconsistent with state and federal regulations, the secretary shall render a decision on a permit application within one year after submission of a complete application.

(f) The secretary shall propose rules for legislative approval, pursuant to the provisions of §29A-3-1 *et seq.* of this code, detailing additional requirements for inclusion in a permit application, such as:

(1) Site characterization requirements;

(2) Injection well construction requirements for materials that are compatible with and can withstand contact with carbon dioxide over the life of a carbon dioxide sequestration ~~project~~ facility;

(3) Well operation requirements;

(4) Comprehensive monitoring requirements that address all aspects of well integrity, carbon dioxide injection and storage, as well as air and ground water quality during the injection operation and the post-injection site care period;

(5) Financial responsibility requirements assuring the availability of funds for the life of a carbon dioxide sequestration ~~project~~ or storage facility, including post-injection site care and emergency response; and

(6) Reporting and recordkeeping requirements that provide ~~project-specific~~ facility-specific information to continually evaluate the site operations and confirm environmental protection.

Following discussion,

The question being on the adoption of Senator Rose's amendment to the bill, the same was put and prevailed.

The bill (Com. Sub. for S. B. 15), as amended, was then ordered to engrossment and third reading.

Senate Bill 66, Modifying classes of state of preparedness declared by Governor or Legislature.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 137, Modifying parole eligibility for crime of second degree murder and voluntary manslaughter.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 207, Clarifying sheriff's compensation for collection of taxes.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

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

The Senate then proceeded to the twelfth order of business.

Remarks were made by Senators Rose and M. Maynard.

The Senate next proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, a leave of absence for the day was granted Senator Willis.

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 21, 2026:

Senate Bill 1: Senator Woodrum;

Senate Bill 2: Senator Woodrum;

Senate Bill 3: Senator Woodrum;

Senate Bill 4: Senator Woodrum;

Senate Bill 5: Senator Garcia;

Senate Bill 101: Senator Garcia;

Senate Bill 119: Senator Garcia;

Senate Bill 151: Senator Garcia;

Senate Bill 420: Senator Azinger;

Senate Bill 429: Senator Garcia;

Senate Bill 532: Senator Roberts;

Senate Bill 536: Senator Roberts;

Senate Bill 549: Senator Morris;

Senate Bill 551: Senator Garcia;

Senate Bill 553: Senator Rucker;

Senate Bill 557: Senator Rucker;

Senate Bill 562: Senator Thorne;

Senate Bill 564: Senator Thorne;

Senate Bill 568: Senators Thorne, Garcia, and Woelfel;

And,

Senate Resolution 10: Senator Rucker.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 11:28 a.m., the Senate adjourned until tomorrow, Friday, January 23, 2026, at 10 a.m.

SENATE CALENDAR

**Friday, January 23, 2026
10:00 AM**

UNFINISHED BUSINESS

S. R. 12 - Recognizing January as Human Trafficking Awareness month

S. R. 13 - Designating January 23, 2026, as Dental Hygienists Day at Capitol

THIRD READING

Eng. Com. Sub. for S. B. 15 - Protecting coal and gas minerals from carbon capture practices

Eng. S. B. 66 - Modifying classes of state of preparedness declared by Governor or Legislature

Eng. Com. Sub. for S. B. 137 - Modifying parole eligibility for crime of second degree murder and voluntary manslaughter

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

FIRST READING

Com. Sub. for S. B. 55 - Establishing criminal offense for obstructing or hindering home incarceration supervisor or social services worker

Com. Sub. for S. B. 281 - Authorizing Department of Homeland Security to promulgate legislative rules

Com. Sub. for S. B. 309 - Authorizing DOT to promulgate legislative rules

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2026

Friday, January 23, 2026

9:30 a.m.

Military

(Room 208W)