

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE
REGULAR SESSION, 2026
TWENTY-FOURTH DAY

Charleston, West Virginia, Friday, February 6, 2026

The Senate met at 11:34 a.m.

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

Prayer was offered by the Honorable T. Kevan Bartlett, a senator from the eighth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Joey Garcia, a senator from the thirteenth district.

Pending the reading of the Journal of Thursday, February 5, 2026,

At the request of Senator Clements, 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 passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 4606—A Bill to amend and reenact §62-1C-1a of the Code of West Virginia, 1931, as amended, relating to bail; requiring that judicial officers consider the residency status of a person charged with a criminal violation in determining bail and conditions of pretrial release; clarifying certain requirements for the a judicial officer in determining good cause under the section; clarifying that a magistrate may not release a defendant charged with a felony offense on his or her own recognizance; and clarifying that the determination of whether to release a person, fix bail or impose reasonable conditions of release requires a judicial officer to consider the person's status as a resident of West Virginia and/or of the United States of America.

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. House Bill 4696—A Bill to amend and reenact §22-2-4 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to deposit grant money available pursuant to federal programs into certain funds; authorizing the deposit of federal money from the federal Infrastructure Investment and Jobs Act and the federal Safeguarding Treatment for the Restoration of Ecosystems from Abandoned Mines Act into the state Acid Mine Drainage Abatement and Treatment Fund and the state Reclamation and Restoration Fund; and authorizing generally any other federal abandoned mine land reclamation money to be deposited into any other state abandoned mine land reclamation fund established under state law

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

The Senate proceeded to the fourth 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 63, Creating Sustaining Opportunities for Academics in Rural Schools Act.

And,

Senate Bill 683, Removing certain requirements for private, parochial, or church schools.

And reports the same back with the recommendation that they each do pass; but under the original double committee references first be referred to the Committee on Finance.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

The bills, under the original double committee references, were then referred to the Committee on Finance.

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 70, Protecting state and local government systems and data from foreign entities.

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

Respectfully submitted,

Robert L. Morris, Jr.,
Chair.

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

Senator Helton, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 404, Relating to Department of Human Services authority to contract with certain providers.

And,

Senate Bill 645, Prohibiting surprise billing of ground emergency medical services by nonparticipating providers.

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

Respectfully submitted,

Brian Helton,
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 502, Women's Collegiate Sports Protection Act.

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

Com. Sub. for Senate Bill 502 (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18B-23-1, §18B-23-2, §18B-23-3, §18B-23-4, §18B-23-5, §18B-23-6, §18B-23-7, §18B-23-8, §18B-23-9, and §18B-23-10, relating to women's collegiate athletics; creating a short title; providing legislative findings and purpose; creating definitions; establishing permanent protections for women's collegiate sports programs through endowment funding; providing for efficiency-based matching funds; establishing tax credits for private contributions; limiting use of earnings from a women's athletics endowment; ensuring compliance with Title IX; providing for oversight and reporting; providing rule-making authority; and providing an effective date.

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. 502), under the original double committee reference, was then referred to the Committee on Finance.

Senator Helton, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 589, Relating to recovery residences.

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

Respectfully submitted,

Brian Helton,
Chair.

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

Senator 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 603, Changing requirements for property valuation training and procedures commission.

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

Com. Sub. for Senate Bill 603 (originating in the Committee on Government Organization)—
A Bill to amend and reenact §11-1C-3 of the Code of West Virginia, 1931, as amended, relating to the Property Valuation Training and Procedures Commission; requiring that one citizen member of the commission have a demonstrated background in, or knowledge of, agriculture; clarifying requirements before an assessor can be nominated; and providing preference when certain requirements are met.

With the recommendation that the committee substitute do pass; but with the further recommendation that it first be referred to the Committee on Finance.

Respectfully submitted,

Robert L. Morris, Jr.,
Chair.

At the request of Senator Morris, unanimous consent being granted, the bill (Com. Sub. for S. B. 603) contained in the foregoing report from the Committee on Government Organization was then referred to the Committee on Finance.

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 604, Extending Alzheimer's Disease and Other Dementia Advisory Council sunset date.

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

Respectfully submitted,

Robert L. Morris, Jr.,
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 633, Relating to WV Commission on Holocaust Education.

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

Com. Sub. for Senate Bill 633 (originating in the Committee on Education)—A Bill to amend and reenact §5-28-1, §5-28-2, and §5-28-3 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §5-28-1a, relating to the West Virginia Commission on Holocaust Education; replacing current provisions pertaining to the commission with new provisions; establishing legislative findings and intent; modernizing commission membership in light of the passing of Holocaust survivors; addressing terms, vacancies, governance, quorum, transparency, compensation, and removal; strengthening safeguards for historical accuracy and mission integrity; authorizing limited commission-appointed voting members; authorizing non-voting advisory members, including students; and ensuring Holocaust education remains the central and primary purpose of the commission.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Amy N. Grady,
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 Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 784—A Bill making a supplementary appropriation of federal funds out of the Treasury to the Department of Human Services – Substance Abuse Prevention and Treatment, fund 8793, fiscal year 2026, organization 0511, by decreasing and increasing the appropriations for the fiscal year ending June 30, 2026.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 785—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2026, to the Department of Health, Laboratory Services Fund, fund 5163, fiscal year 2026, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 786—A Bill making a supplementary appropriation of public moneys out of the Treasury to the Department of Human Services, Child Support Enforcement Fund, fund 5094, fiscal year 2026, organization 0511, by decreasing and increasing existing items of appropriation for the fiscal year ending June 30, 2026.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 787—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Commerce, Division of Forestry, fund 0250, fiscal year 2026, organization 0305, by increasing the appropriations for the fiscal year ending June 30, 2026.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 788—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce, WorkForce West Virginia, fund 0572, fiscal year 2026, organization 0323, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026, by adding a new item of appropriation.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 789—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2026, to the Executive, Department of Agriculture – Capital Improvements Fund, fund 1413, fiscal year 2026, organization 1400, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 790—A Bill to amend and reenact §5B-2A-1, §5B-2A-3, §5B-2A-4, §5B-2A-9, §5B-2A-12, §5B-2F-1, §5B-2F-2, §5B-2F-3, §5B-2F-4, §5B-2F-5, §5B-2H-2, §5B-2J-2, §5B-2N-1, §5B-2N-2, §5B-2N-3, §5B-2N-4, and §5D-1-1 of the Code of West Virginia, 1931, as amended; to amend the code by adding eight new sections, designated §5B-2F-1a, §5B-2F-2a, §5B-2F-2b, §5B-2N-1a, §5B-2N-2b, §5B-2N-4a, §5B-2N-5, and §5B-2N-6; and to repeal §5B-2A-10, §5B-2A-14, §5B-2O-1, §5B-2O-2, §5B-2O-3, §5B-2O-4, §5D-1-2, §5D-1-3, §5D-1-4, §5D-1-5, §5D-1-5a,

§5D-1-5b, §5D-1-5c, §5D-1-6, §5D-1-7, §5D-1-8, §5D-1-9, §5D-1-10, §5D-1-11, §5D-1-12, §5D-1-13, §5D-1-14, §5D-1-15, §5D-1-16, §5D-1-17, §5D-1-18, §5D-1-19, §5D-1-20, §5D-1-21, §5D-1-22, and §5D-1-23, relating to the consolidation and development of a comprehensive energy development policy and plan under the direction of the West Virginia Office of Energy; transferring the Office of Coalfield Community Development as a program within the Office of Energy; eliminating annual report of the Office of Coalfield Community Development; eliminating the sunset date of the Office of Coalfield Community Development; establishing the Comprehensive Energy Policy and Development Plan Act of 2026; eliminating outdated and misaligned duties of the Office of Energy; repurposing the Office of Energy with developing a long-lasting energy policy that embraces coal, natural gas, nuclear, hydropower, hydrogen, and geothermal sources of energy that emphasizes stability, efficiency, innovation, stable baseload generation, low cost, independence, and security; eliminating the Office of Energy's responsibility to develop an energy savings contracting program; empowering the Office of Energy to hold stakeholder meetings to develop a comprehensive energy plan and policy; granting the Office of Energy rule-making powers; requiring existing power plants to obtain the Office of Energy's approval prior to undertaking any decommissioning or deconstructing activities; including the Office of Energy in the list of agencies empowered to assist in the growth of the Marcellus gas and natural gas liquid industries; repealing Coal Fired Grid Stabilization Act of 2023 and merging its elements into the newly created Comprehensive Grid Stabilization and Energy Security Act of 2026; creating definitions for the act; directing the Office of Energy to develop strategies for developing coal, geothermal, hydrogen, hydropower, natural gas, and nuclear fueled energy; directing the Office of Energy to submit an annual report of its findings and recommendations; authorizing the Office of Energy to identify and designate suitable sites for coal, geothermal, hydrogen, hydropower, natural gas, or nuclear electric generation projects; authorizing the Office of Energy to develop and adopt criteria for energy-ready community designations for local governments; directing the Office of Energy to develop a state energy security plan and to conduct energy emergency exercises to access the state's energy emergency readiness; terminating the Public Energy Authority; transferring certain powers, duties, and responsibilities of the authority to the Office of Energy; and technical cleanup of amended and reenacted sections.

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

By Senator Smith (Mr. President) (By Request of the Executive):

Senate Bill 791—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2026, organization 0606, by increasing an existing item of appropriation for the fiscal year ending June 30, 2026.

Referred to the Committee on Finance.

By Senator Willis:

Senate Bill 792—A Bill to amend and reenact §50-1-11 of the Code of West Virginia, 1931, as amended, relating to courts and officers; and eliminating requirement that Supreme Court of Appeals supply magistrates with copies of West Virginia Code.

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

By Senator Willis:

Senate Bill 793—A Bill to amend and reenact §2-2-1, §2-2-2, and §7-3-2 of the Code of West Virginia, 1931, as amended, relating to courthouse closures on certain days; clarifying days

considered legal holidays; clarifying applicability of rules of the Supreme Court of Appeals with regard to certain timing matters for state courts; clarifying effect of proceeding or act to take place or term of court to commence on "day of local significance"; defining day of local significance; setting forth procedures for designating day of local significance; and clarifying weekdays on which a courthouse may be closed.

Referred to the Committee on the Judiciary.

By Senator Willis:

Senate Bill 794—A Bill to amend and reenact §51-11-4 of the Code of West Virginia, 1931, as amended, relating to appeals of orders or decrees of adoption; and clarifying that the Intermediate Court of Appeals does not have appellate jurisdiction over appeals of adoption orders or decrees.

Referred to the Committee on the Judiciary.

By Senator Willis:

Senate Bill 795—A Bill to amend and reenact §49-4-301 of the Code of West Virginia, 1931, as amended, relating to permitting a parent, guardian, or custodian to pay for an independent medical evaluation if their child is in temporary protective custody.

Referred to the Committee on Health and Human Resources.

By Senator Willis:

Senate Bill 796—A Bill to repeal §51-8-5 of the Code of West Virginia, 1931, as amended, relating to distribution of West Virginia reports.

Referred to the Committee on the Judiciary.

By Senator Willis:

Senate Bill 797—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §49-2-129a, relating to the development of a continuum of services and supports for youth who are preparing to exit foster care or who have aged out of that care.

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

By Senator Willis:

Senate Bill 798—A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Medicine to promulgate a legislative rule relating to continuing education for physicians and podiatric physicians.

Referred to the Committee on Health and Human Resources.

By Senator Willis:

Senate Bill 799—A Bill to amend and reenact §55-3A-1 and §55-3B-4 of the Code of West Virginia, 1931, as amended, relating to eviction proceedings; requiring receipt of return of service or return receipt to be filed with court; requiring hearing to be scheduled upon filing petition; permitting tenant to file and serve written defense to eviction petition within five days of tenant's receipt of notice of petition; and providing that hearing shall be scheduled five to 10 judicial days following filing of petition.

Referred to the Committee on the Judiciary.

By Senator Willis:

Senate Bill 800—A Bill to amend and reenact §52-1-1, §52-1-3, §52-1-5, §52-1-5a, §52-1-6, §52-1-7, §52-1-8, §52-1-9, §52-1-15, §52-1-16, §52-1-22, and §52-2-3 of the Code of West Virginia, 1931, as amended; and to repeal §52-1-7a and §52-1-25, relating to juries; clarifying policy of state regarding jury service; defining terms; setting forth duties and procedures for compilation and maintenance of master list and county lists; providing for public inspection of county lists and freeholder lists; requiring public officers to make source lists available to administrative director or designee; clarifying clerk duties with respect to juror qualification forms; clarifying procedures for jury wheel; eliminating alternate procedure for selection of jury by electronic data processing methods; clarifying procedures for disqualification of jurors; providing for certain qualified jurors to be used in event of unanticipated shortage; clarifying procedures for challenging compliance with selection procedures; clarifying procedures for preservation of records; clarifying criminal offense of fraud by tampering with the jury wheel; eliminating provision requiring present methods of jury selection remain in effect until preparation of master list; and clarifying procedures for selection and summoning of grand jurors.

Referred to the Committee on the Judiciary.

By Senator Grady:

Senate Bill 801—A Bill to amend and reenact §18-9A-4 and §18-9A-5 of the Code of West Virginia, 1931, as amended, relating to increasing each school district's basic foundation program by increasing the ratio of professional educators per 1,000 students and the ratio of service personnel per 1,000 students, both of which are a part of the calculation used to determine each school district's basic foundation program; and providing that for the 2026-2027 school year only, a school district cannot be penalized for failing to meet the minimum ratio of professional instructional personnel per state aid funded professional educators.

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

By Senator Grady:

Senate Bill 802—A Bill to amend and reenact §18-5-45 of the Code of West Virginia, 1931, as amended, relating to noninstructional days within the school calendar; prohibiting a teacher from being required to use the school preparation days for any other purpose besides the preparation for the opening of school or for school closing; requiring noninstructional days to include two Leave Teachers Alone days to be used as determined by classroom teachers for activities that will improve instruction; requiring both of these days to be scheduled and to occur before the beginning of the instructional term; and reducing the number of days to be used as designated by the county board.

Referred to the Committee on Education.

By Senator Grady:

Senate Bill 803—A Bill to amend and reenact §18-8-12 of the Code of West Virginia, 1931, as amended, relating to requiring demonstration of competency of any nonpublic school, home school, microschool, learning pod, or individualized instruction plan student upon enrollment in a public school before the public school can transcribe grades onto a public school transcript.

Referred to the Select Committee on School Choice.

By Senator Grady:

Senate Bill 804—A Bill to amend and reenact §18-2-7a of the Code of West Virginia, 1931, as amended, relating to providing that students participating in good standing in an extracurricular sport are not required to comply with the statutory middle school and high school physical education requirements.

Referred to the Committee on Education.

By Senators Helton and Phillips:

Senate Bill 805—A Bill to amend and reenact §16-66-1 and §16-66-3 of the Code of West Virginia, 1931, as amended, relating to the abortion pill reversal; defining terms; and providing that the Mothers and Babies Pregnancy Support program can cover expenses associated with the abortion pill reversal.

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

By Senators Rucker, Rose, and Thorne:

Senate Bill 806—A Bill to amend and reenact §11-1A-3, §11-1C-2, and §11-4-3 of the Code of West Virginia, 1931, as amended, relating to clarifying the definition of "farm" or "farmland" for real property tax assessment purposes; and modifying the definition of "farm" or "farmland" to allow for the operation of business activities other than farming by the owner or bona fide tenant of tracts of land deemed "farm" or "farmland" without disqualifying such tracts from that designation, provided the primary and predominant use of the specified acreage is the business of farming.

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

By Senators Takubo, Clements, Jeffries, Phillips, Queen, and Weld:

Senate Bill 807—A Bill to amend and reenact §30-3-14, §30-3-15, and §31B-13-1301 of the Code of West Virginia, 1931, as amended, relating to physician assistants; authorizing physician assistants to own a business; denying a license or other authorization for physician assistants for referrals where the physician assistant has a proprietary interest; authorizing medical corporations that have physician assistant shareholders; and designating the profession of physician assistant as a professional service for the purposes of the Uniform Limited Liability Company Act.

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

By Senators Takubo, Clements, and Phillips:

Senate Bill 808—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §19-40-1, relating to the regulation of consumable hemp products; providing legislative findings; defining terms; prohibiting certain hemp products; requiring licensure of manufacturers, distributors, and retailers; assigning regulatory authority; establishing testing, labeling, packaging, and marketing requirements; restricting sales to persons under 21 years of age; imposing an excise tax; providing for enforcement, penalties, and seizure; and providing effective dates.

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

By Senator Takubo:

Senate Bill 809—A Bill to amend and reenact §60A-2-204 and §60A-2-208 of the Code of West Virginia, 1931, as amended, relating to moving cannabis and its natural and synthetic derivatives from Schedule I to Schedule III.

Referred to the Committee on Health and Human Resources.

By Senator Takubo:

Senate Bill 810—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 lung cancer prevention and education; defining terms; establishing a lung cancer and education 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 requiring the Department of Health to administer an education campaign.

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

By Senator Takubo:

Senate Bill 811—A Bill to amend and reenact §3-2-2 of the Code of West Virginia, 1931, as amended, relating to registration of voters; and permitting persons to change party affiliation on the day of an election.

Referred to the Committee on the Judiciary.

By Senator Morris:

Senate Bill 812—A Bill to amend and reenact §61-16-2 of the Code of West Virginia, 1931, as amended, relating to prohibiting any person to operate an unmanned aerial vehicle over a polling place on election day.

Referred to the Committee on the Judiciary.

By Senator Morris:

Senate Bill 813—A Bill to amend and reenact §3-8-7 of the Code of West Virginia, 1931, as amended, relating to regulation and control of elections; increasing the civil penalties for failure to file required campaign finance reports, or filing grossly incomplete or grossly inaccurate campaign finance reports, from \$10 per day to a maximum of \$500 for the first violation, and \$1,000 per report for each subsequent violation; requiring notice to be provided to any political committees violating the filing requirements prior to assessing any civil fines; giving the Secretary of State authority to grant additional time for compliance not to exceed an additional 14 days; authorizing the Secretary of State to negotiate and enter into settlement agreements for payment of the civil penalty, including but not limited to, entering into an installment payment plan; and requiring the Secretary of State to refer any civil penalties that remain outstanding for a period greater than 30 days to a debt collection agency or similar other responsible agent for collection.

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

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 814—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the State Board of Education, State Department of Education, fund 0313, fiscal year 2025, organization 0402, by adding a new item of appropriation for the fiscal year ending June 30, 2026.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 815—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Corrections and Rehabilitation, Correctional Units, fund 0450, fiscal year 2026, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026, by adding a new item of appropriation.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 816—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Department of Homeland Security, Office of the Secretary, fund 0430, fiscal year 2026, organization 0601, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026, by adding a new item of appropriation.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 817—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Corrections and Rehabilitation, Bureau of Juvenile Services, fund 0570, fiscal year 2026, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026, by adding a new item of appropriation.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 818—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Executive, Governor's Office, Civil Contingent Fund, fund 0105, fiscal year 2026, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026, by adding a new item of appropriation.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 819—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in

the State Fund, General Revenue, to the Department Health Facilities, Health Facilities, William R. Sharpe Jr. Hospital, fund 0413, fiscal year 2026, organization 0512, by adding a new item of appropriation for the fiscal year ending June 30, 2026.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 820—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Administration, Office of the Secretary, fund 0186, fiscal year 2026, organization 0201, by adding a new item of appropriation for the fiscal year ending June 30, 2026.

Referred to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel (By Request of the Executive):

Senate Bill 821—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2026, to the Department of Administration, Board of Risk and Insurance Management, Premium Tax Savings Fund, fund 2367, fiscal year 2026, organization 0218, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026.

Referred to the Committee on Finance.

By Senator Helton:

Senate Bill 822—A Bill to amend and reenact §5-16-7f, §9-5-32, §33-15-4s, §33-16-3dd, §33-24-7s, §33-25-8p, and §33-25A-8s of the Code of West Virginia, 1931, as amended, relating to prior authorizations; defining terms; revising gold card process to include hospitals or departments of hospitals; revising criteria to qualify for a gold card; extending time frame gold card is effective; establishing new effective date; revising data-reporting requirements; permitting provider to request that the Office of the Insurance Commissioner provide data related to performance metrics used to determine his or her gold card status; requiring the Office of the Insurance Commissioner to standardize the gold carding process; and increasing the civil penalty for violations.

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

Senators Jeffries and Bartlett offered the following resolution:

Senate Resolution 30—Designating February 9, 2026, as West Virginia State University Day at the Capitol.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Resolution 28, Expressing support for I-68 Energy Manufacturing AI Corridor.

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 29, Designating February 6, 2026, as Recovery Advocacy Day.

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

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

Thereafter, at the request of Senator Roberts, and by unanimous consent, the remarks by Senators Deeds and Helton as to the adoption of Senate Resolution 29 were ordered printed in the Appendix to the Journal.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 1, Small Business Growth Act.

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 1 pass?"

On the passage of the bill, the yeas were: Azinger, Barnhart, Barrett, Bartlett, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Martin, M. Maynard, Z. Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Takubo, Taylor, Thorne, Weld, Woodrum, and Smith (Mr. President)—27.

The nays were: Chapman, Hart, Rose, Rucker, Tarr, and Woelfel—6.

Absent: Willis—1.

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. 1) 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 440, Increasing penalty for transporting telecommunication devices into jails.

On third reading, 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, retaining its place on the calendar.

Eng. Com. Sub. for Senate Bill 467, Allowing enforcement of Purple Heart parking spaces taken by non-Purple Heart recipients.

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 467 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, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

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. 467) 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 490, Approving short-term training programs for eligibility for federal Workforce Pell Grants.

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, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

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. 490) 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, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

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. 490) takes effect July 1, 2026.

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

Eng. Senate Bill 586, Modifying requirements for public water systems.

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, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 586) 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 615, Requiring persons with illegal immigration status be turned over to ICE.

On third reading, 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, retaining its place on the calendar.

Eng. Senate Bill 622, Extending mine safety technology tax credit.

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, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: Tarr—1.

Absent: Willis—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 622) 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 543, Requiring Bureau for Social Services to file legislative rule.

On second reading, 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, retaining its place on the calendar.

Com. Sub. for Senate Bill 592, WV Short Line Railroad Modernization Act.

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

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 625, Relating to responsibility of board of public service district that is being dissolved.

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 694, Removing county residency requirement for county superintendent of schools.

On second reading, 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, retaining its place on the calendar.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 30, Allowing 18 to 20-year-olds to carry concealed weapon without permit.

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

Com. Sub. for Senate Bill 473, Creating felony offense of using electronic device to threaten violence.

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

Com. Sub. for Senate Bill 478, Second Amendment Reaffirmation and Protection Act.

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

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 February 5, 2026:

Senate Bill 70: Senator Willis;

Senate Bill 473: Senator Deeds;

Senate Bill 478: Senators Taylor and Hart;

Senate Bill 502: Senators Grady and Willis;

Senate Bill 561: Senator Rose;

Senate Bill 575: Senator Willis;

Senate Bill 587: Senator Z. Maynard;

Senate Bill 589: Senator Taylor;

Senate Bill 603: Senators Rucker and Hamilton;

Senate Bill 604: Senator Hamilton;

Senate Bill 633: Senator Taylor;

Senate Bill 637: Senator Z. Maynard;

Senate Bill 647: Senator Willis;

Senate Bill 660: Senator Queen;

Senate Bill 662: Senator Z. Maynard;

Senate Bill 718: Senator Z. Maynard;

Senate Bill 748: Senator Rucker;

Senate Bill 754: Senator Woelfel;

Senate Bill 758: Senator Rucker;

Senate Bill 763: Senator Woelfel;

Senate Bill 766: Senator Woelfel;

Senate Bill 774: Senator Deeds;

Senate Joint Resolution 19: Senator Deeds;

And,

Senate Resolution 29: Senators Grady and Morris.

Pending announcement of a meeting of a standing committee of the Senate,

On motion of Senator Martin, at 12:23 p.m., the Senate adjourned until Monday, February 9, 2026, at 11 a.m.

SENATE CALENDAR

**Monday, February 09, 2026
11:00 AM**

UNFINISHED BUSINESS

- S. R. 28 - Expressing support for I-68 Energy Manufacturing AI Corridor
- S. R. 30 - Designating February 9, 2026, as WVSU Day

THIRD READING

- Eng. Com. Sub. for S. B. 440 - Increasing penalty for transporting telecommunication devices into jails (original similar to HB4857)
- Eng. Com. Sub. for S. B. 592 - WV Short Line Railroad Modernization Act
- Eng. Com. Sub. for S. B. 607 - Relating to federally approved project delivery methods for airport capital improvement projects (original similar to HB4808)
- Eng. Com. Sub. for S. B. 615 - Requiring persons with illegal immigration status be turned over to ICE
- Eng. Com. Sub. for S. B. 625 - Relating to responsibility of board of public service district that is being dissolved (original similar to HB4862)

SECOND READING

- Com. Sub. for S. B. 30 - Allowing 18 to 20-year-olds to carry concealed weapon without permit
- Com. Sub. for S. B. 473 - Creating felony offense of using electronic device to threaten violence
- Com. Sub. for S. B. 478 - Second Amendment Reaffirmation and Protection Act (original similar to HB4926)
- Com. Sub. for S. B. 543 - Requiring Bureau for Social Services to file legislative rule (original similar to HB4617)
- Com. Sub. for S. B. 694 - Removing county residency requirement for county superintendent of schools

FIRST READING

- S. B. 404 - Relating to Department of Human Services authority to contract with certain providers (original similar to HB4017)
- S. B. 604 - Extending Alzheimer's Disease and Other Dementia Advisory Council sunset date
- Com. Sub. for S. B. 633 - Relating to WV Commission on Holocaust Education
- S. B. 645 - Prohibiting surprise billing of ground emergency medical services by nonparticipating providers

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2026

Monday, February 9, 2026

1 p.m.

Transportation & Infrastructure

(Room 451M)