

West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Sixth Legislature
Second Regular Session

Held at Charleston
Published by the Clerk of the House



February 15, 2024
THIRTY-SEVENTH DAY

Thursday, February 15, 2024

THIRTY-SEVENTH DAY

[DELEGATE HANSHAW, MR. SPEAKER, IN THE CHAIR]

The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

The Clerk proceeded to read the Journal of Wednesday, February 14, 2024, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Delegate Criss, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

Com. Sub. for H. B. 5065, Regarding continuing education requirements and compensation of Guardians Ad Litem,

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

Delegate Criss, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 5441, Relating to raising the threshold from \$25,000 to \$50,000 for the requirement of bids for municipal public works projects,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 5441 - "A Bill to amend and reenact §8-16-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-13A-7 of said code; and to amend and reenact §16-13D-4 of said code, all relating to raising the threshold from \$25,000 to \$50,000 for the requirement of bids for municipal public works projects, including any municipal public utility projects, and for public service district projects; establishing the threshold at \$50,000 for bids for projects under the Regional Water And Wastewater And Stormwater Authority Act; and exempting emergency repairs from bidding requirements,"

And,

H. B. 4971, Relating to Critical Materials Manufacturing Tax,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4971 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-6M-1, §11-6M-2, §11-6M-3, §11-6M-4, and §11-6M-5, all relating to limiting property tax on critical materials manufacturing property; making a declaration of policy; providing definitions; providing for property tax treatment of critical materials manufacturing property as its salvage value; providing for rule making authority and administration by the Tax Commissioner; and providing an effective date for assessments on or after July 1, 2024,"

With the recommendation that the committee substitutes each do pass.

Delegate McGeehan, Vice-Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

H. B. 5159, Relating generally to child labor,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 5159 - "A Bill to repeal §21-6-3 and §21-6-4 of the Code of West Virginia, 1931, as amended; to amend and reenact §21-6-5 and §21-6-8 of said code; to repeal §21-6-8a of said code; and to amend and reenact §21-6-10 of said code, all relating to eliminating requirement that 14 or 15 year old obtain a work permit; establishing that employer seeking to hire a child 14 or older receive an age certificate from the commission prior to employing the child; providing commissioner the authority to issue age certificates for children ages 14 and over; and providing penalties for a person that issues an age certificate in violation of the article,"

With the recommendation that the committee substitute do pass.

Delegate Fast, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

H. B. 5067, To remove the 2 year timeframe for medical malpractice suits to be filed ONLY for individuals who were minors when they had their procedures performed,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 5067 - "A Bill to amend and reenact §55-7B-4 of the Code of West Virginia, 1931, as amended, relating to clarifying when a minor may bring a medical malpractice cause of action,"

With the recommendation that the committee substitute do pass.

Delegate Fast, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

H. B. 4299, Permit teachers in K-12 schools be authorized to carry concealed firearms as a designated school protection officer,

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

Delegate Phillips, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

H. B. 5017, Relating to mobile food establishment reciprocity,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 5017 - "A Bill to amend and reenact §16-2-18 of the Code of West Virginia, 1931, as amended, relating to mobile food establishment reciprocity,"

H. B. 5082, Exempt those with 20 years holding an insurance license from attaining additional CEUs,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 5082 - "A Bill to amend and reenact §33-12-8 of the Code of West Virginia, 1931, as amended, relating to creating an exception to certain continuing-education requirements for certain holders of an insurance license; providing that persons 55 years of age or older who have held an insurance license for 25 continuous years are exempt from continuing-education requirements; providing that persons qualifying for that exemption are still required to meet any continuing-education requirements that pertain to ethics,"

And,

H. B. 5223, To create the Southern Coalfield Resiliency and Revitalization Program,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 5223 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5B-2-22, relating to creating the Southern Coalfield Resiliency and Revitalization Program for a period of five years; defining terms; finding that there are challenges facing the counties in which the southern coalfields are located; establishes the Southern Coalfield Resiliency and Revitalization Program; provides that the program will terminate five years after this section goes into effect; establishing revitalization council to organize and prioritize state resources and technical assistance for these counties; directing revitalization council to develop strategies to stimulate economic activity in and around the municipalities in Boone, Logan, McDowell, Mingo, and Wyoming counties in coordination with certain contributing partners to the extent possible; directing revitalization council to annually report to the Governor and the Legislature; directing Department of Economic Development and revitalization council to facilitate economic development incentives for the counties in which the southern coalfields are located; authorizing Department of Economic Development or other state body to provide state property and equipment to businesses investing in the counties of the southern coalfield area of the state at a reduced cost; providing that the program shall prioritize and West Virginia's natural resources, industries, business, raw materials, agricultural commodities, and reliable forms of energy,"

With the recommendation that the committee substitutes each do pass.

Delegate Ellington, Chair of the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration:

S. B. 507, Relating to repeal of WV EDGE,

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

Delegate Ellington, Chair of the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration:

H. B. 4709, Relating to vocational and technical education programs,

H. B. 5405, Providing additional professional development and support to West Virginia educators through teacher and leader induction and professional growth,

H. B. 5514, Enhancing training requirements for county boards of education members,

And,

H. B. 5607, Relating to public charter school's application for funding,

And reports the same back, with amendment, with the recommendation that they each do pass, as amended, but that they first be referred to the Committee on Finance.

In accordance with the former direction of the Speaker, the bills (H. B. 4709, H. B. 5405, H. B. 5514 and H. B. 5607) were each referred to the Committee on Finance.

Delegate Ellington, Chair of the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration:

H. B. 5021, Relating to cardiac response plans,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 5021 - "A Bill to repeal §16-57-1, §16-57-2, §16-57-3, and §16-57-4 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §18-5-22e; all relating to cardiac response plans; repealing sudden cardiac arrest prevention act; creating cardiac response plans section for county boards of education; providing definitions; requiring schools to develop an emergency response plan and parameters therefore; requiring informational meetings regarding cardiac arrest; requiring a form be completed by students prior to participation in an athletic activity; requiring annual sudden cardiac arrest training for coaches; setting forth circumstances in which students are not allowed to participate in athletic activities; requiring evaluation by authorized physician, certified nurse practitioner or certified nurse specialist, or a physician assistant before returning to athletic activity; requiring school officials to work directly with local emergency service providers to integrate the plan into the community's EMS responder protocols and setting forth parameters

therefore; allowing state board rulemaking; and allowing county boards to accept gifts, grants and donations,"

H. B. 5175, Eliminate funding for the Center for Nursing and transfer its duties and authorities to the Higher Education Policy Commission.,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 5175 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18B-16-6; to amend and reenact §18C-3-4 of said code; to repeal §30-7A-7a of said code; and to repeal §30-7B-1, §30-7B-2, §30-7B-3, §30-7B-4, §30-7B-5, §30-7B-6, and §30-7B-7 of said code, all relating to abolishing the Center for Nursing; repealing the supplemental licensure fee for licensed practical nurses, which funds the Center for Nursing; creating within the Higher Education Policy Commission an Office of Nursing Education and Workforce Development; moving the functions of the Center for Nursing to the Office of Nursing Education and Workforce Development; changing name of Center for Nursing Fund to Nursing Scholarship and Workforce Fund; transferring certain fund-related duties from the vice chancellor for administration to the chancellor; modifying funding sources for the fund; and limiting application of the award eligibility requirement that a student in a registered nurse program have completed half of the program to only those students in pre-licensure programs,"

H. B. 5540, Relating to fentanyl prevention and awareness Education (Laken's Law),

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 5540 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-34-1, creating the Fentanyl Prevention and Awareness Education Act; requiring annual education of public school students in grades 6-12; setting forth methods of instruction; and mandating start date of instruction,"

H. B. 5553, To provide and change graduation requirements and change duties relating to academic content standards,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 5553 - "A Bill to amend and reenact §18-2-7c and §18-2-9 the Code of West Virginia, 1931, as amended, relating to requiring all West Virginia high school students to pass certain minimum one-half credit hours in personal finance and computer science and technology courses as a high school graduation requirement; defining computer science; establishing computer science course requirements; requiring the state board of education to modify computer science standards; and establishing rulemaking to establish licensing requirements for computer science teachers,"

And,

H. B. 5650, Allow suspended school personnel to enter school property functions open to the public,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 5650 - "A Bill to amend and reenact §18A-2-8 of the Code of West Virginia, 1931, amended, relating to permitting a suspended employee to attend public events on school property and enter the school under certain circumstances,"

With the recommendation that the committee substitutes each do pass.

Delegate Linville, Chair of the Committee on Technology and Infrastructure, submitted the following report, which was received:

Your Committee on Technology and Infrastructure has had under consideration:

Com. Sub. for S. B. 400, Creating limited waiver from certificate of public convenience and necessity requirement for certain water or sewer services projects,

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

Delegate Fast, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

H. B. 5311, Establishing tax treatment of real property owned by another state government,

And reports the same back with the recommendation that it do pass, but that it first be referred to the Committee on Finance.

In accordance with the former direction of the Speaker, the bill (H. B. 5311) was referred to the Committee on Finance.

Delegate Phillips, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

H. B. 5590, Changing reference to the "Curator" of the Department of Arts, Culture, and History to the "Secretary" of the Department,

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

Delegate Linville, Chair of the Committee on Technology and Infrastructure, submitted the following report, which was received:

Your Committee on Technology and Infrastructure has had under consideration:

H. C. R. 21, Louie Patton Memorial Bridge,

H. C. R. 32, Sloan Brothers Memorial Bridge,

H. C. R. 36, Chief Master Sgt. Dan Chandler Memorial Bridge,

And,

H. C. R. 42, U.S. Army SSG William E. Miller Memorial Bridge,

And reports the same back with the recommendation that they each be adopted, but that they first be referred to the Committee on Rules.

In accordance with the former direction of the Speaker, the resolutions (H. C. R. 21, H. C. R. 32, H. C. R. 36 and H. C. R. 42) were each referred to the Committee on Rules.

Delegate Worrell, Chair of the Committee on Workforce Development, submitted the following report, which was received:

Your Committee on Workforce Development has had under consideration:

H. B. 5162, Establish a program to promote creation and expansion of registered apprenticeship programs,

And reports the same back, with amendment, with the recommendation that it do pass, as amended, but that it first be referred to the Committee on Education.

In accordance with the former direction of the Speaker, the bill (H. B. 5162) was referred to the Committee on Education.

Delegate Nestor, Chair of the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

H. B. 5140, Allowing certain slaughterhouses sell meat products direct to consumer in individual amounts,

And reports the same back with the recommendation that it do pass, but that it first be referred to the Committee on Government Organization.

In accordance with the former direction of the Speaker, the bill (H. B. 5140) was referred to the Committee on Government Organization.

Delegate Horst, Chair of the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

H. C. R. 43, To study the potential of Cheat Lake as a state park and the potential economic and social impacts if this area is turned into a park or left for future development,

And reports the same back with the recommendation that it be adopted, but that it first be referred to the Committee on Rules.

In accordance with the former direction of the Speaker, the resolution (H. C. R. 43) was referred to the Committee on Rules.

Delegate Horst, Chair of the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

Com. Sub. for S. B. 222, Exempting WV veterans from certain fees and charges at state parks,

And reports the same back with the recommendation that it do pass, but that it first be referred to the Committee on Finance.

In accordance with the former direction of the Speaker, the bill (Com. Sub. for S. B. 222) was referred to the Committee on Finance.

Delegate Linville, Chair of the Committee on Technology and Infrastructure submitted the following report, which was received:

Your Committee on Technology and Infrastructure has had under consideration:

H. C. R. 3, Legg Brothers WWII Veterans Memorial Bridge,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. C. R. 3 - "Requesting the Division of Highways name bridge number 39-050/02-000.89 () (39A113), (39.32593, -79.81876), locally known as the Israel Bridge, carrying CR50/02 over Little Sandy Creek in Preston County, the 'U.S. Army SP3 Delbert Sherdan 'Buck' Huffman Sr. Memorial Bridge',"

H. C. R. 6, Staff Sgt. J.J. "Junior" Spurrier Memorial Bridge,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. C. R. 6 - "Requesting the Division of Highways name bridge number 10-025/02-000.10 () (10A126), (37.95606, -81.07894) locally known as THURMOND BRIDGE, carrying CR 25/02 over NEW RIVER in Fayette County, as the 'U.S. Army First Sgt. Clarence Shirley Blake Memorial Bridge',"

H. C. R. 7, U. S. Navy Radarman 3rd Class Craig W. Haines Memorial Bridge,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. C. R. 7 - "Requesting the Division of Highways name bridge number 29-013/00-005.67 () (29A078), (39.29672, -78.93246) locally known as RUSSELDALE BRIDGE, carrying CR 13 over PATTERSON CREEK in Mineral County, the 'U.S. Navy Radarman 3rd Class Craig W. Haines Memorial Bridge',"

H. C. R. 9, Private Jefferson Howell Memorial Road,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. C. R. 9 - "Requesting the Division of Highways name a section of WV Route 46, locally known as the Beryl Road and Shaw Road extending from the North Branch of the Potomac River at Piedmont WV to the Kantor Cutoff between 39.47994830263841, -79.06627907466128 and 39.427643533576884, -79.09318170874904 , the 'Private Jefferson Howell Memorial Road',"

H. C. R. 12, "U. S. Marine Private First Class Calvin Lee Loudin Memorial Bridge",

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. C. R. 12 - "Requesting the Division of Highways name bridge number 46-008/00-001.78(46A075), locally known as Meadland Bridge, carrying CR 008 over Husted Fork Stream in Taylor County, the 'U.S. Marine Private First Class Calvin Lee Loudin Memorial Bridge',"

H. C. R. 19, CPL Thomas Lowell Wines Memorial Bridge,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. C. R. 19 - "Requesting the Division of Highways name bridge number 20-039/00-000.05 (38.4628604688791, -81.5001270435965) locally known as Shady Sadie's Bridge, carrying CR 33 over Little Sandy Creek in Kanawha County, the 'CPL Thomas Lowell Wines Memorial Bridge',"

H. C. R. 22, "U.S. Army Corporal William Edgar Hancock Memorial Bridge",

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. C. R. 22 - "Requesting the Division of Highways name bridges number 10-019 and 00-003.82 (10A090 and 10A091), locally known as White Oak Branch Bridges, carrying CR 21 and CR 20 over White Oak Branch in Fayette County, the 'U.S. Army Corporal William Edgar Hancock Memorial Bridge',"

H. C. R. 26, PFC Jerry Lee Bassett Memorial Bridge,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. C. R. 26 - "Requesting the Division of Highways name bridge number 52-054/00-000.75 (52A088), (39.56097, -80.72622) locally known as Crow Run Bridge, carrying CR 04 over Crow Run in Wetzel County, as the 'PFC Jerry Lee Bassett Memorial Bridge',"

H. C. R. 33, U. S. Army PFC Gale Hall Memorial Bridge,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. C. R. 33 - "Requesting the Division of Highways name bridge number 44-029/09-001.26 () (44A062), (38.55586, -81.25884) locally known as LITTLE PIGEON BRIDGE (CSWB), carrying CR 29/09 over BIG SANDY CREEK in Roane County, the 'U.S. Army PFC Gale Hall Memorial Bridge',"

H. C. R. 34, U.S. Army Staff Sargent Harlie Steven Gabbert Memorial Bridge,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. C. R. 34 - "Requesting the Division of Highways name the bridges numbered 25-079/00-132.07 (NB) and 25-079/00-132.07 (SB), BARIDs 25A132 and 25A133, at 39.4324950947195, -80.1866889479929 and 39.4326457695149, -80.1866584277802, known

locally as the 'MIDDLETOWN MALL OVERPASS', the 'U.S. Army Staff Sgt. Harlie Steven Gabbert Memorial Bridge',"

H. C. R. 37, U. S. Army PFC Carl. J. Osburn Bridge,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. C. R. 37 - "Requesting the Division of Highways name bridge number 50-152/00-034.00 () (50A103), (38.25912, -82.44572) locally known as Doctor Doctor Bridge, carrying WV 152 over Twelvepole Creek in Wayne County, the 'U.S. Army PFC Carl. J. Osburn Bridge',"

H. C. R. 39, US Army SP3 Delbert Sherdan "Buck" Huffman Sr. Memorial Bridge,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. C. R. 39 - "Requesting the Division of Highways name bridge number 39-050/02-000.89 () (39A113), (39.32593, -79.81876), locally known as the Israel Bridge, carrying CR50/02 over Little Sandy Creek in Preston County, the 'U.S. Army SP3 Delbert Sherdan 'Buck' Huffman Sr. Memorial Bridge',"

H. C. R. 40, USMC MSG Edward P. & MP Carl A. McCray Memorial Bridge,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. C. R. 40 - "Requesting the Division of Highways name bridge number 25-033/02-000.55 () (25A077), (39.48162, -80.07274) locally known as REUBEN RUN BRIDGE, carrying CR 33/02 over REUBEN RUN in Marion County as the 'USMC MSG Edward P. & MP Carl A. McCray Memorial Bridge',"

And,

H. C. R. 62, U.S. Army First Sergeant Clarence Shirley Blake Memorial Bridge,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. C. R. 62 - "Requesting the Division of Highways name bridge number 10-025/02-000.10 () (10A126), (37.95606, -81.07894) locally known as THURMOND BRIDGE, carrying CR 25/02 over NEW RIVER in Fayette County, as the 'U.S. Army First Sgt. Clarence Shirley Blake Memorial Bridge',"

With the recommendation that the committee substitutes each be adopted, but that they first be referred to the Committee on Rules.

In accordance with the former direction of the Speaker, the resolution (Com. Sub. for H. C. R. 3, Com. Sub. for H. C. R. 6, Com. Sub. for H. C. R. 7, Com. Sub. for H. C. R. 9, Com. Sub. for H. C. R. 12, Com. Sub. for H. C. R. 19, Com. Sub. for H. C. R. 22, Com. Sub. for H. C. R. 26, Com. Sub. for H. C. R. 33, Com. Sub. for H. C. R. 34, Com. Sub. for H. C. R. 37, Com. Sub. for H. C. R. 39, Com. Sub. for H. C. R. 40 and Com. Sub. for H. C. R. 62) was referred to the Committee on Rules.

Reports of Select Committees

Delegate Cannon, Chair of the Select Committee on Artificial Intelligence, submitted the following report, which was received:

Your Select Committee on Artificial Intelligence has had under consideration:

H. B. 5516, Relating to criminalizing the use of deep fakes,

And reports the same back, with amendment, with the recommendation that it do pass, as amended, but that it first be referred to the Committee on the Judiciary.

In accordance with the former direction of the Speaker, the bill (H. B. 5516) was referred to the Committee on the Judiciary.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

H. B. 4976, Providing the contact information of the Inspector General on the agencies and boards websites of the executive departments.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 5157, Relating to contingent increase of tax rate on certain eligible acute care hospitals.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 370 - "A Bill to amend and reenact §6C-2-5 and §6C-2-8 of the Code of West Virginia, 1931, as amended, all relating to updating Public Employees Grievance Board procedure to reflect that Level 3 decisions be appealed to the Intermediate Court of Appeals; and establishing venue for the enforceability of final orders issued by an administrative law judge"; which was referred to the Committee on the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, and requested the concurrence of the House of Delegates in the passage, of

S. B. 530 - "A Bill to amend and reenact §7-20-6 of the Code of West Virginia, 1931, as amended, relating to removing the requirement for counties to draft and adopt comprehensive zoning ordinances"; which was referred to the Committee on Government Organization.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, and requested the concurrence of the House of Delegates in the passage, of

S. B. 378 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-9A-11, relating to prohibiting smoking of tobacco products in a motor vehicle while an individual 16 years of age or younger is present; defining terms; making the violation a secondary misdemeanor offense; and providing a penalty"; which was referred to the Committee on Finance.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, and requested the concurrence of the House of Delegates in the passage, of

S. B. 551 - "A Bill to amend and reenact §8-13A-12 of the Code of West Virginia, 1931, as amended, relating to business improvement districts; and modifying requirements related to levy of service fees"; which was referred to the Committee on Finance.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, and requested the concurrence of the House of Delegates in the passage, of

S. B. 620 - "A Bill to amend and reenact §16-66-2 of the Code of West Virginia, 1931, as amended, relating to pregnancy help organizations; and providing approved pregnancy help organizations flexibility to receive funding for various costs"; which was referred to the Committee on Finance.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 628 - "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"; which was referred to the Committee on Finance.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 629 - "A Bill to amend and reenact §15A-11-5 of the Code of West Virginia, 1931, as amended, relating to State Building Code; authorizing State Fire Commission to promulgate emergency rules; making State Building Code applicable in all counties and every municipality on date certain; clarifying that building code is applicable prospectively in counties and municipalities that did not previously adopt it; and requiring builder to follow provisions of State Building Code in construction or renovation of a structure even if county or municipality does not provide inspection and enforcement services"; which was referred to the Committee on Government Organization.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 632 - "A Bill to amend and reenact §27-6A-12 of the Code of West Virginia, 1931, as amended, relating to continuing the study group on development of a strategic plan for a sequential intercept model to divert certain individuals away from the criminal justice

system into treatment and to promote continuity of care and interventions; specifying individuals with brain injuries included among populations to be included in study; updating membership of the study group; continuing the study group; requiring supplemental and annual reporting; establishing a steering committee within the study group; and providing authority of steering committee"; which was referred to the Committee on the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 716 - "A Bill to amend and reenact §48-13-302 of the Code of West Virginia, 1931, as amended; to amend and reenact §48-17-102 of said code; and to amend and reenact §49-4-801 of said code, all relating to child support generally; reconfiguring the West Virginia Child Support Enforcement Commission; authorizing temporary stay of basic child support obligation under certain circumstances; clarifying circuit judge's authority to limit child support obligation under certain limited circumstances; and establishing a protocol to assist circuit courts in determining the appropriate child support obligation in child abuse and neglect matters"; which was referred to the Committee on the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 790 - "A Bill to amend and reenact §29-1-1 of the Code of West Virginia, 1931, as amended, relating to changing reference from the Curator of the Department of Arts, Culture, and History to the Secretary of the Department of Arts, Culture, and History."

At the respective requests of Delegate Kimble, and by unanimous consent, reference of the bill (S. B. 790) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Rules as follows:

Com. Sub. for S. C. R. 4 - "Requesting the Division of Highways name a portion of Pond Fork Road on WV 85, near Marthatown in Boone County, the "U.S. Army 2LT Eston Kuhn Memorial Road".

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Rules as follows:

S. C. R. 21 - "Requesting the Division of Highways name a portion of County Route 17, from the intersection of Barger Springs Road (37.650321, -80.751025) to the intersection of Talcott Back Road and Route 12 (37.648578, -80.745278) in Summers County, the "U. S. Army Master Sergeant James E. Jackson, Jr. Memorial Road".

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Rules as follows:

Com. Sub. for S. C. R. 22 - "Requesting the Division of Highways name a portion of County Route 20, from 37.76953571727715, -80.89182448747788 to Cooper Hollow Road, in Summers County, the 'USMC Major Cornelius Burdette Memorial Road'."

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Rules as follows:

S. C. R. 23 - "Requesting the Division of Highways name a portion of Coalfields Expressway from 37.59823, (-81.37468) to 37.60007, (-81.379996) near Mullens in Wyoming County, the "U.S. Navy LT Lewis Joseph D'Antoni Memorial Road."

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Rules as follows:

S. C. R. 25 – "Requesting the Division of Highways name bridge number: 45-003/21-006.37 (45A010), (37.67294, -80.89718) locally known as MADAMS CREEK BRIDGE, carrying CR 03/21 over MADAMS CREEK in Summers County, the "U.S. Army SGT Wyatt K. Hinton Memorial Bridge."

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Rules as follows:

Com. Sub. for S. C. R. 26 - "Requesting the Division of Highways name a portion of County Route 20/Spring Creek Station Road, in Greenbrier County, the "U.S. Army Private First Class Clarence William (Buck) Holliday Memorial Road."

Special Calendar

Unfinished Business

H. C. R. 74, Defending Life by Rejecting Euthanasia; coming up in regular order, as unfinished business, was read by the Clerk.

Delegate Dillon asked and obtained unanimous consent to be added as a cosponsor of H. C. R. 74.

On the question of the adoption of the resolution, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 182**), and there were-- yeas 87, nays 9, absent and not voting 4, with the yeas and the absent and not voting being as follows:

Nays: Fluharty, Garcia, Hamilton, Hansen, Hornbuckle, Lewis, Pushkin, Rowe and Young.

Absent and Not Voting: Ellington, Foggin, Martin and Williams.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the resolution adopted.

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

Third Reading

Com. Sub. for H. J. R. 28, Protection from medically-assisted suicide or euthanasia in West Virginia Amendment; on third reading, coming up in regular order, was read a third time.

The question being on the adoption of the resolution, the yeas and nays were taken (**Roll No. 183**), and there were--yeas 88, nays 9, absent and not voting 3, with the yeas, nays, and absent and not voting being as follows:

Yeas: Adkins, Akers, Anderson, Barnhart, Bridges, Brooks, Burkhammer, Butler, Campbell, Cannon, Chiarelli, T. Clark, W. Clark, Cooper, Coop-Gonzalez, Criss, Crouse, Dean, DeVault, Dillon, Dittman, Espinosa, Fast, Fehrenbacher, Ferrell, Forsht, Foster, Gearheart, Green, Griffith, Hall, Hardy, Heckert, Hillenbrand, Hite, Holstein, Hornby, Horst, Hott, Householder, Howell, Jeffries, Jennings, Kelly, Kimble, Kirby, Kump, Linville, Longanacre, Lucas, Mallow, Marple, Martin, Maynor, Mazzocchi, McGeehan, Miller, Moore, Nestor, Petitto, Phillips, Pinson, C. Pritt, E. Pritt, Ridenour, Riley, Rohrbach, Ross, Shamblyn, Sheedy, Smith, Statler, Steele, Stephens, Street, Summers, Thorne, Toney, Tully, Vance, Ward, Warner, Westfall, Willis, Winzenreid, Worrell, Zatezalo and Hanshaw (Mr. Speaker).

Nays: Fluharty, Garcia, Hamilton, Hansen, Hornbuckle, Lewis, Pushkin, Rowe and Young.

Absent and Not Voting: Ellington, Foggin and Williams.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the resolution (Com. Sub. for H. J. R. 28) adopted, as follows:

Com. Sub. for H. J. R. 28 – “Proposing an amendment to the Constitution of the State of West Virginia amending Article III thereof by adding thereto a new section, designated section twenty-three, relating to the protection from medically-assisted suicide or euthanasia in West Virginia; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.”

Resolved by the Legislature of West Virginia, two thirds of the members elected to each house agreeing thereto:

That the question of ratification or rejection of an amendment to the Constitution of the State of West Virginia be submitted to the voters of the state at the next general election to be held in the year 2024, which proposed amendment is that Article III thereof, be amended by adding thereto a new section, designated section twenty-three, to read as follows:

ARTICLE III. BILL OF RIGHTS.

§3-23. Protection from medically-assisted suicide.

No physician or health care provider in the State of West Virginia shall participate in the practice of medically-assisted suicide, euthanasia, or mercy killing of a person. Nothing in this section prohibits the administration or prescription of medication for the purpose of alleviating pain or discomfort while the patient's condition follows its natural course; nor does anything in this section prohibit the withholding or withdrawing of life-sustaining treatment, as requested by the patient or the patient's decision-maker, in accordance with State law, so long as the intention is not to kill the patient.

Resolved further, That in accordance with the provisions of article eleven, chapter three of the Code of West Virginia, 1931, as amended, such amendment is hereby numbered "Amendment 1" and designated as the "Protection of persons from medically-assisted suicide" and the purpose of the proposed amendment is summarized as follows: "The purpose of this amendment is to recognize that West Virginians shall not have medically-assisted suicide or euthanasia forced upon them by prohibiting such actions."

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

Com. Sub. for S. B. 441, Restricting driving in left lane of multi-lane highways in WV; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 184**), and there were--yeas 46, nays 48, absent and not voting 6, with the yeas and the absent and not voting being as follows:

Yeas: Adkins, Anderson, Barnhart, Brooks, Campbell, Cannon, Cooper, Criss, DeVault, Dittman, Fast, Ferrell, Forsht, Hall, Hillenbrand, Hite, Hott, Howell, Jeffries, Kimble, Linville, Lucas, Mallow, Marple, Maynor, Mazzocchi, McGeehan, Nestor, Petitto, Phillips, Pinson, C. Pritt, Ridenour, Riley, Rohrbach, Sheedy, Smith, Statler, Steele, Stephens, Summers, Tully, Westfall, Willis, Zatezalo and Hanshaw (Mr. Speaker).

Absent and Not Voting: Ellington, Espinosa, Foggin, Garcia, Heckert and Winzenreid.

So, a majority of the members present not having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 441) rejected.

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

Com. Sub. for H. B. 4110, Authorizing certain miscellaneous agencies and boards to promulgate legislative rules; on third reading, coming up in regular order, was read a third time.

Deputy Speaker Rohrbach in the Chair

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 185**), and there were--yeas 86, nays none, absent and not voting 14, with the absent and not voting being as follows:

Absent and Not Voting: Ellington, Espinosa, Foggin, Garcia, Hardy, Heckert, Howell, Longanacre, Maynor, Pinson, E. Pritt, Pushkin, Willis and Hanshaw (Mr. Speaker).

So, a majority of the members present having voted in the affirmative, the Deputy Speaker declared the bill (Com. Sub. for H. B. 4110) passed.

Delegate Kimble moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 186**), and there were--yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Ellington, Espinosa, Foggin, Hardy, Heckert, Pinson and Willis.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the bill (Com. Sub. for H. B. 4110) takes effect from its passage.

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

Mr. Speaker, Delegate Hanshaw in the Chair

H. B. 4297, Law Enforcement Officers Safety Act; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 187**), and there were--yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Ellington, Espinosa, Foggin, Hardy and Heckert.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4297) passed.

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

Com. Sub. for H. B. 4381, West Virginia Consumer Privacy Act of 2024; on third reading, coming up in regular order, with the right to amend, was reported by the Clerk.

On motion of Delegate Hite, the bill was amended on page 1, section 1, line 2, by striking the words "to whom a sale, lease, or offer of a line of credit is made in a consumer transaction" and inserting in lieu thereof the words "engaged in a consumer transaction".

And,

On page 1, section 1, line 8, by striking the words "a sale, lease, or offer of a line of credit to a natural person or persons" and inserting in lieu thereof the words "any legal financial agreement for which a credit application is required".

And,

On page 1, section 1, line 11, by striking the words "an application for a line of credit from" and inserting in lieu thereof the words "a consumer transaction with".

And,

On page 1, section 1, line 13, by striking the words "line of credit application" and inserting in lieu thereof the words "consumer transaction".

And,

On page 1, section 1, line 14, by striking the words "applying for a line of credit from" and inserting in lieu thereof the words "engaged in a consumer transaction with".

On motion of Delegate Barnhart, the bill was amended on page 1, section 1, line 8, by inserting a new subsection "(3) "Credit reporting agency" shall have the meaning assigned in 15 U. S. Code §1681a".

And,

On page 1, section 1, line 8, by striking "3" and inserting in lieu thereof "4".

And,

On page 2, section 1, line 16, by inserting after the word "information" the following: "by the credit reporting agency".

And,

On page 2, section 1, line 22, by striking the words "The consumer shall be given" and inserting in lieu thereof the words "The credit reporting agency shall provide the consumer with".

And,

On page 2, section 1, line 23, by inserting a new subsection "(e) Financial institutions, creditors, mortgage lenders, or mortgage brokers shall not be subject to any action authorized by this article for sharing consumer information with a credit reporting agency".

And,

On page 2, section 2, line 3, by striking the words "any person" and inserting in lieu thereof the words "credit reporting agency".

And,

On page 2, section 2, line 5, by striking the words "any person" and inserting in lieu thereof the words "credit reporting agency".

Having been engrossed, the bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 188**), and there were--yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Ellington, Foggin, Hardy, Heckert, Hornbuckle, Smith and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4381) passed.

On motion of Delegate Kelly, the title of the bill was amended to read as follows:

Com. Sub. for H. B. 4381 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §46A-9-1, §46A-9-2, and §46A-9-3, all relating to the enactment of the West Virginia Consumer Privacy Act of 2024; providing definitions; providing prohibitions on disclosures or sales of certain consumer financial information; authorizing a customer to opt-in to certain disclosures; creating exceptions for certain financial institutions for sharing consumer information with a credit reporting agency; requiring certain information to be provided to consumers; providing for civil remedies; and providing for enforcement actions of the Attorney General."

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

Com. Sub. for H. B. 4399, Creating the equitable right to expungement; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 189**), and there were--yeas 89, nays 7, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Burkhammer, Chiarelli, Coop-Gonzalez, Horst, Longanacre, Ross and Street.

Absent and Not Voting: Ellington, Foggin, Heckert and McGeehan.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4399) passed.

Delegate Lewis asked and obtained unanimous consent to be added as a cosponsor of Com. Sub. for H. B. 4399.

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

H. B. 4717, Relating to terminating the authority of the Director of the Purchasing Division to impose a certain annual fee upon vendors; on third reading, coming up in regular order, was read a third time.

Delegates Criss, Burkhammer, Campbell, Foster, Garcia, Gearheart, Hansen, Hardy, Hite, Howell, Martin, Pinson, Riley and Steele requested to be excused from voting under the provisions of House Rule 49.

The Speaker ruled that the Delegates were members of a class of persons possibly to be affected and did not excuse the Members from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 190**), and there were--yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Cannon, Cooper, Ellington, Foggin, Heckert and Nestor.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4717) passed.

Delegate Kimble moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 191**), and there were--yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Ellington, Foggin, Heckert, Kirby and Nestor.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 4717) takes effect from its passage.

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

Com. Sub. for H. B. 4754, Exempting the processing of beef, pork or lamb by a slaughterhouse for an individual owner of the product processed from the Consumer Sales and Service Tax; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 192**), and there were--yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Ellington, Foggin, Heckert, Kirby and Nestor.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4754) passed.

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

Com. Sub. for H. B. 4943, To facilitate the creation of home-based businesses; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 193**), and there were--yeas 87, nays 7, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Garcia, Gearheart, Hall, Rowe, Shamblin, Williams and Young.

Absent and Not Voting: Cooper, Ellington, Foggin, Heckert, Kirby and Nestor.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4943) passed.

Delegate Kimble moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 194**), and there were--yeas 93, nays 1, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Hall.

Absent and Not Voting: Cooper, Ellington, Foggin, Heckert, Kirby and Nestor.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4943) takes effect from its passage.

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

H. B. 4984, Relating to repealing tax credit for employing former employees of Colin Anderson Center; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 195**), and there were--yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Ellington, Foggin, Heckert, Kirby and Nestor.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4984) passed.

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

Com. Sub. for H. B. 5318, Clarifying that elected municipal police chiefs shall be certified law-enforcement officers; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 196**), and there were--yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Cooper, Ellington, Foggin, Heckert, Kirby and Nestor.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 5318) passed.

On motion of Delegate Kelly, the title of the bill was amended to read as follows:

Com. Sub. for H. B. 5318 - "A Bill to amend and reenact §30-29-13 of the Code of West Virginia, 1931, as amended, relating to municipal chief executive requirements; and clarifying that persons elected as municipal police chiefs shall be certified law-enforcement officers, or to be certifiable as such, according to the requirements set forth in other applicable provisions of this code; providing that chief executives elected prior to the effective date are exempt from the requirement; and providing that elected or appointed chief executives of a municipal law-enforcement agency of Class IV towns are exempt from the requirements of the section."

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

H. B. 5443, Clarifying that electronic data processing services are to be included in the valuation of specialized high-technology property; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 197**), and there were--yeas 94, nays 1, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Dillon.

Absent and Not Voting: Ellington, Foggin, Heckert, Kirby and Nestor.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 5443) passed.

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

Second Reading

S. B. 605, Requiring electronic funds transfer of retirement contributions by participating employers; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 606, Relating to Natural Resources Police Officers Retirement System; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 607, Clarifying Municipal Police Officers and Firefighters Retirement System surviving spouse benefits; on second reading, coming up in regular order, was read a second time and ordered to third reading.

H. B. 4654, Removing bona fide schools, public libraries, and museums from the list of exemptions from criminal liability relating to distribution and display to minor of obscene matter; on second reading, coming up in regular order, was read a second time.

At the request of Delegate Kimble, and by unanimous consent, the bill was advanced to third reading with the right to amend, and the rule was suspended to permit the offering and consideration of amendments on that reading.

Com. Sub. for H. B. 4807, Establishing limitations on billing practices of Internet or telecommunications providers that fail to provide subscribed customers service for five or more days; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Hillenbrand, the bill was amended on page 2, section 111, line 27, immediately following the word "shall" by inserting the following: "seek a resolution of the violation and may".

The bill was then ordered to engrossment and third reading.

Com. Sub. for H. B. 4809, Health Care Sharing Ministries Freedom to Share Act; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 4850, Removing the sunset clause from Oil and Gas Personal Property Tax; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 4867, Require pornography websites to utilize age verification methods to prevent minors from accessing content; on second reading, coming up in regular order, was read a second time.

At the request of Delegate Kimble, and by unanimous consent, the bill was advanced to third reading with amendment pending and the right to amend, and the rule was suspended to permit the offering and consideration of amendments on that reading.

H. B. 5128, Directing transfer of moneys into fire protection funds at the end of each year; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 5137, Relating to requiring the State Auditor to conduct audits of all county boards of education; on second reading, coming up in regular order, was reported by the Clerk.

At the request of Delegate Kimble, and by unanimous consent, the bill was postponed one day.

H. B. 5170, Increasing the size of matching grants for local economic development from \$30,000 to \$50,000; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 5294, Revising state law regulating farm wineries; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 5319, Creating the offense of exposing a law-enforcement officer, probation officer, parole officer, courthouse security officer, correctional officer, the State Fire Marshal, a deputy or assistant fire marshal, firefighter, or emergency medical service personnel to fentanyl; on second reading, coming up in regular order, was read a second time.

On motion of Delegates Howell and Kelly, the bill was amended by striking everything after the enacting clause and inserting in lieu thereof the following:

“ARTICLE 5. CRIMES AGAINST PUBLIC JUSTICE.

§61-5-17b. Exposing a person to fentanyl; penalties.

(a) Notwithstanding any provision of this code to the contrary, any person who commits any act in violation of any of the provisions of §60A-4-401 et seq. of this code or any provision of §61-5-8 of this code and thereby proximately causes the death of another person as a result of exposure to fentanyl used or possessed in the commission of the act is guilty of a felony, and upon conviction thereof, shall be imprisoned in a state correctional facility for a term of 15 years to life.

(b) Notwithstanding any provision of this code to the contrary, any person who commits any act in violation of any of the provisions of §60A-4-401 et seq. of this code or any provision of §61-5-8 of this code and thereby proximately causes the bodily injury of another person as a result of exposure to fentanyl used or possessed in the commission of the act is guilty of a felony, and upon conviction thereof, shall be imprisoned in a state correctional facility for a term of not less than three nor more than 15 years.

(c) For purposes of this section:

(1) 'Bodily injury' means substantial physical pain, illness, or any impairment of physical condition, including, but not limited to, loss of consciousness or other symptoms of a fentanyl overdose which result in the immediate administration of an opioid antagonist medication.

(2) 'Death' means the death of any exposed person which ensues within one year as a proximate result of a bodily injury received in violation of this section.

(3) 'Exposure' includes without limitation skin contact, inhalation, ingestion, or contact with a needlestick or a mucus membrane, including without limitation the mouth, eyes, or nose. Proof of exposure shall be based on a confirmed positive test for fentanyl administered by a medical professional immediately following the death or bodily injury of the exposed person.

(4) 'Fentanyl' refers to the substance identified in §60A-2-206 of this code, and any analog or derivative thereof.

(d) The offenses set forth in this section shall be in addition to any other offenses set forth in this code."

The bill was then ordered to engrossment and third reading.

H. B. 5337, Establishing the legislative oversight committee of the Division of Corrections and Rehabilitation; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 5345, Relating to the registration requirements in the Sex Offender Registration Act; on second reading, coming up in regular order, was reported by the Clerk.

At the request of Delegate Kimble, and by unanimous consent, the bill was postponed one day.

Com. Sub. for H. B. 5354, Relating to the Grant Transparency and Accountability Act; on second reading, coming up in regular order, was reported by the Clerk.

At the request of Delegate Kimble, and by unanimous consent, the bill was postponed one day.

First Reading

Com. Sub. for H. B. 4640, Relating to the transfer of certain revenues derived from lottery activities; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 4911, Relating to the sale of raw milk; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 4978, Relating to clarifying the authority of appointed officials; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 5013, Relating to Timber Management; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 5022, Relating to increasing the amount of ephedrine, pseudoephedrine or phenylpropanolamine a person may purchase annually; on first reading, coming up in regular order, was reported by the Clerk.

At the request of Delegate Kimble, and by unanimous consent, the bill was postponed one day.

H. B. 5528, Relating to the renewable energy facilities program; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 5549, Allowing license plates, road signs, or markers to be obtained from alternative sources when the Division of Corrections and Rehabilitation is unable to produce them; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Leaves of Absence

At the request of Delegate Kimble, and by unanimous consent, leaves of absence for the day were granted Delegates Ellington and Foggin.

Miscellaneous Business

At the request of Delegate Kump, consent was obtained for the comments of the Delegate regarding Com. Sub. for H. J. R. 28 to be printed in the Appendix to the Journal.

Delegate Howell noted to the Clerk that had he been present when the vote was taken on the passage of Com. Sub. for H. B. 4110, he would have voted "Yea" thereon.

Delegate Espinosa noted to the Clerk that had he been present when the votes were taken on Com. Sub. for H. B. 4110 and H. B. 4297, he would have voted "Yea" thereon; and had he been present when the vote was taken on Com. Sub. for S. B. 441 he would have voted "Nay" thereon.

Pursuant to House Rule 94b, a form was filed with the Clerk's Office to be added as a cosponsor of the following:

H. B. 5303: Delegate Clark;

And,

H. B. 5607: Delegate Clark.

Pursuant to House Rule 94b, a form was filed with the Clerk's Office to be removed as a cosponsor of the following:

H. B. 5541: Delegate Westfall.

At 1:53 p.m., the House of Delegates adjourned until 11:00 a.m., Friday, February 16, 2024.

**HOUSE OF DELEGATES
STEPHEN J. HARRISON, Clerk
Building 1, Room M-212
1900 Kanawha Blvd., East
Charleston, WV 25305-0470**

SPECIAL CALENDAR

Friday, February 16, 2024

38th Day

11:00 A.M.

THIRD READING

- S. B. 605 - Requiring electronic funds transfer of retirement contributions by participating employers
- S. B. 606 - Relating to Natural Resources Police Officers Retirement System
- S. B. 607 - Clarifying Municipal Police Officers and Firefighters Retirement System surviving spouse benefits
- H. B. 4654 - Removing bona fide schools, public libraries, and museums from the list of exemptions from criminal liability relating to distribution and display to minor of obscene matter - [RIGHT TO AMEND]
- Com. Sub. for H. B. 4807 - Establishing limitations on billing practices of Internet or telecommunications providers that fail to provide subscribed customers service for five or more days
- Com. Sub. for H. B. 4809 - Health Care Sharing Ministries Freedom to Share Act
- Com. Sub. for H. B. 4850 - Removing the sunset clause from Oil and Gas Personal Property Tax
- Com. Sub. for H. B. 4867 - Require pornography websites to utilize age verification methods to prevent minors from accessing content – [RIGHT TO AMEND]
- H. B. 5128 - Directing transfer of moneys into fire protection funds at the end of each year
- H. B. 5170 - Increasing the size of matching grants for local economic development from \$30,000 to \$50,000.
- Com. Sub. for H. B. 5294 - Revising state law regulating farm wineries
- Com. Sub. for H. B. 5319 - Creating the offense of exposing a law-enforcement officer, probation officer, parole officer, courthouse security officer, correctional officer, the State Fire Marshal, a deputy or assistant fire marshal, firefighter, or emergency medical service personnel to fentanyl
- H. B. 5337 - Establishing the legislative oversight committee of the Division of Corrections and Rehabilitation.

SECOND READING

- S. B. 790 - Changing reference to Curator of Department of Arts, Culture, and History to Cabinet Secretary
- Com. Sub. for H. B. 4640 - Relating to the transfer of certain revenues derived from lottery activities
- Com. Sub. for H. B. 4911 - Relating to the sale of raw milk
- Com. Sub. for H. B. 4978 - Relating to clarifying the authority of appointed officials
- Com. Sub. for H. B. 5013 - Relating to Timber Management
- Com. Sub. for H. B. 5137 - Relating to requiring the State Auditor to conduct audits of all county boards of education
- Com. Sub. for H. B. 5345 - Relating to the registration requirements in the Sex Offender Registration Act.
- Com. Sub. for H. B. 5354 - Relating to the Grant Transparency and Accountability Act
- H. B. 5528 - Relating to the renewable energy facilities program
- H. B. 5549 - Allowing license plates, road signs, or markers to be obtained from alternative sources when the Division of Corrections and Rehabilitation is unable to produce them

FIRST READING

- Com. Sub. for S. B. 400 - Creating limited waiver from certificate of public convenience and necessity requirement for certain water or sewer services projects
- S. B. 507 - Relating to repeal of WV EDGE
- H. B. 4299 - Permit teachers in K-12 schools be authorized to carry concealed firearms as a designated school protection officer
- Com. Sub. for H. B. 4971 - Relating to Critical Materials Manufacturing Tax
- Com. Sub. for H. B. 5017 - Relating to mobile food establishment reciprocity.
- Com. Sub. for H. B. 5021 - Relating to cardiac response plans
- H. B. 5022 - Relating to increasing the amount of ephedrine, pseudoephedrine or phenylpropanolamine a person may purchase annually.
- Com. Sub. for H. B. 5065 - Regarding continuing education requirements and compensation of Guardians Ad Litem
- Com. Sub. for H. B. 5067 - To remove the 2 year timeframe for medical malpractice suits to be filed ONLY for individuals who were minors when they had their

procedures performed

- Com. Sub. for H. B. 5082 - Exempt those with 20 years holding an insurance license from attaining additional CEUs
- Com. Sub. for H. B. 5159 - Relating generally to child labor.
- Com. Sub. for H. B. 5175 - Eliminate funding for the Center for Nursing and transfer its duties and authorities to the Higher Education Policy Commission.
- Com. Sub. for H. B. 5223 - To create the Southern Coalfield Resiliency and Revitalization Program
- Com. Sub. for H. B. 5441 - Relating to raising the threshold from \$25,000 to \$50,000 for the requirement of bids for municipal public works projects.
- Com. Sub. for H. B. 5540 - Relating to fentanyl prevention and awareness Education (Laken's Law)
- Com. Sub. for H. B. 5553 - To provide and change graduation requirements and change duties relating to academic content standards
- H. B. 5590 - Changing reference to the "Curator" of the Department of Arts, Culture, and History to the "Secretary" of the Department
- Com. Sub. for H. B. 5650 - Allow suspended school personnel to enter school property functions open to the public

HOUSE CALENDAR

Friday, February 16, 2024

38th Day

11:00 A.M.

SECOND READING

- Com. Sub. for S. B. 17 - Authorizing Department of Health to promulgate legislative rules
- H. B. 4795 - Relating to permitting an academic medical center to operate an opioid treatment facility.
- H. B. 4855 - Require Division of Purchasing to write contracts in an unbiased manner
- H. B. 4878 - Updating the meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act
- H. B. 4881 - Relating to bringing terms not defined in that act into conformity with the meaning of those terms for federal income tax purposes
- H. B. 4957 - Relating generally to lobbying rules
- H. B. 5038 - Relating to research and economic development agreements for state institutions of higher education
- H. B. 5050 - Relating to authorizing legislative rules regarding higher education.
- H. B. 5263 - Relating to the Consolidated Public Retirement Board and requiring participating public employers to remit retirement contributions and fees by electronic funds transfer
- H. B. 5269 - Relating to the Municipal Police Officers and Firefighters Retirement System
- H. B. 5270 - Relating to the Natural Resources Police Officers Retirement System

FIRST READING

- H. B. 4429 - Relating to excluding test strips from the definition of drug paraphernalia
- H. B. 4700 - Banning certain persons from sport wagering activities
- H. B. 4777 - Allow staff members in public schools to eat lunch for free if there

is food left over after every student has been fed

H. B. 5194 -

Requiring purchases of certain commodities and services from state use program partners

H. B. 5237 -

Prohibiting driving slow in left lane except under certain circumstances

WEST VIRGINIA HOUSE OF DELEGATES

FRIDAY, FEBRUARY 16, 2024

HOUSE CONVENES AT 11:00 A.M.

**COMMITTEE ON RULES
10:45 A.M. - BEHIND THE CHAMBER**

**COMMITTEE ON FINANCE
9:00 A.M. – FINANCE COMMITTEE ROOM**

**COMMITTEE ON JUDICIARY
9:15 A.M. – JUDICIARY COMMITTEE ROOM**

**COMMITTEE ON EDUCATION
9:30 A.M. – EDUCATION COMMITTEE ROOM**

HOUSE OF DELEGATES
STEPHEN J. HARRISON, Clerk
Building 1, Room M-212
1900 Kanawha Blvd., East
Charleston, WV 25305-0470