

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE
REGULAR SESSION, 2026
SEVENTEENTH DAY

Charleston, West Virginia, Friday, January 30, 2026

The Senate met at 10:06 a.m.

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

Prayer was offered by Pastor Lee Swor, Mount Pleasant Baptist Church, Elkview, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Anne B. Charnock, a senator from the seventeenth district.

Pending the reading of the Journal of Thursday, January 29, 2026,

At the request of Senator Queen, 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 concurrence by that body in the adoption of

Com. Sub. for Senate Concurrent Resolution 1, Requesting DOH name certain transportation infrastructure.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect July 1, 2026, and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 4028—A Bill to amend and reenact §11-15-8d the Code of West Virginia, 1931, as amended, relating to sales tax exemption for certain materials used in construction of public school facilities.

Referred to the Committee on Finance.

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

Eng. Com. Sub. for House Bill 4169—A Bill to amend and reenact §61-7A-5 of the Code of West Virginia, 1931, as amended, relating to petitions to regain the right to possess firearms; aligning mental health examination requirements with those required for involuntary hospitalizations; and providing for the qualifications of certain professionals authorize to sign a verified certificate of mental health examination.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect from passage, and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 4215—A Bill to amend and reenact §64-5-1 et seq. of the Code of West Virginia, 1931, as amended, to amend and reenact §64-5B-1 et seq. of the Code, and to amend the Code by adding thereto a new article, designated §64-5C-1; relating to authorizing certain agencies of the Department of Health, the Office of Inspector General, and the Department of Health Facilities to promulgate legislative rules; authorizing the rules as filed, as modified, as amended, and as amended and modified by the Legislative Rule-Making Review Committee; authorizing the Department of Health to promulgate a legislative rule relating to water well regulations; authorizing the Department of Health to promulgate a legislative rule relating to lead abatement licensing; authorizing the Department of Health to promulgate a legislative rule relating to emergency medical services; authorizing the Department of Health to promulgate a legislative rule relating to fees for services; authorizing the Department of Health to promulgate a legislative rule relating to clinical laboratory practitioner licensure; authorizing the Department of Health to promulgate a legislative rule relating to distribution of state funds for support of local boards of health; authorizing the Department of Health to promulgate a legislative rule relating to basic public health service standards for local boards of health; authorizing the Department of Health to promulgate a legislative rule relating to diabetes self-management education; and authorizing the Department of Health to promulgate a legislative rule relating to the exemption from Certificate of Need; authorizing the Office of Inspector General to promulgate a legislative rule relating to nursing home licensure; authorizing the Office of Inspector General to promulgate a legislative rule relating to delegation of medication administration and health maintenance tasks to approved medication assistive personnel; authorizing the Office of Inspector General to promulgate a legislative rule relating to assisted living residences; authorizing the Office of Inspector General to promulgate a legislative rule relating to syringe services program licensure; authorizing the Office of Inspector General to promulgate a legislative rule relating to behavioral health centers licensure; and authorizing the Department of Health Facilities to promulgate a legislative rule relating to patient rights at state-operated mental health facilities.

Referred to the Committee on the Judiciary.

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

Eng. Com. Sub. for House Bill 4364—A Bill to amend and reenact §1-1-4 of the Code of West Virginia, 1931, as amended; to amend the code by adding a new section, designated §1-1-6; and to amend and reenact §49-4-701 of the code, relating to concurrent jurisdiction for juveniles on military installations; providing a process for requesting, accepting, and recording concurrent jurisdiction over military installations in West Virginia, and authorizing cooperation agreements

between state, local, and federal agencies; and establishing that West Virginia courts have concurrent jurisdiction over juveniles who commit state law juvenile delinquency or status offense on federal military installations when federal courts waive exclusive jurisdiction.

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

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

Eng. Com. Sub. for House Bill 4393—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; setting forth plan requirements; establishing deadlines; and requiring a report.

Referred to the Committee on Finance.

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

Eng. House Bill 4410—A Bill to amend and reenact §17C-12-1, of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §17C-1-72, relating to defining "on-track equipment"; and clarifying provisions related to obedience to signal indicating approach of train.

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

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

Eng. House Bill 4422—A Bill to amend and reenact §18-5-39 of the Code of West Virginia, 1931, as amended, relating to permitting students in eighth and ninth grades to attend summer school in order to raise their grades and establish academic eligibility to participate in extracurricular activities in the fall.

Referred to the Committee on Education.

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

Eng. House Bill 4437—A Bill to amend and reenact §17A-3-14b of the Code of West Virginia, 1931, as amended, relating to providing for one free Gold Star Family license plate to Gold Star parents.

Referred to the Committee on Transportation and Infrastructure.

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

Eng. Com. Sub. for House Bill 4610—A Bill to amend and reenact §16-51-3 of the Code of West Virginia, 1931, as amended; and to repeal §16-51-2, relating to the right to try individualized treatments; and defining terms.

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

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

Eng. House Bill 4626—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, and §16-67-7, relating to the establishment of a grant program to fund the United States Food and Drug Administration's drug development trials with ibogaine; the preparation and notice of funding opportunity; application requirements; the creation of a selection committee; the submission of an investigational new drug application with the United States Food and Drug Administration; requesting a breakthrough therapy designation for ibogaine from the United States Food and Drug Administration; the establishment of drug development trial sites; conducting drug development trials; the selection of an institutional review board; and funding.

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

The Senate proceeded to the fourth order of business.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 11, Allowing certain Teachers Retirement System members to exchange unused leave for monetary compensation.

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,

Amy N. Grady,
Chair.

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

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Senate Bill 20, Stable Energy Rates Protection Act.

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

Com. Sub. for Senate Bill 20 (originating in the Committee on Energy, Industry, and Mining)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §24-9-1 and §24-9-2, relating to creating the Stable Energy Rates Protection Act;

prohibiting the Public Service Commission from taking certain action on certain rate increase requests related to intermittent power sources; providing exceptions; and requiring annual report to the Legislature.

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

Respectfully submitted,

Christopher A. Rose,
Chair.

The bill (Com. Sub. for S. B. 20), under the original double committee reference, was then referred to the Committee on Government Organization.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Senate Bill 25, Establishing WV Coal Marketing Program.

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

Com. Sub. for Senate Bill 25 (originating in the Committee on Energy, Industry, and Mining)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §17A-3-28; and to amend the code by adding a new article, designated §22-37-1, §22-37-2, §22-37-3, and §22-37-4, relating to creating the West Virginia Coal Marketing Program; creating program fund; providing for certain sources of moneys in the fund; specifying certain uses for moneys in the fund; and providing for program purpose, rules, and report.

Senate Bill 131, Creating credit against severance tax for certain infrastructure improvements.

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

Com. Sub. for Senate Bill 131 (originating in the Committee on Energy, Industry, and Mining)—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, and §11-13NN-12, relating to establishing a road or highway infrastructure improvement project or coal or natural gas production and processing facilities tax credit for taxpayers subject to the tax imposed by code; specifying a short title; specifying legislative findings and purpose for new credit; defining terms; specifying the amount of the credit, application of credit, and carry forward of unused credit; requiring filing of application for road or highway infrastructure improvement project 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; specifying computation of qualified investment in coal or natural gas production and processing facilities; allowing transfer of credits to successors; providing for forfeiture of unused tax credits and redetermination of credit allowed; providing penalties for failure to maintain records of qualified property; and establishing an effective date.

And,

Senate Bill 424, Establishing Affordable Electricity and Economic Growth Act of 2026.

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

Com. Sub. for Senate Bill 424 (originating in the Committee on Energy, Industry, and Mining)—A Bill to amend and reenact §5B-2O-1, §5B-2O-2, §5B-2O-3, and §5B-2O-4 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §5B-2O-5, relating to establishing the Affordable Electricity and Economic Growth Act of 2026 to facilitate coke production and steelmaking in the state.

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

Respectfully submitted,

Christopher A. Rose,
Chair.

The bills (Com. Sub. for S. B. 25, 131, and 424), under the original double committee references, were then referred to the Committee on Finance.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 155, Relating to adjunct teaching permits.

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

Respectfully submitted,

Amy N. Grady,
Chair.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 196, Relating generally to liability insurance coverage for board of education.

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

Com. Sub. for Senate Bill 196 (originating in the Committee on Education)—A Bill to amend and reenact §18-5-19d of the Code of West Virginia, 1931, as amended, relating to changing the minimum amount of insurance that a person, organization, or association using school property for a community activity must maintain in order for the specified limitation of liability for county boards of education to apply; and requiring that the insurance purchased be obtained from a company licensed to do business in this state.

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,

Amy N. Grady,
Chair.

The bill (Com. Sub. for S. B. 196), 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 Bill 210, Requiring departments to prepare performance plans and performance reports for Legislative Oversight Commission on Health and Human Resources Accountability.

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

Com. Sub. for Senate Bill 210 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §16-29E-3 of the Code of West Virginia, 1931, as amended; and to amend said code by adding three new sections, designated §16-29E-9, §16-29E-10, and §16-29E-11, relating to modifying the Legislative Oversight Commission on Health and Human Resources Accountability's oversight provisions; defining terms; modifying the accountability requirements for certain state departments; requiring certain state departments to prepare performance plans and performance reports; and requiring annual legislative reports.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Thomas E. Willis II,
Chair.

Senator Morris, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 493, Relating to open captioning for motion pictures.

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

Com. Sub. for Senate Bill 493 (originating in the Committee on Government Organization)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §47-11D-5, relating to motion pictures; and requiring exhibitors of motion pictures who operate eight or more screens in more than one location in this state to provide open captioning during at least two showings per week of each motion picture that is produced and offered with open captioning; requiring, when requested, audio description be provided for any motion picture

that is produced and offered with audio description; and providing exceptions to open-caption requirements.

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

Respectfully submitted,

Robert L. Morris, Jr.,
Chair.

The bill (Com. Sub. for S. B. 493), under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Morris, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 532, Relating to certified public accountants.

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

Com. Sub. for Senate Bill 532 (originating in the Committee on Government Organization)—
A Bill to amend and reenact §30-9-2, §30-9-5, §30-9-7, §30-9-8, §30-9-10, §30-9-11, §30-9-16, and §30-9-26 of the Code of West Virginia, 1931, as amended, relating to certified public accountants; clarifying and updating definitions; modifying rule-making authority of the Board of Accountancy; updating education, examination, and experience requirements for certification; revising provisions on substantial equivalency practice privileges; and updating unlawful acts and disciplinary provisions applicable to licensees, firms, and substantial equivalency practitioners.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Robert L. Morris, Jr.,
Chair.

Senator Morris, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 580, Updating practice act for WV Medical Imaging and Radiation Therapy Technology Board.

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

Com. Sub. for Senate Bill 580 (originating in the Committee on Government Organization)—
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, 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.

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,

Robert L. Morris, Jr.,
Chair.

The bill (Com. Sub. for S. B. 580), under the original double committee reference, was then referred to the Committee on Finance.

Senator Jeffries, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Senate Bill 607, Relating to federally approved project delivery methods for airport capital improvement projects.

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 Government Organization.

Respectfully submitted,

Glenn D. Jeffries,
Chair.

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

Senator Jeffries, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Senate Bill 627, Replacing Build WV Act project cost with cap on new tax credit liability.

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

Com. Sub. for Senate Bill 627 (originating in the Committee on Economic Development)—A Bill to amend and reenact §5B-2L-3 and §5B-2L-16 of the Code of West Virginia, 1931, as amended, relating to the Build WV Act; defining "rural area"; replacing the project cost with a cap on new tax credit liability; clarifying that the cost cap applies only to new project approvals; allowing credit for smaller projects in rural areas; requiring periodic review and adjustment to reflect demand and usage; and establishing a Build WV Credit Reserve Fund, adjusted annually.

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,

Glenn D. Jeffries,
Chair.

The bill (Com. Sub. for S. B. 627), 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 Morris:

Senate Bill 671—A Bill to amend and reenact §30-40-6 of the Code of West Virginia, 1931, as amended, relating to the creation of the West Virginia Real Estate Commission; membership; appointment and removal of members; qualifications; terms; and organization.

Referred to the Committee on Government Organization.

By Senator Morris:

Senate Bill 672—A Bill to amend and reenact §30-40-19 of the Code of West Virginia, 1931, as amended, relating to acts in which the West Virginia Real Estate Commission may refuse, suspend, or revoke a license.

Referred to the Committee on Government Organization.

By Senators Morris and Grady:

Senate Bill 673—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-17A-1, §11-17A-2, §11-17A-3, §11-17A-4, and §11-17A-5; and to repeal §11-17-4b, relating to electronic cigarette products; imposing an excise tax based on nicotine content equivalent to the cigarette excise tax; providing a hybrid fallback where labeling is absent or unreliable; dedicating revenues to the Public Employees Insurance Agency; clarifying compliance with the employer-employee premium contribution requirement; and requiring such revenues to be applied to reduce or stabilize employee premium costs.

Referred to the Committee on Finance.

By Senators Rose, Azinger, Bartlett, Charnock, Roberts, and Thorne:

Senate Bill 674—A Bill to amend and reenact §19-23-3, §19-23-7, §19-23-12b, §29-22A-3, §29-22A-7, §29-22A-10b, §29-22A-12, §29-22C-3, §29-22C-8, and §29-22C-10 of the Code of

West Virginia, 1931, as amended, relating to dog racing requirements; modifying certain definitions; eliminating the requirement that an applicant for a dog racing license race a minimum number of dates to qualify for such a license; eliminating the requirement that an applicant for a dog racing license race a minimum number of dates to contract to receive telecasts and accept wagers; providing that a dog racetrack is required to hold a racing license to conduct simulcast racing regardless of whether the racetrack continues to conduct live dog racing; authorizing the West Virginia Racing Commission to promulgate rules, including emergency rules, regarding licensure of dog racetracks conducting only simulcast racing; eliminating the requirement that a video lottery licensee at a dog track must hold a racing license to renew a video lottery license or racetrack table games license; permitting a dog racetrack to continue to operate operational video lottery and racetrack table games in a location where live racing was previously conducted; clarifying the share of net terminal income West Virginia Thoroughbred Development Fund dog racetracks are no longer operating; and eliminating the requirement that a racetrack table games licensee at a dog racetrack must race a minimum number of dates.

Referred to the Committee on the Judiciary.

By Senators Oliverio and Garcia:

Senate Bill 675—A Bill to amend and reenact §18B-2A-1 of the Code of West Virginia, 1931, as amended, relating to the composition of boards of governors in higher education; and providing voting power to elected student body members.

Referred to the Committee on Education.

By Senators Takubo, Clements, and Jeffries:

Senate Bill 676—A Bill to amend and reenact §15-2A-2 of the Code of West Virginia, 1931, as amended, relating to placing members of the Division of Protection Services under the state police B retirement system.

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

By Senator Takubo:

Senate Bill 677—A Bill to amend and reenact §30-1D-1, §30-3-4, §30-3-5, §30-3-6, §30-3-7, §30-3-8, §30-3-9, §30-3-10, §30-3-11, and §30-3-11a of the Code of West Virginia, 1931, as amended; to amend the code by adding a new section, designated §30-3-10b; to amend the code by adding a new article, designated §30-3H-1, §30-3H-2, §30-3H-3, §30-3H-4, §30-3H-5, §30-3H-6, §30-3H-7, §30-3H-8, §30-3H-9, §30-3H-10, §30-3H-11, and §30-3H-12; and to repeal §30-3-7a, §30-3-11, §30-3-11a, §30-3-11b, and §30-3-11c, relating to professionals to be licensed by the West Virginia Board of Medicine; requiring criminal background checks of any applicant for a license to engage in genetic counseling; defining terms; providing for board membership; providing that the board may call emergency meetings; authorizing the delegation of duties by the board; repealing certain provisions pertaining to radiologist assistants; providing for certain use of electronic signatures; providing for the creation of a complaint file that is separate from and in addition to a licensee's historical record; providing requirements for licensure to practice medicine and surgery; podiatry and administrative medicine; providing for certain special license types; repealing provisions relating to endorsement and temporary licensure; repealing certain provisions relating to the practice of medicine and surgery in certain nursing homes; repealing certain provisions pertaining to administrative medicine licenses; creating a Genetic Counselors Practice Act; requiring criminal background checks of any applicant for a license to engage in genetic counseling; requiring persons to possess a valid license prior to practicing genetic counseling; providing licensure requirements for genetic counseling; stating the duties and

powers of the board with regard to genetic counseling; providing for the practice of active candidate status and American Board of Genetic Counseling permittees; authorizing the board to promulgate rules for legislative approval; providing for the expiration, renewal, and reinstatement of licenses to practice genetic counseling; setting certain continuing education requirements; setting a genetic counselor's scope of practice; providing for disciplinary proceedings involving genetic counselors; authorizing the board or the Attorney General to seek certain injunctive relief; requiring certain reports from health care facilities; prohibiting any genetic counselor or active candidate status permittee to represent that he or she is a licensed physician; and providing that any person who violates that prohibition is guilty of a felony and, upon conviction, shall be imprisoned for not less than one nor more than two years, or be fined not more than \$2,000, or both fine and imprisoned.

Referred to the Committee on Health and Human Resources.

By Senators Phillips and Z. Maynard:

Senate Bill 678—A Bill to amend and reenact §22A-6-3 of the Code of West Virginia, 1931, as amended, relating to allowing the Board of Coal Mine Health and Safety to take board action when a quorum of the board is present; and to modify the membership of the board to include the Director of the Office of Miners' Health, Safety, and Training as an additional voting member.

Referred to the Committee on Energy, Industry, and Mining.

By Senator Azinger:

Senate Bill 679—A Bill to amend and reenact §61-8-5, §61-14-1, §61-14-6, §61-14-8, and §61-14-9 of the Code of West Virginia, 1931, as amended, relating to increasing protection for minor victims of the crime of human trafficking; and modifying terms.

Referred to the Committee on the Judiciary.

By Senators Rose, Chapman, and Rucker:

Senate Bill 680—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new articles, designated §11-21B-1, §11-21B-2, §11-21B-3, §11-21B-4, §11-21B-5, §11-21B-6, §11-21B-7, §11-21B-8, §11-24A-1, §11-24A-2, §11-24A-3, §11-24A-4, §11-24A-5, and §11-24A-6, relating to repealing the personal income tax; and repealing the corporate net income tax.

Referred to the Committee on Finance.

By Senators Rose, Rucker, and Willis:

Senate Bill 681—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §1-1-6, relating to admitting localities or territories contiguous to the borders of West Virginia into the state for all purposes and responsibilities.

Referred to the Committee on the Judiciary.

By Senator Takubo:

Senate Bill 682—A Bill to amend and reenact §20-7-13 of the Code of West Virginia, 1931, as amended, relating to the operation of motorboats with larger than 9.9 horsepower engines on lakes in idle mode; and authorizing the Director of the Division of Natural Resources to promulgate rules, restrictions, and impose fines for violations.

Referred to the Committee on Natural Resources.

By Senator Roberts:

Senate Bill 683—A Bill to amend and reenact §49-2-113 of the Code of West Virginia, 1931, as amended, relating to residential child care centers; and removing the requirement that a kindergarten, preschool, or school education program operated by a private, parochial, or church school be recognized by West Virginia Department of Education Policy 2330 in order to be exempt from the section of code imposing certain child care related licensure, approval, certification, and registration requirements.

Referred to the Select Committee on School Choice; and then to the Committee on Finance.

By Senator Roberts:

Senate Bill 684—A Bill to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating to required courses of instruction; and removing private, parochial, and denominational schools from the requirements for certain courses of instruction and requirements pertaining to Celebrate Freedom Week.

Referred to the Select Committee on School Choice.

By Senator Rose:

Senate Bill 685—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §22-35-1, §22-35-2, §22-35-3, §22-35-4, §22-35-5, and §22-35-6, relating generally to creating the Natural Resources Anti-Commandeering Act; stating legislative findings; prohibiting agencies of this state and political subdivisions or employees thereof from knowingly and willingly participating in the enforcement of any federal act, law, order, rule, or regulation relating to coal, oil, gas, timber, or other extractive resources which do not exist under the laws of this state; prohibiting assets or funds of the state from being used in activity assisting enforcement of any federal act, law, order, rule, or regulation relating to coal, oil, gas, timber, or other extractive resources which do not exist under the laws of this state; providing penalties therefor; providing certain immunity; and providing for severability.

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

By Senator Rose:

Senate Bill 686—A Bill to amend and reenact §37-7-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new chapter, designated §37D-1-1, §37D-1-2, §37D-1-3, §37D-1-4, §37D-1-5, §37D-1-6, §37D-2-1, §37D-2-2, §37D-2-3, §37D-2-4, §37D-2-5, §37D-2-6, and §37D-2-7, relating to real property; providing an exception to waste and trespass for certain coal estates; providing a short title; providing declarations of public policy and legislative findings; providing definitions; providing that, in cases where one or more owners consent to the lawful use or development of coal land, the operator's mining, use, or development of the coal estate is permissible, is not waste, and is not trespass; providing that nonconsenting co-tenants are entitled to receive a production royalty; providing that interests owned by unknown or unlocatable owners be reserved, reported, and deposited in a fund administered by the State Treasurer; providing methods for determination of leasehold and contractual terms; providing a mechanism for surface owners to acquire title to certain severed coal interests; providing limitations of liability for certain nonconsenting co-tenants; preserving common law rights; providing for severability of provisions; providing a short title; providing that the article shall be read in conjunction and not in conflict with the West Virginia Uniform Unclaimed Property Act; providing definitions; providing for quarterly reporting and remittance of each reserved interest for each unknown or unlocatable interest owner to the State Treasurer; providing reporting

requirements and administrative duties; creating a fund, known as the Unknown and Unlocatable Coal Interest Owners Fund, to be administered by the State Treasurer; permitting investment of moneys in the fund with the West Virginia Board of Treasury Investments; requiring payment of lawful claims of unknown and unlocatable interest owners; permitting deduction of certain expenses; requiring that certain funds be transferred to the Abandoned Land Reclamation Fund; providing for certain notice requirements; providing for the crediting of certain amounts to each owner's account and payment of certain interest earned; providing for rule-making authority; providing for severability of provisions; and providing an effective date.

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

By Senator Azinger:

Senate Bill 687—A Bill to amend and reenact §61-8A-1 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-5-55, relating to the prohibition of obscene materials in or within 2,500 feet of West Virginia schools; and defining criminal penalties for obscene materials in or within 2,500 feet of West Virginia schools.

Referred to the Committee on the Judiciary.

By Senators Deeds, Hamilton, and Weld:

Senate Bill 688—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-3-27a, relating to establishing the offense of assault upon or injury to a service animal; and providing for penalties.

Referred to the Committee on the Judiciary.

By Senator Grady:

Senate Bill 689—A Bill to amend and reenact §18-2-25e of the Code of West Virginia, 1931, as amended, relating to reducing the grade levels in which a student is allowed to transfer schools at least one time without losing academic eligibility to grades nine and 10.

Referred to the Committee on Education.

By Senator M. Maynard:

Senate Bill 690—A Bill to amend and reenact §17-2D-1 and §17-2D-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §17-2D-6, relating to the creation of an alternative procurement procedure called the "general contractor/construction manager" procedure; and authorizing the Division of Highways to promulgate rules.

Referred to the Committee on Transportation and Infrastructure.

By Senator M. Maynard:

Senate Bill 691—A Bill to amend and reenact §14-4-17b of the Code of West Virginia, 1931, as amended, relating to utility lines on the Division of Highways rights-of-way; and providing conditions for reimbursement for relocation of utility lines during a Division of Highways construction project.

Referred to the Committee on Transportation and Infrastructure.

By Senator M. Maynard:

Senate Bill 692—A Bill to amend and reenact §17C-15-26 of the Code of West Virginia, 1931, as amended, relating to authorizing green flashing warning lights on Division of Highways vehicles and other equipment at the discretion of the Commissioner of the Division of Highways.

Referred to the Committee on Transportation and Infrastructure.

By Senator Woodrum:

Senate Bill 693—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §11-8-5a and §11-15-8e, relating to taxation; classifying forestry equipment as Class I property; recognizing forestry as a component of agriculture essential to this state's economy; defining forestry equipment; exempting the sale of forestry equipment from the consumers sales and service tax; and providing for effective dates.

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

By Senator Grady:

Senate Bill 694—A Bill to amend and reenact §18-4-1 of the Code of West Virginia, 1931, as amended, relating to removing the requirement for a county superintendent of schools to reside in the county in which he or she serves or in a contiguous county.

Referred to the Committee on Education.

By Senator Rucker:

Senate Bill 695—A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Commerce to promulgate a legislative rule relating to certification of a microgrid district or certification as a high impact data center.

Referred to the Committee on the Judiciary.

Senators Thorne and Hart offered the following resolution:

Senate Resolution 23—Designating February 2, 2026, as Future Farmers of America Day at the Legislature.

Which, under the rules, lies over one day.

Senator Smith (Mr. President) offered the following resolution:

Senate Resolution 24—Congratulating Jeff and Jim Kochenderfer as West Virginia's Outstanding Tree Farmers of the Year.

Which, under the rules, lies over one day.

At the request of Senator Grady, and by unanimous consent, the Senate returned to the second order of business and the introduction of guests.

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 bill 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 bill was laid over one day.

The Senate proceeded to the eighth order of business.

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

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. 208) passed with its title.

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.

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

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 167, Relating to meetings for local levying bodies.

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 233, Clarifying qualifications to be licensed to administer polygraphs.

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 374, Authorizing Department of Commerce to promulgate legislative rules.

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

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

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

Senate Bill 427, Relating to loan form.

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 506, Permitting certain use of county-owned wireless tower.

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 256, Authorizing DEP to promulgate legislative rules.

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

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

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

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

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

Com. Sub. for Senate Bill 573, Relating to requirements for disclosures and recordkeeping by persons making mortgage loans.

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

Senate Bill 574, Relating to bank merger by interstate branching.

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

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

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

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

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

The Senate proceeded to the thirteenth order of business.

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 29, 2026:

Senate Bill 600: Senator 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 on January 29, 2026:

Senate Bill 5: Senator Woodrum;

Senate Bill 11: Senators Deeds and Willis;

Senate Bill 20: Senator Helton;

Senate Bill 21: Senator Z. Maynard;

Senate Bill 50: Senator Z. Maynard;

Senate Bill 131: Senators Hart and Barnhart;

Senate Bill 155: Senators Deeds, Taylor, and Willis;

Senate Bill 170: Senator Rose;

Senate Bill 196: Senator Deeds;

Senate Bill 202: Senator Grady;

Senate Bill 210: Senator Taylor;

Senate Bill 240: Senator Chapman;

Senate Bill 244: Senator Chapman;

Senate Bill 387: Senator Chapman;

Senate Bill 416: Senator Chapman;

Senate Bill 420: Senator Hart;

Senate Bill 429: Senator Deeds;

Senate Bill 516: Senators Deeds, Oliverio, and Fuller;

Senate Bill 533: Senators Takubo and M. Maynard;

Senate Bill 617: Senator Oliverio;

Senate Bill 635: Senator Morris;

Senate Bill 643: Senator Morris;

Senate Bill 647: Senator Morris;

Senate Bill 655: Senator Queen;

Senate Bill 656: Senator Woelfel;

Senate Bill 657: Senators Tarr and Oliverio;

Senate Bill 660: Senator Morris;

Senate Bill 662: Senators Morris, Woelfel, and Woodrum;

And,

Senate Bill 669: Senator Roberts.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 10:29 a.m., the Senate adjourned until Monday, February 2, 2026, at 11 a.m.

SENATE CALENDAR

**Monday, February 02, 2026
11:00 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
- S. R. 23 - Designating February 2, 2026, as Future Farmers of America Day
- S. R. 24 - Congratulating Jeff and Jim Kochenderfer as WV Outstanding Tree Farmers of Year

THIRD READING

- Eng. Com. Sub. for S. B. 61 - Prohibiting acceptance of illegal ballots cast in any election
- Eng. Com. Sub. for S. B. 167 - Relating to meetings for local levying bodies
- Eng. Com. Sub. for S. B. 233 - Clarifying qualifications to be licensed to administer polygraphs
- Eng. Com. Sub. for S. B. 374 - Authorizing Department of Commerce to promulgate legislative rules
- Eng. S. B. 403 - Relating to expanding definition of "tourism attraction" (original similar to HB4015)
- Eng. S. B. 427 - Relating to loan form
- Eng. Com. Sub. for S. B. 506 - Permitting certain use of county-owned wireless tower (original similar to HB4624)

SECOND 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)

FIRST READING

S. B. 155 - Relating to adjunct teaching permits

Com. Sub. for S. B. 210 - Modifying oversight provisions for Legislative Oversight Commission on Health and Human Resources Accountability

Com. Sub. for S. B. 532 - Relating to certified public accountants