

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE
REGULAR SESSION, 2026
SIXTEENTH DAY

Charleston, West Virginia, Thursday, January 29, 2026

The Senate met at 11:16 a.m.

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

Prayer was offered by Pastor Mike Harper, North Hills Baptist Church, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Bill Hamilton, a senator from the eleventh district.

Pending the reading of the Journal of Wednesday, January 28, 2026,

At the request of Senator Garcia, 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 third order of business.

A message from the Clerk of the House of Delegates announced the adoption by that body and requested the concurrence of the Senate in the adoption of

Com. Sub. for Com. Sub. for House Concurrent Resolution 3—Requesting that the Division of Highways name the following infrastructure specified in this resolution.

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, the same was put and prevailed.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Executive Communications

The following communication from His Excellency, the Governor, was reported by the Clerk:



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Patrick Morrisey
Office of the Governor

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

January 27, 2026

The Honorable Kris Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Pursuant to W. Va. Code § 3-10-5, I have this day appointed Trenton Barnhart, St. Marys, Pleasants County, West Virginia, as a Senator representing the Third Senate District, to fill the vacancy created by the resignation of the Honorable Donna Boley from this day through the remainder of the unexpired term of said office.

Sincerely,

A handwritten signature in blue ink that reads "Patrick Morrisey".

Patrick Morrisey
Governor

cc: President of the Senate
Speaker of the House of Delegates
Clerk of the Senate
Clerk of the House of Delegates
Ethics Commission

The several oaths of office prescribed by the Constitution were administered by the Honorable Charles S. Trump IV, Justice of the Supreme Court of Appeals of West Virginia, on January 28, 2026.

The Senate proceeded to the fourth order of business.

Senator Hart, from the Committee on Agriculture, submitted the following report, which was received:

Your Committee on Agriculture has had under consideration

Senate Bill 226, Relating to WV Commercial Feed Law.

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

Com. Sub. for Senate Bill 226 (originating in the Committee on Agriculture)—A Bill to amend and reenact §19-14-2 and §19-14-5 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Commercial Feed Law; defining terms; providing for the registration of on-farm manufacturers; exempting certain registered on-farm manufacturers from obtaining commercial feed manufacturing, distributor, or guarantor permits; and exempting such on-farm manufacturers from reports, fees, and brand-name registrations.

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,

Craig A. Hart,
Chair.

The bill (Com. Sub. for S. B. 226), under the original double committee reference, was then referred to the Committee on Finance.

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 Bills 256, 257, 258, 259, 260, 261, 262, 263, 264, and 265, DEP rule relating to alternative emission limitations during startup and shutdown operations.

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

Com. Sub. for Senate Bill 256 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §64-3-1 *et seq.* of the Code of West Virginia, 1931, as amended, relating to authorizing certain agencies of the Department of Environmental Protection to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to alternative emission limitations during startup and shutdown operations; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to ambient air quality standards; authorizing the Department of Environmental Protection to

promulgate a legislative rule relating to standards of performance for new stationary sources; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of air pollution from combustion of solid waste; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of air pollution from hazardous waste treatment, storage, and disposal facilities; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to emission standards for hazardous air pollutants; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to cross-state air pollution rule to control annual nitrogen oxides emissions, annual sulfur dioxide emissions, and ozone season nitrogen oxides emissions; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to hazardous waste management system; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to requirements governing water quality standards; and authorizing the Department of Environmental Protection to promulgate a legislative rule relating to carbon dioxide sequestration fee schedule.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Thomas E. Willis II,
Chair.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 556, Modifying priority of insurance coverage for drivers of certain vehicles to make consistent with federal law.

And has amended same.

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

Respectfully submitted,

Jason Barrett,
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 573, Relating to requirements for disclosures and recordkeeping.

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

Com. Sub. for Senate Bill 573 (originating in the Committee on Banking and Insurance)—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 by any licensee or person making a mortgage

loan; reinforcing state law regarding late fees; mandating disclosure of late payment penalty maximum; requiring borrower's signature on closing statement; modifying form references; and providing that a separate, state-specific closing disclosure is not required if all mandated information is contained in federal closing disclosures.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Michael T. Azinger,
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 574, Relating to bank merger by interstate branching.

Senate Bill 581, Eliminating requirement that commissioner approve joint account forms used by banking institutions.

And,

Senate Bill 582, Relating to requirements for licensure as mortgage lender or broker.

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

Respectfully submitted,

Michael T. Azinger,
Chair.

The Senate proceeded to the fifth order of business.

Senator Rucker, from the Select Committee on School Choice, submitted the following report, which was received:

Your Select Committee on School Choice has had under consideration

Senate Bill 170, Allowing career technical education program to be part of local high school.

And reports the same back without recommendation as to passage; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (S. B. 170) contained in the preceding report from the Select Committee on School Choice was referred to

the Committee on Education; and then, under the original double committee reference, to the Committee on Finance.

Senator Rucker, from the Select Committee on School Choice, submitted the following report, which was received:

Your Select Committee on School Choice has had under consideration

Senate Bill 536, Relating to qualifications for serving on certain academic boards.

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

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

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 Rucker:

Senate Bill 654—A Bill to amend and reenact §30-27-3 and §30-27-8 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §30-27-8c, relating to the practice of barbering and cosmetology; defining terms; establishing a salon training program; and exempting safe services from licensure.

Referred to the Committee on Government Organization.

By Senator M. Maynard:

Senate Bill 655—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §20-20-1, §20-20-2, §20-20-3, §20-20-4, and §20-20-5, relating to establishing the Right to Race Act; defining terms; setting forth actions brought upon racetracks; setting forth relevant claims; setting forth political subdivision restrictions; and providing for an effective date.

Referred to the Committee on the Judiciary.

By Senator Garcia:

Senate Bill 656—A Bill to amend and reenact §6B-2-6, §24-1-1, §24-1-3, and §24-1-7 of the Code of West Virginia, 1931, as amended; and to repeal §24-1-1a and §24-1-1b, relating to the Public Service Commission of West Virginia; requiring financial disclosure statements filed by commission members be published on the Internet; clarifying that commission is charged with exercising delegated legislative powers in the public interest; specifying factors to be considered by commission when regulating electric utilities in the public interest; repealing outdated and inoperative provisions of code; revising ethical criteria for commission membership and employment; and providing that commission members are subject to the code of judicial ethics.

Referred to the Committee on the Judiciary.

By Senator Grady:

Senate Bill 657—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-36-1, §18-36-2, §18-36-3, §18-36-4, §18-36-5, and §18-36-6, relating to establishing the Cohen Craddock Student Athlete Safety Act; providing legislative findings; defining terms; requiring the Board of Education to promulgate a legislative rule, in consultation with the Board of Physical Therapy, that governs concussion protocol, education, and training to prevent concussions and the development of a Concussion Education Prevention and Response Plan; allowing the West Virginia Board of Physical Therapy to provide a draft rule; requiring a school to adopt a Concussion Education, Prevention, and Response Plan in accordance with the rule; requiring use of certain safety equipment during high school and middle school football practices; providing warranty and certification protections related to the usage of certain safety equipment; establishing the Cohen Craddock Memorial Grant Program and providing procedures; and creating the Cohen Craddock Memorial Grant Fund.

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

By Senator Garcia:

Senate Bill 658—A Bill to amend and reenact §5B-2-21b of the Code of West Virginia, 1931, as amended, relating to certified microgrid district projects and certified high-impact data center projects; and restoring local control and regulatory authority to political subdivisions over such projects.

Referred to the Committee on Economic Development.

By Senator Rucker:

Senate Bill 659—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §8-40-1, §8-40-2, and §8-40-3, relating to prohibiting municipalities from prohibiting certain restrictions on the regulation of accessory dwelling units.

Referred to the Committee on Government Organization.

By Senators Oliverio, Clements, Hamilton, Rose, and Takubo:

Senate Bill 660—A Bill to amend and reenact §5-16-13 of the Code of West Virginia, 1931, as amended, relating to spousal coverage under the Public Employees Insurance Agency; removing the requirement for payment of the spousal surcharge; and requiring that employee pay for spousal coverage based upon employee's salary and tier of coverage.

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

By Senators Oliverio, Clements, and Takubo:

Senate Bill 661—A Bill to amend and reenact §33-17-9 of the Code of West Virginia, 1931, as amended, relating to clarifying that insurance policies covering commercial or industrial real property may be underwritten for any amount agreed upon by the parties, even if that amount is less than the replacement cost value.

Referred to the Committee on Banking and Insurance.

By Senators Oliverio, Charnock, Clements, Garcia, Queen, Rose, Takubo, and Taylor:

Senate Bill 662—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, §16-67-5, §16-67-6, §16-67-7, §16-67-8, §16-67-9, §16-67-10, and §16-67-11, relating to colorectal cancer prevention; defining

terms; establishing a colorectal cancer program within the Bureau for Public Health; allowing for grants to be issued to approved organizations; setting forth grant criteria; setting forth procedure and eligibility for grants; requiring annual reporting; establishing a fund; setting forth financial eligibility; setting forth medical eligibility; setting forth the reimbursement process; setting forth a rate for the screening service; and setting forth the term of the pilot program.

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

By Senator Chapman:

Senate Bill 663—A Bill to amend and reenact §51-2A-7 of the Code of West Virginia, 1931, as amended, relating to prohibiting a family court judge to order a medical procedure or medical treatment for a child if a parent objects.

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

By Senator Chapman:

Senate Bill 664—A Bill to amend and reenact §36-12-5 of the Code of West Virginia, 1931, as amended, relating to permitting a power of attorney or conservator to sign a transfer on death deed.

Referred to the Committee on the Judiciary.

By Senator Hamilton:

Senate Bill 665—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §22-37-1, §22-37-2, §22-37-3, and §22-37-4, relating to protecting the environment and humans from geoengineering and weather modification experiments; providing definitions; and providing penalties for violations.

Referred to the Committee on Natural Resources.

By Senators Helton, Rose, and Tarr:

Senate Bill 666—A Bill to amend and reenact §55-7G-9 of the Code of West Virginia, 1931, as amended, relating to asbestos or silica; and determining liability for exposures to asbestos or silica.

Referred to the Committee on the Judiciary.

By Senator Morris:

Senate Bill 667—A Bill to amend and reenact §46A-6K-2 of the Code of West Virginia, 1931, as amended, relating to definitions to the settlement process for real estate transactions, including loan closings, disbursement of loan funds and settlement proceeds, parties involved, and the role of settlement agents under the West Virginia Good Funds Settlement Act.

Referred to the Committee on the Judiciary.

By Senator Phillips:

Senate Bill 668—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §56-4-72, relating to providing compensation to victims of abusive

lawsuits; and providing that a party in a civil action is entitled to recover attorney's fees and costs after a court dismisses a claim as lacking any basis in law or fact.

Referred to the Committee on the Judiciary.

By Senator Thorne:

Senate Bill 669—A Bill to amend and reenact §24-2-3 of the Code of West Virginia, 1931, as amended, relating to the general powers of the Public Service Commission; clarifying when the Public Service Commission can approve utility rate increases; and providing a biennial review of rate increases.

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

By Senator Martin:

Senate Bill 670—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §31B-14-101, §31B-14-102, §31B-14-103, §31B-14-104, §31B-14-105, §31B-14-106, §31B-14-107, §31B-14-108, §31B-14-201, §31B-14-202, §31B-14-203, §31B-14-204, §31B-14-205, §31B-14-206, §31B-14-301, §31B-14-302, §31B-14-303, §31B-14-304, §31B-14-305, §31B-14-401, §31B-14-402, §31B-14-403, §31B-14-404, §31B-14-501, §31B-14-502, §31B-14-503, §31B-14-601, §31B-14-602, §31B-14-603, §31B-14-604, §31B-14-605, §31B-14-606, §31B-14-607, §31B-14-608, §31B-14-701, §31B-14-702, §31B-14-703, §31B-14-704, and §31B-14-801, relating to the adoption of the Uniform Protected Series Act; providing citation; defining terms; creating series limited liability companies and protected series of series limited liability companies; detailing the powers, duties, responsibilities, and duration of a protected series of a series limited liability company; specifying the law that governs the internal affairs of protected series; detailing the effect and limitations of operating agreement; creating rules of statutory construction; creating procedures for establishing a protected series of a series limited liability company; specifying requirements for naming protected series; providing agency for entities; establishing the mechanism to serve a protected series of a series limited liability company and a foreign series limited liability company; requiring the Secretary of State to issue certificates of good standing upon request for protected series of a series limited liability company and foreign series limited liability companies; requiring series limited liability companies to provide an annual report; providing for procedures and limitations on associating assets and members with a protected series of a series limited liability company; providing for the transfer of a protected series distributional interest; establishing the rules for management of protected series of a series limited liability company; creating member's right to information regarding the protected series of a series limited liability company; limiting the liability of protected series of a series limited liability company, series limited liability companies, members, transferees, and managers; providing circumstances where the liability limitation may be disregarded; applying provisions of the Uniform Limited Liability Company Act to judgment creditors; providing for the enforcement of judgments against series limited liability companies and protected series of a series limited liability company; providing for the events causing the dissolution of a protected series of a series limited liability company; providing procedures to wind up a dissolved protected series of a series limited liability company; establishing the effect of reinstating of a series limited liability company or the revocation of voluntary dissolution; limiting the ability for protected series of a series limited liability company and series limited companies authority regarding transactions and mergers; providing requirements for a series limited liability company to be a party to a merger, including a plan of merger and articles of merger; providing effect of a merger; specifying law governing a foreign series limited liability company; providing for the attribution of activities that establishes personal jurisdiction over foreign series limited liability companies and foreign protected series of a series

limited liability company; providing for the registration requirements of foreign protected series of a foreign series limited liability company; and establishing disclosure requirements when a foreign series limited liability company or foreign protected series becomes a party to a proceeding.

Referred to the Committee on the Judiciary.

The Senate proceeded to the seventh order of business.

Senate Resolution 14, Recognizing James and Lucille Pennington on receiving the 2025 West Virginia Logger of the Year award.

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

At the request of Senator Martin, unanimous consent being granted, the resolution was laid over one day.

Senate Resolution 20, Recognizing and honoring victims of Agent Orange exposure during Vietnam War.

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

At the request of Senator Martin, unanimous consent being granted, the resolution was laid over one day.

Senate Resolution 21, Designating January 29, 2026, as Jan Lilly-Stewart Disability Advocacy Day at Capitol.

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

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

Senate Resolution 22, Designating October 14 as "Charlie Kirk Day" in WV.

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

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

At the further request of Senator Rose, and by unanimous consent, the Senate stood in observance of a moment of silence in recognition of the passing of Charlie Kirk, co-founder of Turning Point USA.

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

The roll being taken, the yeas were: Azinger, Barnhart, 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, Taylor, Thorne, Weld, Willis, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Woelfel—1.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 22) adopted.

At the request of Senator Helton, and by unanimous consent, the remarks by Senator Rose as to the adoption of Senate Resolution 22 were ordered printed in the Appendix to the Journal.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 4, Relating to crimes against public justice.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 4 pass?"

On the passage of the bill, the yeas were: Azinger, Barnhart, Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, M. Maynard, Z. Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woodrum, and Smith (Mr. President)—32.

The nays were: Garcia and Woelfel—2.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 4) passed with its title.

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

Eng. Com. Sub. for Senate Bill 84, Prohibiting law enforcement from placing surveillance cameras on private property.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barnhart, 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, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 84) passed with its title.

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

Eng. Senate Bill 388, Requiring public elementary or secondary school make Aitken Bible available to certain classrooms.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending extended discussion,

Senator Garcia arose to a point of order stating that the Senator from Cabell had yielded for the purpose of answering questions posed by the Junior Senator from the Fifteenth relating to the bill under debate, but the Junior Senator from the Fifteenth was asking questions about other members of the Senate.

Which point of order, the President ruled well taken.

Pending discussion,

The question being "Shall Engrossed Senate Bill 388 pass?"

On the passage of the bill, the yeas were: Azinger, Barnhart, Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, M. Maynard, Z. Maynard, Morris, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Willis, Woodrum, and Smith (Mr. President)—30.

The nays were: Garcia, Oliverio, Weld, and Woelfel—4.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 388) passed with its title.

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

Eng. Com. Sub. for Senate Bill 390, Altering conditions for flood resiliency disbursements.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 390 pass?"

On the passage of the bill, the yeas were: Azinger, Barnhart, 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, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 390) passed with its title.

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

Eng. Com. Sub. for Senate Bill 400, Updating personal income tax definitions and provision of law relating to gaming and gambling losses.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barnhart, Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, M. Maynard, Z. Maynard, Morris, Oliverio, Phillips, Queen, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: Roberts—1.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 400) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barnhart, 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, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 400) takes effect from passage.

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

Eng. Senate Bill 443, Granting municipal fire marshals authority to assist in lawful execution of law-enforcement officer's official duties.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barnhart, 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, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 443) passed with its title.

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

Eng. Senate Bill 445, Adding Potomac State College as eligible institution for participation in Learn and Earn Program.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barnhart, 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, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 445) passed with its title.

Senator Martin moved that the bill take effect July 1, 2026.

On this question, the yeas were: Azinger, Barnhart, 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, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 445) takes effect July 1, 2026.

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

The Senate proceeded to the ninth order of business.

Senate Bill 208, Exempting certain military records from public release.

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 tenth order of business.

Com. Sub. for Senate Bill 61, Prohibiting acceptance of illegal ballots cast in any election.

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

Com. Sub. for Senate Bill 167, Relating to meetings for local levying bodies.

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

Com. Sub. for Senate Bill 233, Clarifying qualifications to be licensed to administer polygraphs.

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

Com. Sub. for Senate Bill 374, Authorizing Department of Commerce to promulgate legislative rules.

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

Senate Bill 403, Relating to expanding definition of "tourism attraction".

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

Senate Bill 427, Relating to loan form.

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

Com. Sub. for Senate Bill 506, Permitting certain use of county-owned wireless tower.

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

The Senate proceeded to the twelfth order of business.

Remarks were made by Senators Weld, Chapman, M. Maynard, Queen, and Azinger.

At the request of Senator Chapman, unanimous consent being granted, the Senate then stood in observance of a moment of silence in recognition of the lives lost during the flooding on June 14, 2025, in Ohio County, West Virginia.

At the request of Senator Woelfel, and by unanimous consent, the remarks by Senators Weld, Chapman, and M. Maynard were ordered printed in the Appendix to the Journal.

At the request of Senator Morris, unanimous consent being granted, the remarks by Senator Queen were ordered printed in the Appendix to the Journal.

The Senate proceeded to the thirteenth order of business.

Senator Smith (Mr. President) announced the appointment of Senator Barnhart to the Committee on Confirmations, the Committee on Banking and Insurance, the Committee on Education, the Committee on Economic Development, the Committee on Energy, Industry, and Mining, and the Committee on Finance.

Under the provisions of Rule 15 of the Rules of the Senate, the following senator was removed as a co-sponsor of the following bill on January 28, 2026:

Senate Bill 61: Senator Rose.

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 28, 2026:

Senate Bill 1: Senator Z. Maynard;

Senate Bill 7: Senators Z. Maynard and Chapman;

Senate Bill 11: Senator Grady;

Senate Bill 19: Senator Chapman;

Senate Bill 20: Senator Chapman;

Senate Bill 28: Senator Z. Maynard;

Senate Bill 40: Senator Thorne;

Senate Bill 50: Senator Chapman;

Senate Bill 61: Senator Bartlett;

Senate Bill 76: Senator Chapman;

Senate Bill 154: Senator Chapman;

Senate Bill 162: Senator Chapman;

Senate Bill 202: Senator Tarr;

Senate Bill 226: Senator Rucker;

Senate Bill 516: Senator Grady;

Senate Bill 536: Senator Rose;

Senate Bill 556: Senators Takubo and Woelfel;

Senate Bill 615: Senator Roberts;

Senate Bill 637: Senators Hamilton and Deeds;

Senate Bill 638: Senator Deeds;

Senate Bill 642: Senator Deeds;

Senate Bill 643: Senator Hamilton;

Senate Bill 644: Senator Willis;

Senate Bill 646: Senator Hamilton;

Senate Bill 647: Senators Hamilton, Thorne, and Deeds;

Senate Bill 648: Senators Thorne, Phillips, and Deeds;

Senate Bill 649: Senator Deeds;

Senate Joint Resolution 2: Senator Roberts;

Senate Resolution 19: Senators Hamilton and Clements;

Senate Resolution 20: Senators Rose, Thorne, Hamilton, and Weld;

And,

Senate Resolution 22: Senator Hart.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 12:29 p.m., the Senate adjourned until tomorrow, Friday, January 30, 2026, at 10 a.m.

SENATE CALENDAR

**Friday, January 30, 2026
10:00 AM**

UNFINISHED BUSINESS

S. R. 14 - Recognizing James and Lucille Pennington on receiving the 2025 West Virginia Logger of the Year award

S. R. 20 - Recognizing and honoring victims of Agent Orange exposure during Vietnam War

THIRD READING

Eng. S. B. 208 - Exempting certain military records from public release

SECOND READING

Com. Sub. for S. B. 61 - Prohibiting acceptance of illegal ballots cast in any election

Com. Sub. for S. B. 167 - Relating to meetings for local levying bodies

Com. Sub. for S. B. 233 - Clarifying qualifications to be licensed to administer polygraphs

Com. Sub. for S. B. 374 - Authorizing Department of Commerce to promulgate legislative rules

S. B. 403 - Relating to expanding definition of "tourism attraction" (original similar to HB4015)

S. B. 427 - Relating to loan form

Com. Sub. for S. B. 506 - Permitting certain use of county-owned wireless tower (original similar to HB4624)

FIRST READING

Com. Sub. for S. B. 256 - Authorizing DEP to promulgate legislative rules

S. B. 536 - Relating to qualifications for serving on certain academic boards

S. B. 556 - Modifying priority of insurance coverage for drivers of certain vehicles to make consistent with federal law - (Com. title amend. pending) (original similar to HB4877)

Com. Sub. for S. B. 573 - Relating to requirements for disclosures and recordkeeping by persons making mortgage loans (original similar to HB4792)

S. B. 574 - Relating to bank merger by interstate branching

S. B. 581 - Eliminating requirement that commissioner approve joint account forms used by banking institutions (original similar to HB4791)

S. B. 582 - Relating to requirements for licensure as mortgage lender or broker (original similar to HB4790)

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2026

Friday, January 30, 2026

9 a.m.

Finance

(Room 451M)