

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

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

Charleston, West Virginia, Tuesday, February 10, 2026

The Senate met at 11:11 a.m.

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

Prayer was offered by the Honorable Patricia Puertas Rucker, a senator from the sixteenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Robert L. Morris, Jr., a senator from the eleventh district.

Pending the reading of the Journal of Monday, February 9, 2026,

At the request of Senator Hart, 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 4522—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §3-1D-1, §3-1D-2, and §3-1D-3, relating to foreign national contributions and participation in election administration or ballot measures; providing definitions; creating criminal penalties; prohibiting foreign nationals from contributing or participating in ballot measures; requiring certification be provided to Secretary of State; provide records be maintained and published on website; requiring quarterly reports; providing rule-making ability; and establishing enforcement power and a private cause of action.

Referred to the Committee on the Workforce; 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 4755—A Bill to amend and reenact §61-11-18 of the Code of West Virginia, 1931, as amended, relating to qualifying offenses for purposes of recidivism punishment; and adding aggravated vehicular homicide, driving under the influence causing serious bodily injury, third offense driving under the influence, and obstructing causing death as qualifying offenses for enhanced sentencing of a repeat offender; and creating criminal penalties.

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 4982—A Bill to amend and reenact §18-2-7a and §18-5D-4 of the Code of West Virginia, 1931, as amended; to amend the code by adding new sections, designated, §9-5-34; §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 and §16-67-10; and to repeal §5-1E-1, §5-1E-2, §5-1E-3, §5-1E-4, and §5-1E-5, relating to the healthy lifestyles; reestablishing the statewide Healthy Lifestyles program; expanding the authority of the Office of Healthy Lifestyles; promoting wellness initiatives; coordinating efforts among state agencies; creating programs; requiring physical fitness in schools; and requiring a report.

Referred to the Committee on Health and Human Resources.

The Senate proceeded to the fourth order of business.

Senator Oliverio, from the Committee on Pensions, submitted the following report, which was received:

Your Committee on Pensions has had under consideration

Senate Bill 28, Allowing members of State Police retirement system to use accrued leave as credit toward retirement.

Senate Bill 717, Modifying disability and retirement benefits and procedures for municipal police and firefighters.

Senate Bill 719, Relating to Municipal Police Officers and Firefighters Retirement System.

And,

Senate Bill 724, Relating to home confinement officers' participation in EMS retirement system.

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,

Michael A. Oliverio II,
Chair.

The bills, under the original double committee references, were 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

Com. Sub. for Senate Bill 173 (originating in the Committee on Health and Human Resources), Prohibiting abortifacients.

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

Com. Sub. for Com. Sub. for Senate Bill 173 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §16-2R-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding two new sections, designated §16-2R-10 and §16-2R-11, relating to prohibiting abortifacients; defining terms; creating criminal penalties; providing for revocation of medical license in certain circumstances; creating civil cause of action; providing exceptions to applicability; and requiring attestation.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Thomas E. Willis II,
Chair.

Senator Oliverio, from the Committee on Pensions, submitted the following report, which was received:

Your Committee on Pensions has had under consideration

Senate Bill 206, Updating retirement eligibility for certain sheriffs.

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

Com. Sub. for Senate Bill 206 (originating in the Committee on Pensions)—A Bill to amend and reenact §5-10-20 of the Code of West Virginia, 1931, as amended, authorizing sheriffs who are members of the public retirement system to retire upon attaining the age of 62 with eight or more years of service.

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,

Michael A. Oliverio II,
Chair.

The bill (Com. Sub. for S. B. 206), under the original double committee reference, was then referred to the Committee on Finance.

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

Your Committee on Finance has had under consideration

Senate Bill 389, Historic Rehab Building Credit Act.

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

Com. Sub. for Senate Bill 389 (originating in the Committee on Finance)—A Bill to amend and reenact §11-6F-2 and §11-6F-3 of the Code of West Virginia, 1931, as amended; to amend said code by adding a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, §11-13NN-6, §11-13NN-7, §11-13NN-8, §11-13NN-9, §11-13NN-10, §11-13NN-11, §11-13NN-12, §11-13NN-13, and §11-13NN-14; and to amend said code by adding two new sections, designated §11-21-8i and §11-24-23h, relating to tax incentives for investments in the addition to and rehabilitation of properties in West Virginia; clarifying that certified capital addition property for appraising qualified capital additions to manufacturing facilities is limited to personal property only; requiring that qualified capital additions to manufacturing facilities be located in the same county as the manufacturing facility being added to; deleting superfluous language relating to ad valorem tax treatment of real property of a certified capital addition; creating the West Virginia Historic Rehabilitated Buildings Tax Credit Act; providing a sunset on the current rehabilitation credits; providing a centralized article providing for historic rehabilitation credits; providing legislative findings; defining terms; setting forth procedures to claim the credit; providing for recapture of the credit; and providing effective dates.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

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

Your Committee on Finance has had under consideration

Senate Bill 393, Updating corporate net income tax definitions.

Senate Bill 570, Supplemental Appropriation to Department of Health, fund 8802.

And,

Senate Bill 781, Supplemental appropriation for Civil Contingent Fund, fund 0105.

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

Respectfully submitted,

Jason Barrett,
Chair.

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 426, Relating to underground facilities damage prevention.

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

Com. Sub. for Senate Bill 426 (originating in the Committee on Energy, Industry, and Mining)—A Bill to amend and reenact §24C-1-2, §24C-1-2a, §24C-1-3, and §24C-1-9 of the Code of West Virginia, 1931, as amended, relating to preventing damage to underground facilities; allowing the Underground Facilities Damage Prevention Board to obtain liens on real and personal property for failure to pay assessed penalties; modifying the time period in which operators must respond to one-call system notifications; and providing alternate venue choice for certain administrative hearings.

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

Senator M. Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Senate Bill 501, Expanding digital mapping of unimproved public roads.

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

Com. Sub. for Senate Bill 501 (originating in the Committee on Transportation and Infrastructure)—A Bill to amend and reenact §17-2A-11 of the Code of West Virginia, 1931, as amended, relating to expanding digital mapping of unimproved public roads; authorizing West Virginia Department of Tourism and county commissions to submit mapping requests to the West Virginia Commissioner of Highways; setting forth mapping request content and mapping and online posting requirements; and requiring cooperation between West Virginia Division of Highways and West Virginia Department of Tourism.

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,

Mark R. Maynard,
Chair.

The bill (Com. Sub. for S. B. 501), 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 531, Establishing First Amendment Preservation Act.

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

Com. Sub. for Senate Bill 531 (originating in the Committee on the Judiciary)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §5A-3-64, relating to establishment of the First Amendment Preservation Act; providing definitions; prohibiting state contracts with media reliability and bias monitor; requiring written certifications from companies submitting bids that state purchasing contracts are in compliance with the act; clarifying the applicability of the act to state contracts; and providing effective date.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Thomas E. Willis II,
Chair.

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 575, Clarifying county attorney obligations for refusal review hearings.

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

Com. Sub. for Senate Bill 575 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §17A-2-20 and §17C-5-7a of the Code of West Virginia, 1931, as amended, relating to refusal review hearings; clarifying legal representation at refusal review hearings; providing that either the prosecuting attorney of the county with jurisdiction or legal representative of the municipality with jurisdiction shall attend to all matters related to a refusal review hearing; and clarifying that certain provisions do not confer upon the Division of Motor Vehicles the status of a party to any refusal review proceeding.

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,

Thomas E. Willis II,
Chair.

The bill (Com. Sub. for S. B. 575), under the original double committee reference, was then referred to the Committee on Finance.

Senator M. Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Senate Bill 692, Authorizing green flashing warning lights on DOH vehicles.

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

Com. Sub. for Senate Bill 692 (originating in the Committee on Transportation and Infrastructure)—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 vehicles or equipment as designated in writing by the Commissioner of the Division of Highways.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Mark R. Maynard,
Chair.

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 706, Modifying severance tax on newly drilled oil and natural gas wells.

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

Com. Sub. for Senate Bill 706 (originating in the Committee on Energy, Industry, and Mining)—A Bill to amend and reenact §11-13A-3a and §11-13A-5a of the Code of West Virginia, 1931, as amended, relating to temporarily modifying the amount of severance tax on newly drilled oil and natural gas wells; temporarily modifying certain allocations of the severance tax to counties and municipalities; and specifying the duration of the temporary time period.

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,

Christopher A. Rose,
Chair.

The bill (Com. Sub. for S. B. 706), under the original double committee reference, was then referred to the Committee on Finance.

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

Your Committee on Finance has had under consideration

Senate Bill 772, Declaring certain claims against WV to be moral obligations.

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

Com. Sub. for Senate Bill 772 (originating in the Committee on Finance)—A Bill finding and declaring certain claims against the state and its agencies to be moral obligations of the state; and directing the Auditor to issue warrants for the payment thereof.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

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

Your Committee on Education has had under consideration

Senate Resolution 15, Recognizing 154th anniversary of Glenville State University.

And reports the same back with the recommendation that it be adopted.

Respectfully submitted,

Amy N. Grady,
Chair.

At the request of Senator Queen, unanimous consent being granted, the resolution (S. R. 15) contained in the preceding report from the Committee on Education was taken up for immediate consideration.

The question being on the adoption of the resolution, the same was put and prevailed.

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 Jeffries, Garcia, Morris, Queen, and Woodrum:

Senate Bill 893—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-24-45, relating to providing a tax credit against the state corporation net income tax for expenditures and activities related to the establishment and operation of biochar manufacturing facilities; defining terms; providing for rulemaking; establishing the amount of the tax credit; providing for limitations of the tax credit; establishing the duration of the tax credit; and providing for verification requirements.

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

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

Senate Bill 894—A Bill to amend and reenact §5-28-1, §5-28-3, §5A-8-15, §5A-11-1, §5A-11-3, §5A-11-7, §5B-2-17, §5B-2-20, §5B-2I-7, §5B-9-1, §8-1-5a, §9-4B-7, §9-4C-11, §11-21-12i, §16-5P-3, §16-5CC-6, §16-29D-7, §16-36-1, §16-36-2, §16-40-7, §16-40-8, §17-4A-1, §17-4A-2, §17-4A-3, §20-2-23a, §20-2-23b, §20-2-23d, §20-2-23e, §29-20-4, §29-24-2, §29-24-5, §29-24-7, §29-24-8, and §29-24-9 of the Code of West Virginia, 1931, as amended; to amend the code by adding a new section, designated §44-16-7; and to repeal §5-28-2, §5A-11-2, §5A-11-4, §5A-11-5, §5A-11-6, §5B-1B-1, §5B-1B-2, §5B-1B-3, §5B-1B-4, §9-4B-1, §9-4B-2, §9-4B-3, §9-4B-4, §9-4C-1, §9-4C-2, §9-4C-3, §9-4C-4, §9-4C-5, §9-4C-6, §9-4C-7, §9-4C-8, §16-5M-1, §16-5M-2, §16-5M-3, §16-5P-7, §16-5P-8, §16-5U-1, §16-5U-2, §16-5U-3, §16-5BB-1, §16-5CC-1, §16-5CC-2, §16-5CC-3, §16-5CC-4, §16-5CC-5, §16-22A-4, §16-29B-31, §16-33-2, §16-33-5, §16-36-3, §16-40-6, §16-61-1, §16-61-2, §16-61-3, §17-2E-10, §18-10Q-1, §18-10Q-2, §18-10Q-3, §18-10Q-4, §18-10Q-5, §22-11A-1, §22-11A-4, §22-11A-6, §22-11A-7, §24-6-15, §29-20-1, §29-20-2, §29-20-3, §29-20-5, §29-20-6, §29-24-3, §29-24-4, and §49-2-913, relating to reforms to numerous unnecessary, expired, overly large, or outdated boards and commissions; shifting several tasks, duties, responsibilities, or funds of these outdated or unnecessary boards and commissions to other agencies or entities; eliminating the Commission on Holocaust Education and shifting its powers and duties to the Archives and History Commission; eliminating the Records Management and Preservation Board and shifting its powers and duties to the Director of the Archives and History Section of the Department of Tourism; eliminating the Public Land Corporation and vesting its property to the Division of Natural Resources; eliminating the Public Land Corporation Board of Directors and shifting its powers and duties to the Director of the Division of Natural Resources; eliminating the West Virginia Motorsport Committee and shifting its powers and duties to the Tourism Advisory Council; repealing the Southern West Virginia Lake Development Study Commission Act; changing the composition of the Tourism Advisory Council; eliminating the Flatwater Trail Commission and shifting its powers and duties to the Tourism Advisory Council; eliminating the Municipal Home Rule Board and shifting control of the Municipal Home Rule Program to the participating municipalities; repealing the Physical/Medical Practitioner Provider Medicaid Enhancement Board; repealing the General Medicaid Enhancement Board; repealing the Dentist Medicaid Enhancement Board; repealing the Ambulance Service Provider Medicaid Enhancement Board; repealing the Facility Providers' Medicaid Enhancement Board; removing language referencing the repealed West Virginia Appraisal Control and Review Commission; repealing the Interagency Council on Osteoporosis; repealing the West Virginia Council on Aging; repealing the Interagency Council on Arthritis; repealing the Workgroup to Study Adverse Childhood Experiences; repealing the West Virginia Advisory Council on Rare Diseases; repealing the Hearing Impairment Testing Advisory Committee; repealing the Working Group on Hospice Services in West Virginia; eliminating the Advisory Committee on State Health Care Rules but keeping the authority of the Secretary of the Department of Human Services to promulgate legislative rules; repealing the Breast and Cervical Cancer Detection and Education Program Coalition; repealing the Advisory Committee on Needlestick Injury Prevention Rules but keeping the authority of the Commissioner of the Bureau of Public Health to promulgate legislative rules; repealing the Advisory Council on Statewide Birth Defects Information System; repealing the State Advisory Coalition on Palliative Care Work Group; repealing the Taskforce on Infrastructure Deployment Clearinghouse; eliminating the Complete Streets Advisory Board but keeping the Complete Streets Program under the authority of the Division of Highways; repealing the Employment First Taskforce; eliminating the Whitewater Commission and shifting its powers and duties to the Director of the Division of Natural Resources; repealing the Carbon Dioxide Sequestration Pilot Program and Working Group; repealing the Commission to Implement NG911 in West Virginia; repealing the Women's Commission; eliminating the Technology-Related Assistance Revolving Loan Fund for Individuals with Disabilities Board and shifting its powers and duties to the Division of Rehabilitation Services;

repealing the Trusts for Children with Autism and the West Virginia Children with Autism Trust Board but allowing qualifying trust established on or prior to December 31, 2026, to continue with the same qualifications; repealing the Juvenile Justice Reform Oversight Commission; modifying or eliminating various reports of affected boards and commission; and making technical corrections.

Referred to the Committee on Government Organization.

By Senators Takubo, Smith (Mr. President), Barnhart, Deeds, Hamilton, Jeffries, Morris, Weld, Woodrum, and Z. Maynard:

Senate Bill 895—A Bill to amend and reenact §23-4-1, §23-4-6, and §23-4-16 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §23-4-8e, relating to workers' compensation claims for progressive massive fibrosis; defining terms; removing time limits for filing or modifying claims for progressive massive fibrosis; and providing an impairment rating for progressive massive fibrosis.

Referred to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 896—A Bill to amend and reenact §11A-3-62 of the Code of West Virginia, 1931, as amended; and amend the code by adding a new section, designated §11A-3-7, relating to the sales of tax liens; establishing when a sale may be suspended by the sheriff; and providing a tax exemption to certain purchasers.

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

By Senators Helton, Morris, and Rose:

Senate Bill 897—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, §16-67-11, §16-67-12, §16-67-13, §16-67-14, §16-67-15, §16-67-16, §16-67-17, §16-67-18, §16-67-19, §16-67-20, §16-67-21, §16-67-22, §16-67-23, and §16-67-24, relating to licensure and certification of alcohol and drug counselors; defining terms; setting forth eligibility for licensure and certification; restrictions on private practice; licensure eligibility requirements; certification eligibility requirements; alternative certification eligibility; application fee for licensure; renewal fee for licensure; application fee for certification; renewal fee for certification; contracting services; grandfathering of licensee based on education; grandfathering of certified individuals based on education; grandfathering of certified individuals based on experience and examination; licensure and certification endorsement; title protection; disciplinary actions; exception to licensure and certifications for healthcare providers; exception to licensure and certifications for students; exception to licensure and certifications for state-employed rehabilitation counselors; exception to licensure and certifications for supervised employees and self-help groups; applicability to Division of Corrections employees; issuance of initial license; and providing for rule-making authority.

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

By Senator Thorne:

Senate Bill 898—A Bill to amend and reenact §11-4-10 of the Code of West Virginia, 1931, as amended, relating to valuing certain buildings used solely for agricultural purposes; providing for, beginning January 1, 2027, valuing of certain buildings used solely for agricultural purposes

at salvage value when assessing ad valorem real property tax; and providing for, beginning January 1, 2029, removing any valuation of certain buildings used solely for agricultural purposes when assessing ad valorem real property tax.

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

By Senators Thorne and Grady:

Senate Bill 899—A Bill to amend and reenact §18A-2-9 of the Code of West Virginia, 1931, as amended, relating to permitting teachers with a minimum of 15 years of experience in their respective school level to be certified to work as school principals.

Referred to the Committee on Education.

By Senator Weld:

Senate Bill 900—A Bill to amend and reenact §61-16-1 of the Code of West Virginia, 1931, as amended, relating to including jails, state correctional facilities, juvenile detention centers, and federal correctional facilities in the definition of the term "targeted facility".

Referred to the Committee on the Judiciary.

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

Senate Bill 901—A Bill to amend and reenact §18-8-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding two new sections, designated §49-2-202a and §61-11-22b, relating to affording parents, guardians, and custodians of truant children with additional resources and assistance prior to conviction; removing criminal penalties for students who have reached the age of majority; creating a truancy pre-trial diversion program which allows parents, guardians, and custodians of truant children to avoid conviction if they remedy the truancy and the causes that led to the truancy; requiring sentencing of truant parents, guardians, and custodians to be delayed to allow for additional opportunities to address the truancy; and allowing magistrate and circuit court judges to require the Department of Human Services to offer home-based family preservation services for families of truant children, when the courts are involved.

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

By Senator Garcia:

Senate Bill 902—A Bill to amend and reenact §3-1-34 and §3-3-10 of the Code of West Virginia, 1931, as amended, relating to the removal of barriers to voting for disabled voters.

Referred to the Committee on the Judiciary.

By Senator Deeds:

Senate Bill 903—A Bill to amend and reenact §16B-4-16, §36-8-1, §36-8-8, §36-8-14, §36-8-15, and §42-1-3c of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §36-8-34, relating to the West Virginia Uniform Unclaimed Property Act; increasing the number of days before nursing homes are required to report abandoned property to the administrator; defining a term; requiring safety deposit boxes and safe-keeping depositories to deliver contents to the administrator within a certain time frame; permitting the administrator to waive reciprocal claim forms with other states; clarifying the process for filing claims with the administrator; permitting the administrator to request unredacted documentation; requiring agreements between apparent owners and finders; prohibiting a finder from claiming property within a certain time frame; making certain agreements void and unenforceable; and

clarifying that personal property shall be liquidated by the executor of the estate and proceeds passed to the Treasurer.

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

By Senator Azinger:

Senate Bill 904—A Bill to amend and reenact §23-4-1a, §23-4-1b, §23-4-1c, §23-4-1d, §23-4-1e, §23-4-3, §23-4-4, §23-4-5, §23-4-6, §23-4-6a, §23-4-6d, §23-4-7, §23-4-7a, §23-4-8a, §23-4-8b, §23-4-8c, §23-4-9, §23-4-11, §23-4-12, §23-4-14, §23-4-15, §23-4-15a, §23-4-15b, §23-4-16, §23-4-16a, §23-4-17, §23-4-18, §23-4-20, §23-4-23, §23-4-24, §23-4-25, §23-5-2, §23-5-4, §23-5-7, §23-5-11a, and §23-5-14 of the Code of West Virginia, 1931, as amended; and to repeal §23-4-3b, §23-4-3c, §23-4-22, §23-5-1, §23-5-3, §23-5-5, §23-5-6, §23-5-8, §23-5-9, §23-5-10, §23-5-11, §23-5-12, §23-5-13, and §23-5-16, relating to modernizing and updating workers' compensation statutes; removing or revising provisions made obsolete by legislation and regulatory revisions in 2005 and 2006; standardizing references to public offices or agencies; updating statutory citations; making spelling and grammatical changes throughout; and modifying the number of Board of Review members from five to at least three but no more than five.

Referred to the Committee on Banking and Insurance.

By Senator Rucker:

Senate Bill 905—A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §3-1-32a and §3-4A-27a, relating to requiring election officials to capture and publish ballot images; providing voters with the ability to affix a unique mark on their ballot to identify and verify their ballot cast in a statewide election in West Virginia.

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

By Senator Deeds:

Senate Bill 906—A Bill to amend and reenact §60A-2-201 and §60A-2-204 of the Code of West Virginia, 1931, as amended, relating to permitting the lawful prescription, distribution, and marketing of any composition of crystalline polymorph psilocybin that the United States Food and Drug Administration approves and that is rescheduled by the United States Drug Enforcement Administration.

Referred to the Committee on Health and Human Resources.

By Senator Helton:

Senate Bill 907—A Bill to amend and reenact §5-16-9 and §33-51-9 of the Code of West Virginia, 1931, as amended; and to amend the code by adding two new sections, designated §9-5-34 and §33-51-14, relating to pharmacy benefit managers and state pharmacy purchasing; requiring an annual dispensing fee study; limiting amounts charged by pharmacy benefit managers; prohibiting certain pharmacy benefit manager contracts with West Virginia Medicaid and the West Virginia Public Employees Insurance Agency; and requiring implementation of a pharmacy cost containment tool.

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

By Senator Queen:

Senate Bill 908—A Bill to amend and reenact §29-22-6 of the Code of West Virginia, 1931, as amended, relating to flexibility in setting the lottery director's salary.

Referred to the Committee on Finance.

Senator Rose offered the following resolution:

Senate Resolution 32—Protecting West Virginia coal jobs, coal power, and coal families.

Which, under the rules, lies over one day.

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

Senate Resolution 33—Designating February 11, 2026, as West Virginia Arts Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Resolution 31, Designating February 10, 2026, as Homeschool Day.

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

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

The Senate proceeded to the eighth order of business.

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

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 30 pass?"

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

The nays were: Garcia—1.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 30) passed with its title.

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

At the request of Senator Helton, and by unanimous consent, the remarks by Senator Rose regarding the passage of Engrossed Committee Substitute for Senate Bill 30 were ordered printed in the Appendix to the Journal.

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

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 473 pass?"

On the passage of the bill, the yeas were: Azinger, Barnhart, Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, M. Maynard, Z. Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 473) 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 694, Removing county residency requirement for county superintendent of schools.

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, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Z. Maynard, Morris, Oliverio, Phillips, Roberts, Rose, Rucker, Takubo, Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—28.

The nays were: Chapman, Hart, Martin, M. Maynard, Queen, and Thorne—6.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 694) 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.

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

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 478, Second Amendment Reaffirmation and Protection Act.

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

At the request of Senator Martin, and by unanimous consent, the bill was ordered to engrossment and advanced to third reading with the right for amendments to be considered on that reading.

Com. Sub. for Senate Bill 543, Requiring Bureau for Social Services to file legislative rule.

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

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

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 633, Relating to WV Commission on Holocaust Education.

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

On motions of Senators Grady and Woodrum, the following amendment to the bill was reported by the Clerk:

On pages 3 through 8, by striking out all of section 2 and inserting in lieu thereof a new section 2, to read as follows:

§5-28-2. Commission on holocaust education; continued; membership; appointment; terms; governance; compensation.

~~(a) Effective July 1, 2001, there is created the West Virginia commission on holocaust education.~~

~~(b) The commission is composed of eleven members: Two members currently serving on the state Board of Education, selected by the board; the state Superintendent of Schools or his or her designee; the director of the division of veterans' affairs; one attorney from the Attorney General's office, civil rights division; one teacher who has completed professional development related to holocaust education teaching at the high school level and one teacher who has completed professional development related to holocaust education teaching at the junior high or middle-school level, each appointed by the Governor with the advice and consent of the Senate; and four state residents, appointed by the Governor, with the advice and consent of the Senate, who shall be: Individuals who are holocaust scholars or individuals experienced in the field of holocaust education or survivors, second generation, eye-witness/liberators or individuals recommended by~~

~~the chair of the present holocaust education commission, created by executive order, who, by virtue of their interest, education or long term involvement in human rights, prejudice reduction and holocaust education have demonstrated, through their past commitment and cooperation with the existing holocaust commission on education, their willingness to work for holocaust awareness and education in West Virginia.~~

~~(c) Members of the commission shall be appointed for terms of three years or until their prospective successors are appointed and qualified. Members are eligible for reappointment. Any member of the commission who fails to attend more than two consecutive meetings without an excuse approved by the commission may be removed from the commission. All vacancies shall be filled by appointment in the same manner as the original appointment and the individual appointed to fill the vacancy serves for the remainder of the unexpired term.~~

~~(d) The Governor shall appoint a chairperson for the commission for a term of three years and until his or her successor is appointed and qualified.~~

~~(e) The Speaker of the House of Delegates shall appoint a member of the House of Delegates and the President of the Senate shall appoint a member of the Senate to serve as advisors to the commission.~~

~~(f) Members of the commission are not entitled to compensation for services performed as members but may be reimbursed for actual and necessary expenses incurred for each day engaged in the performance of their official commission duties in a manner consistent with the guidelines of the travel management office of the Department of Administration.~~

(a) Continuation. — The West Virginia Commission on Holocaust Education is hereby continued and reconstituted as provided in this article.

(b) For the purposes of this article:

(1) "Holocaust education" means instruction concerning the historical events, causes, consequences, and enduring lessons of the Holocaust, including antisemitism, totalitarianism, dehumanization, and the moral responsibilities of individuals and societies;

(2) "Supplemental historical context" means limited instructional reference to other acts of mass violence or human rights abuses used solely to enhance understanding of the Holocaust and shall not be construed to equate or substitute such events for the Holocaust; and

(3) "Nationally recognized Holocaust education standards" means instructional frameworks or scholarly resources developed by institutions such as the United States Holocaust Memorial Museum, Yad Vashem, the Shoah Foundation, or equivalent authorities.

(c) Membership. — The commission shall be composed of the following members:

(1) The West Virginia Department of Education Social Studies Coordinator (grades 6-12), who shall serve as an ex officio voting member;

(2) The West Virginia Department of Education English and Language Arts Coordinator (grades 6-12), who shall serve as an ex officio voting member;

(3) The West Virginia Department of Education Fine Arts Coordinator (grades 6-12), who shall serve as an ex officio voting member;

(4) One middle school educator with documented training in Holocaust education, appointed by the West Virginia Council for Social Studies and who shall serve as a voting member;

(5) Two high school educators with documented training in Holocaust education, appointed by the West Virginia Council for Social Studies and who shall serve as voting members;

(6) One representative of higher education, appointed by the Higher Education Policy Commission and who shall serve as a voting member;

(7) One representative of a national Jewish educational or civil rights organization with expertise in Holocaust education or antisemitism, appointed by that organization and who shall serve as a voting member;

(8) One national recognized Holocaust scholar or educator, appointed by a national Holocaust education institution and who shall serve as a voting member;

(9) One public member with expertise in history, ethics, military service, human rights, or civic education, appointed by the Governor and who shall serve as a voting member;

(10) One public member appointed jointly by the President of the Senate and the Speaker of the House of Delegates and who shall serve as a voting member;

(11) Up to two additional members when necessary to advance the mission of the Holocaust education or preserve historical integrity, appointed by the commission and who shall serve as voting members;

(12) One representative of a recognized Jewish community organization in West Virginia, appointed jointly by Jewish congregations or community bodies operating in the state and who shall serve as an advisory nonvoting member;

(13) One representative with experience in civil rights enforcement or hate crimes prevention, appointed by the Attorney General from within the Civil Rights Division and who shall serve as an advisory nonvoting member;

(14) One representative of a statewide interfaith or civil rights council, selected by that council and who shall serve as an advisory nonvoting member; and

(15) Any number of nonvoting advisory members appointed by the commission as it considers appropriate in carrying out its mission.

(d) The following applies to the appointed voting members other than the commission-appointed voting members which includes members appointed pursuant to §5-28-2(c)(4), §5-28-2(c)(5), §5-28-2(c)(6), §5-28-2(c)(7), §5-28-2(c)(8), §5-28-2(c)(9), and §5-28-2(c)(10):

(1) These members shall serve four-year terms beginning July 1, 2026, subject to the following:

(A) The initial appointments of the middle school educator appointed member pursuant to §5-28-2(4), one of the two high school educator members appointed pursuant to §5-28-2(5), the higher education representative member appointed pursuant to §5-28-2(6), and the representative of a national Jewish educational or civil-rights organization with expertise in Holocaust education or antisemitism appointed pursuant to §5-28-2(7) shall be for two-year terms; and

(B) The West Virginia Council for Social Studies shall determine which of the two high school educator members is to have the initial two-year term;

(2) These members may serve no more than two consecutive terms;

(3) Vacancies of these members shall be filled by the original appointing authority for the unexpired term; and

(4) These members shall serve until successors are appointed and qualified.

(e) The following applies to commission-appointed voting members appointed pursuant to §5-28-2(10):

(1) Any appointment by the commission of these members shall require a two-thirds vote of the full voting membership of the commission;

(2) These members shall serve four-year terms: *Provided*, That if the commission appoints two additional voting members, the commission shall establish the initial terms so that one new appointment is made every two years;

(3) These members may serve no more than two consecutive terms;

(4) Vacancies of these members shall be filled by the commission for the unexpired term;

(5) These members may be removed only by a two-thirds vote of the full voting membership; and

(6) At no time may the number of commission-appointed voting members exceed two.

(f) Except as otherwise limited by this subsection, the following applies to nonvoting advisory members appointed pursuant to §5-28-2(12), §5-28-2(13), §5-28-2(14), and §5-28-2(15):

(1) Those advisory members appointed pursuant to §5-28-2(c)(15) may include, but are not limited to, Holocaust scholars, educators, survivors or descendants when available, representatives of community or faith-based organizations, and high school, undergraduate, or graduate students;

(2) The advisory members appointed pursuant to §5-28-2(c)(12), §5-28-2(c)(13), and §5-28-2(c)(14) shall serve one-year terms, beginning July 1, 2026, and may be reappointed for one consecutive additional term. Any advisory members appointed pursuant to §5-28-2(c)(15) shall serve at the will and pleasure of the commission;

(3) Nothing in this subsection prohibits the reappointment of a former advisory member after a break in service or upon a change in educational status or professional role. Service in one advisory capacity does not preclude later service in another;

(4) Vacancies of advisory members shall be filled by the original appointing authority for the unexpired term;

(5) Advisory members appointed pursuant to §5-28-2(c)(12), §5-28-2(c)(13), and §5-28-2(c)(14) shall serve until successors are appointed and qualified;

(6) Advisory members shall have no voting authority and shall not be counted toward quorum;
and

(7) The commission may establish additional advisory member guidelines by internal policy: Provided, That the commission may not confer voting authority to any advisory members.

(g) The commission shall elect a chair and vice chair from among its voting members for two-year terms.

(h) A majority of voting members constitutes a quorum.

(i) Action of the commission requires a majority vote of members present.

(j) Meetings, minutes, and official guidance shall be publicly available pursuant to §6-9A-1 et seq. and §29B-1-1 et seq., unless otherwise exempt by law.

(k) Members shall serve without compensation but may be reimbursed for actual and necessary expenses.

Following discussion,

The question being on the adoption of the amendment offered by Senators Grady and Woodrum to the bill, the same was put and prevailed.

The bill (Com. Sub. for S. B. 633), as amended, was then ordered to engrossment and third reading.

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

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.

Senate Bill 704, Prohibiting certain compensation for advising or assisting with veterans benefits.

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 thirteenth order of business.

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 resolution on February 9, 2026:

Senate Bill 28: Senators Deeds and Tarr;

Senate Bill 206: Senators Deeds, Hamilton, and Tarr;

Senate Bill 531: Senator Hamilton;

Senate Bill 533: Senator Hamilton;

Senate Bill 635: Senator Hamilton;

Senate Bill 649: Senator Woelfel;

Senate Bill 704: Senators Weld and Hamilton;

Senate Bill 705: Senator Woelfel;

Senate Bill 708: Senator Woelfel;

Senate Bill 717: Senators Hamilton and Tarr;

Senate Bill 719: Senator Hamilton;

Senate Bill 757: Senator Woelfel;

Senate Bill 855: Senator Hamilton;

Senate Bill 857: Senator Hamilton;

Senate Bill 861: Senator Hamilton;

Senate Bill 864: Senator Hamilton;

Senate Bill 866: Senator Thorne;

Senate Bill 867: Senator Fuller;

Senate Bill 870: Senators Grady and Fuller;

Senate Bill 881: Senator Fuller;

Senate Bill 885: Senator Grady;

Senate Bill 889: Senator Fuller;

Senate Bill 890: Senators Grady and Fuller;

And,

Senate Resolution 31: Senators Grady, Taylor, and Roberts.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 11:51 a.m., the Senate adjourned until tomorrow, Wednesday, February 11, 2026, at 11 a.m.

SENATE CALENDAR

**Wednesday, February 11, 2026
11:00 AM**

UNFINISHED BUSINESS

- S. R. 32 - Protecting WV coal jobs, coal power, and coal families
- S. R. 33 - Designating February 11, 2026, as WV Arts Day

THIRD READING

- Eng. S. B. 404 - Relating to Department of Human Services authority to contract with certain providers (original similar to HB4017)
- Eng. Com. Sub. for S. B. 478 - Second Amendment Reaffirmation and Protection Act - (With right to amend) (original similar to HB4926)
- Eng. Com. Sub. for S. B. 543 - Requiring Bureau for Social Services to file legislative rule (original similar to HB4617)
- Eng. S. B. 604 - Extending Alzheimer's Disease and Other Dementia Advisory Council sunset date
- Eng. Com. Sub. for S. B. 633 - Relating to WV Commission on Holocaust Education
- Eng. S. B. 645 - Prohibiting surprise billing of ground emergency medical services by nonparticipating providers

SECOND READING

- S. B. 704 - Prohibiting certain compensation for advising or assisting with veterans' benefits

FIRST READING

- Com. Sub. for Com. Sub. for S. B. 173 - Prohibiting abortifacients (original similar to HB4674, SB599)
- Com. Sub. for S. B. 389 - Historic Rehab Building Credit Act (original similar to HB4016)
- S. B. 393 - Updating corporate net income tax definitions (original similar to HB4023)
- Com. Sub. for S. B. 531 - Establishing First Amendment Preservation Act (original similar to HB4746)
- S. B. 570 - Supplemental Appropriation to Department of Health, fund 8802 (original similar to HB4717)
- Com. Sub. for S. B. 692 - Authorizing green flashing warning lights on DOH vehicles (original similar to HB4993)
- Com. Sub. for S. B. 772 - Declaring certain claims against WV to be moral obligations
- S. B. 781 - Supplemental appropriation for Civil Contingent Fund, fund 0105

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2026

Wednesday, February 11, 2026

9:30 a.m.	Natural Resources	(Room 208W)
2 p.m.	Banking & Insurance	(Room 451M)