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February 13, 2025  
SECOND DAY



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Thursday, February 13, 2025

**SECOND 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 12, 2025, being the first order of business, when the further reading thereof was dispensed with and the same approved.

**Resolutions Introduced**

Resolutions were introduced and severally referred as follows:

**By Delegate Burkhammer:**

**H. C. R. 5** --"Requesting the Division of Highways name Bridge Number: 21-050/00-003.14 () (21A107), (38.78083, -80.43667) locally known as GLADY CREEK BOX BEAM, carrying CR 050 over GLADY CREEK in Lewis County. "U. S. Army PFC William Harrison Lowther Memorial Bridge""; to the Committee on Energy and Public Works then Rules

**By Delegate Mazzocchi:**

**H. C. R. 6** --"Requesting the Division of Highways name bridge number 23-016/18-000.01(23A183), at Lat./Long. 37.76296, -81.84196, locally known as Low Ash Concrete Box BM, carrying County Route 16/18 over Buffalo Creek in Logan County, the "U. S. Army Warrant Officer Private Sidney Washington Memorial Bridge""; to the Committee on Energy and Public Works then Rules

**By Delegate Butler:**

**H. C. R. 7** --"Requesting the Division of Highways name bridge number ACNS-0035(166), 10799, beginning at Latitude 38.770528, Longitude -82.049710, ending at Latitude 38.770995, Longitude -82.047531, carrying US Route 35 over Lower Nine Mile Road, WV Route 38, in Mason County, the "U. S. Army Private First Class John Wesley Meadows Memorial Bridge""; to the Committee on Energy and Public Works then Rules

**By Delegates Mazzocchi and Bridges:**

**H. C. R. 8** --"Requesting the Division of Highways name Bridge Number: 23-009/01-000.12 () (23A027), (37.83239, -82.03453) locally known as WHITMAN CREEK BOX BEAM, carrying CR 009/01 over COPPERAS MINE FORK in Logan County the "U.S. Army PFC Lester E. Maynard Memorial Bridge."; to the Committee on Energy and Public Works then Rules

**By Delegates T. Howell, Crouse, Hall, Pritt, Butler, Jeffries, Leavitt, Akers, Shamblin, Ferrell and Holstein:**

**H. C. R. 9** --"Requesting the Division of Highways name Bridge Number: 20-079/03-017.16 () (20A954), (38.18214, -81.46837) locally known as Dry Branch Bridge, carrying CR 079/03 over Cabin Ck at Dry Branch in Kanawha County, the "Robert S. Pomeroy Memorial Bridge."; to the Committee on Energy and Public Works then Rules

**By Delegates Hillenbrand and G. Howell:**

**H. C. R. 10** --"Requesting the Division of Highways name a portion of Knobley Road, specifically beginning where U.S. Route 50 meets W.V. Route 9 (39.34980, -78.99220) and ending where W.V. Route 9 meets W.V. Route 18 (39.36571, -78.98110), in Mineral County, the "U. S. Marine Corps PFC Robert Thomas Taylor Memorial Road"; to the Committee on Energy and Public Works then Rules

**By Delegates Heckert, T. Clark, Sheedy, DeVault, Jennings, Riley, Crouse, Cooper, Fehrenbacher, Criss and Hanshaw (Mr. Speaker):**

**H. C. R. 11** --"Requesting the Division of Highways name Bridge Number: 54-014/00-013.22 () (54A037), (39.26028, -81.55637) locally known as Fifth Street Bridge (SSTT), carrying WV 014 over Little Kanawha River in Wood County, the "Thomas A. Azinger Memorial Bridge"; to the Committee on Energy and Public Works then Rules

**By Delegate Sheedy:**

**H. C. R. 12** --"Requesting the Division of Highways name Bridge Number: 52-013/00-004.64 () (52A039), (39.67254, -80.45228) locally known as Hundred Covered Bridge, carrying CR 013 over WV Fork Fish Creek in Wetzel County, the "Charles 'Charlie' Goff Memorial Bridge"; to the Committee on Energy and Public Works then Rules

**By Delegate Sheedy:**

**H. C. R. 13** --"Requesting the Division of Highways name a bridge bearing the Bridge Number: 26-023/00-007.19 () (26A034), (39.82576, -80.57174) locally known as CAMERON RIDGE BRIDGE, carrying CR 023 over GRAVE CREEK in Marshall County as the "Corporal James E. Jackley Memorial Bridge"; to the Committee on Energy and Public Works then Rules

**By Delegate Steele:**

**H. C. R. 14** --"Requesting the Division of Highways name Bridge Number: 41-077/00-043.59 (SB) (41A229), (37.78047, -81.22121) locally known as I-77 OVER CABELL RD, carrying IS 077 over WHITESTICK CRK/CABELL RD in Raleigh County, the "U.S. Navy SC1 Curtis Hatcher Memorial Bridge."; to the Committee on Energy and Public Works then Rules

**By Delegate Steele:**

**H. C. R. 15** --"Requesting the Division of Highways name Bridge Number: 41-077/00-028.93 (NB) (41A210), (37.61525, -81.11937) locally known as I-77 NB OVER RAL 48, carrying IS 077 over CR 48 in Raleigh County, the "U.S. Marines PFC Delbert Carles Roles Memorial Bridge."; to the Committee on Energy and Public Works then Rules

**By Delegate Kump:**

**H. C. R. 16** --"Requesting that the United States Congress pass a proposal to amend the United States Constitution to establish nine as the number of Supreme Court Justices"; to the Committee on the Judiciary then Rules

**By Delegates Heckert, T. Clark, DeVault, Jennings, Drennan and Crouse:**

**H. C. R. 17** --"Requesting that the Division of Highways place roadway welcome signs containing the phrase "West Virginia - A Purple Heart State" on highways at the entrance to West Virginia"; to the Committee on Energy and Public Works then Rules

**By Delegates Hornby, Horst, Chiarelli, D. Smith, Vance, Hite, W. Clark, Phillips, Funkhouser, Rohrbach and Ferrell:**

**H. C. R. 18** --"Requesting the Division of Highways change the name of Bridge Number: 02-009/00-002.54 () (02A176), (39.57445, -78.03742) locally known as Johnstontown Bridge, carrying WV 009 over Tilhance Creek in Berkeley County, to the "Paul J. Hofe Memorial Bridge""; to the Committee on Energy and Public Works then Rules

And,

**By Delegates G. Howell and W. Clark:**

**H. C. R. 19** --"Declaring December 14 as "Frosty the Snowman Day."; to the Committee on Rules

On motions for leave, Joint Resolutions were introduced and severally referred as follows:

**By Delegate Kump:**

**H. J. R. 1** - " Proposing an amendment to the Constitution of the State of West Virginia to amend and reenact Article XII, section two thereof, relating to the West Virginia board of education; authorizing the West Virginia board of education create nine districts in the state; establishing that the districts be comprised of county boards of education; establishing that one member of the West Virginia board of education be elected from each of the nine districts; numbering and designating the proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Education then the Judiciary.

**By Delegate Kump:**

**H. J. R. 2** - " Proposing an amendment to the Constitution of the State of West Virginia amending section one, article VI thereof; amending section two, article XIV thereof; and amending said Constitution by adding a new article, designated article XV, all relating to the legislative powers held by the people of the state and the Legislature; the power of the registered voters and the power of the Legislature to propose amendments to this Constitution; and the reservation by and to the people and registered voters of this state the powers of initiative, referendum, and recall at all levels of government in this state; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on the Judiciary.

**By Delegates Kump, Anders and White:**

**H. J. R. 3** - " Proposing an amendment to the Constitution of the State of West Virginia, amending section §1, article VII thereof; and amending §2 of article VII thereof; and amending §17, article VII thereof; and amending §, article XII thereof; all relating to removing the offices of auditor and treasurer from the West Virginia Constitution and substituting comptroller in their place"; to the Committee on Government Organization then the Judiciary.

**By Delegate Kump:**

**H. J. R. 4** - " Proposing an amendment to the Constitution of the State of West Virginia providing for the election of the state superintendent in the general election; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Education then Rules.

**By Delegate Kump:**

**H. J. R. 5** - " Proposing an amendment to the Constitution of the State of West Virginia, amending section 12-2, article XII thereof, relating to changing the term of office of members of the West Virginia Board of Education from nine years to five years; numbering and designating

such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Education then the Judiciary.

**By Delegate Kump:**

**H. J. R. 6** - " Proposing an amendment to the Constitution of the State of West Virginia, amending section 19, article VI thereof, relating to providing that the proclamation of the convening of the Legislature by the governor be issued not less than five days prior to the convening of the Legislature and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on the Judiciary.

**By Delegate Kump:**

**H. J. R. 7** - " Proposing an amendment to the Constitution of the State of West Virginia, amending article VI thereof, by adding thereto a new section, designated section 58, relating to the creation of single member senatorial districts; the numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Government Organization then the Judiciary.

**By Delegate Kump:**

**H. J. R. 8** - " Proposing an amendment to the Constitution of the State of West Virginia, amending section one-b, article X thereof, relating to homestead exemption increase; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Finance then the Judiciary.

**By Delegate Worrell:**

**H. J. R. 9** - " 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 right to refuse any medical treatment, injection, device, vaccine, or prophylactic; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates G. Howell, Browning and Stephens:**

**H. J. R. 10** - " Proposing an amendment to the Constitution of the State of West Virginia amending section one-b, article ten thereof, relating to ad valorem property tax rates for citizens of the age of 65 or older; locking the value of a homestead property, purpose of calculating property taxes, at the assessed value when the owner-occupier turned 65 or purchased the property, whichever occurred later; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Finance then the Judiciary.

**By Delegate Steele:**

**H. J. R. 11** - " Proposing an amendment to the Constitution of the State of West Virginia amending section 1, article X thereof, relating to authorizing the Legislature to exempt tangible inventory personal property directly used in business activity from ad valorem property taxation by general law; providing that the question of ratification or rejection of the amendment be submitted to the voters of the state at the next general election to be held in the year 2028; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Finance then the Judiciary.

**By Delegate Steele:**

**H. J. R. 12** - " Proposing an amendment to the Constitution of the State of West Virginia amending section 1b, article X thereof, relating to exempting honorably discharged veterans of

the Armed Forces of the United States who have been determined to have a 100 percent disability from ad valorem property taxation on the full amount of assessed value of a primary residence and all personal property; numbering and designating the proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Finance then the Judiciary.

And,

**By Delegates Heckert, T. Clark, Sheedy, DeVault, Vance, Jennings, Drennan, Horst, Willis and Crouse:**

**H. J. R. 13** - " Proposing an amendment to the Constitution of the State of West Virginia amending section 1, Article IV thereof to prohibit persons not United States citizens from voting in any election held within this state; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on the Judiciary.

### **Bills Introduced**

On motions for leave, bills were introduced and severally referred as follows:

**By Delegates Hanshaw (Mr. Speaker) and Hornbuckle  
[By Request of the Executive]:**

**H. B. 2024** - "A Bill to amend and reenact §11-21-9 of the Code of West Virginia, 1931, as amended, relating to updating the meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act; and specifying effective dates"; to the Committee on Finance.

At the respective requests of Delegate McGeehan, and by unanimous consent, reference of the bill (H. B. 2024) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate McGeehan moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 2**), and there were—yeas 95, nays 2, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Dillon and Vance.

Absent and Not Voting: Ferrell, Martin, Sheedy.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time, and ordered to third reading.

The bill was then read a third time, and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 3**), and there were--yeas 96, nays 1, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Anders.

Absent and Not Voting: Ferrell, Martin, and Sheedy.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 2024) passed.

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

On this question, the yeas and nays were taken (**Roll No. 4**), and there were--yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Ferrell, Martin, and Sheedy

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 2024) 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.

**By Delegates Hanshaw (Mr. Speaker) and Hornbuckle  
[By Request of the Executive]:**

**H. B. 2025** - "A Bill to amend and reenact §11-24-3 of the Code of West Virginia, 1931, as amended, relating to bringing terms not defined in the Corporation Net Income Tax Act into conformity with the meaning of those terms for federal income tax purposes; and specifying effective dates"; to the Committee on Finance.

At the respective requests of Delegate McGeehan, and by unanimous consent, reference of the bill (H. B. 2025) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate McGeehan moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 5**), and there were—yeas 95, nays 2, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Dillon and Vance.

Absent and Not Voting: Ferrell, Martin, Sheedy.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time, and ordered to third reading.

The bill was then read a third time, and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 6**), and there were--yeas 95, nays 2, absent and not voting 3, with the nays and the absent and not voting being as follows:



Nays: Anders and Dillon.

Absent and Not Voting: Ferrell, Martin, and Sheedy.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 2025) passed.

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

On this question, the yeas and nays were taken (**Roll No. 7**), and there were--yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Ferrell, Martin, and Sheedy.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 2025) 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.

**By Delegates Hornby, Willis, Horst, D. Smith, Leavitt, Chiarelli, Kyle, Hite, Vance, Green and Brooks:**

**H. B. 2343** - "A Bill to amend and reenact §12-4A-2 of the Code of West Virginia, 1931, as amended, authorizing the State Auditor to conduct audits of all county boards of education relating to income or funds received, regardless of source"; to the Committee on Government Organization.

**By Delegates J Cannon, Chiarelli, Holstein and Browning:**

**H. B. 2344** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17C-1-71; and to amend and reenact §17C-14-9a of said code; relating to traffic safety; creating a definition for the phrase maintenance vehicle; and listing additional categories of vehicles for which motorists shall slow down and, if possible, move over"; to the Committee on Energy and Public Works.

**By Delegates Cooper, Toney and Clay:**

**H. B. 2345** - "A Bill to amend and reenact §17E-1-18 of the Code of West Virginia, 1931, as amended, relating to commercial driver's license; and requiring that a state employee with a commercial driver's license have a current medical evaluation certification and may not have a medical waiver"; to the Committee on the Judiciary.

**By Delegates Cooper, Toney and Clay:**

**H. B. 2346** - "A Bill to amend and reenact §47-26-1, §47-26-2, §47-26-3, and §47-26-4 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §47-26-5, relating to pawnbrokers; providing definitions; requiring a photograph; increasing amount of fines for violations; reporting requirements to local law-enforcement officials; and requiring pawnbrokers to retain the property in its original condition as delivered to the pawnbroker by the seller or pledgor for a minimum period of five business days before altering, disassembling, reselling, destroying, reducing, smelting, or otherwise disposing of the property"; to the Committee on Government Organization then the Judiciary.

**By Delegates Worrell, Hite, Heckert, Chiarelli, Miller, Petitto, Hamilton and Pushkin:**

**H. B. 2347** - "A Bill to amend and reenact §27-5-1, §27-5-1b, §27-5-2, and §27-5-4 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §27-5-2b; to amend said code by adding a new article, designated §27-5A-1, §27-5A-2; and §27-5A-3; relating generally to the creation of mental hygiene regions by the Supreme Court of Appeals; clarifying that mental hygiene evaluations and proceedings may be conducted by video technology; granting civil immunity for mental health service providers who do involuntary commitment proceedings and setting out exceptions; creating a temporary observation release for mental hygiene respondents; clarifying that chief medical officer releases requiring approval of circuit court only apply to forensic patients; requiring hearings for any commitment period of longer than 90 days and prohibiting any person from being civilly committed to longer than 120 days without a hearing to determine whether the individual continues to meet commitment criteria; removing obsolete language regarding transcripts of proceedings to circuit court of county of residence; restructuring the mental hygiene commissioner system by authorizing new mental hygiene regions and full-time mental hygiene commissioners employed by the Supreme Court of Appeals; authorizing mental hygiene proceedings and evaluations by video and requiring facilities to provide technology that meets Supreme Court of Appeals specifications; authorizing statewide coverage for mental hygiene evaluations and permitting a mental hygiene commissioner to exclude evaluator testimony based on the West Virginia Rules of Evidence; and requiring each Certified Community Mental Health Center to ensure that at least one examiner is available to provide uniform and continuous coverage in each region, including afterhours, weekends, and holidays"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegate Statler:**

**H. B. 2348** - "A Bill to amend and reenact §16-4C-25 of the Code of West Virginia, 1931, as amended, relating to the Emergency Medical Services Salary Enhancement Fund; and providing that 10 percent of salary enhancement funds be allocated to mental health be redirected to first responder mental health overseen by the Director of the West Virginia Office of Emergency Medical Services"; to the Committee on Finance.

**By Delegate Drennan:**

**H. B. 2349** - "A Bill to amend and reenact §16B-13-5 of the Code of West Virginia, 1931, as amended, relating to the Medication-Assisted Treatment Program Licensing Act; and requiring licensed programs to offer long-acting reversible contraception to patients recovering from methadone and suboxone"; to the Committee on Health and Human Resources.

**By Delegate Burkhammer:**

**H. B. 2350** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-2-14, relating to enhancing nutrition in the Supplemental Nutrition Assistance Program"; to the Committee on Health and Human Resources.

**By Delegate Burkhammer:**

**H. B. 2351** - "A Bill to amend and reenact §29-21-13a of the Code of West Virginia, 1931, as amended, relating to Public Defender Services panel attorneys; increasing compensation for panel attorneys; and requiring Public Defender Services to annually provide to the Legislative Oversight Commission on Health and Human Resources, the Foster Care Ombudsman, and the West Virginia Supreme Court of Appeals a report summarizing legal services that are being provided by the submission of a voucher by panel attorneys serving as guardians ad litem in state courts"; to the Committee on the Judiciary then Finance.

**By Delegate Burkhammer:**

**H. B. 2352** - "A Bill to amend and reenact §16-2R-3 of the Code of West Virginia, 1931, as amended, relating to modifying the Unborn Child Protection Act; requiring patient voluntary and informed consent; clarifying voluntary and informed consent; and providing certain information be included on advertising and certain printed materials"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegate Burkhammer:**

**H. B. 2353** - "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, and §16-67-4, relating to creating the public awareness campaign on mold threat in indoor environments; with definitions, rules; and mold remediation standard of care"; to the Committee on Health and Human Resources then Finance.

**By Delegate Burkhammer:**

**H. B. 2354** - "A Bill to amend and reenact §16-7-2 of the Code of West Virginia, 1931, as amended, relating to prohibiting the sale of any food product in the state that includes the dyes Red 3, Red 40, Yellow 5, Yellow 6, Blue 1, Blue 2 and Green 3"; to the Committee on Health and Human Resources.

**By Delegate Statler:**

**H. B. 2355** - "A Bill to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended, relating to forbidding the West Virginia Secondary School Activities Commission from taking any adverse action against middle or high school student athletes who participate in travel sports"; to the Committee on Education.

**By Delegate Kelly:**

**H. B. 2356** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §46A-6O-1, §46A-6O-2, §46A-6O-3, and §46A-6O-4, relating to the Telephone Consumer Protection Act; defining terms; establishing exclusions; establishing conduct that is prohibited under the article; and setting forth violations"; to the Committee on the Judiciary.

**By Delegate Kelly:**

**H. B. 2357** - "A Bill to amend and reenact §61-2-3 of the Code of West Virginia, 1931, as amended, relating to parole eligibility for the crime of murder in the second degree"; to the Committee on the Judiciary.

**By Delegate Kelly:**

**H. B. 2358** - "A Bill to amend and reenact §61-12-10 of the Code of West Virginia, 1931, as amended, relating to postmortem examinations"; to the Committee on Health and Human Resources.

**By Delegate Kelly:**

**H. B. 2359** - "A Bill to amend and reenact §62-12-13 of the Code of West Virginia, as amended, relating to modifying the parole eligibility for inmates serving life sentences and those who have been convicted of first degree murder"; to the Committee on the Judiciary.

**By Delegate Kelly:**

**H. B. 2360** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-11-27, relating to the definition of law-enforcement officers; and

clarifying that term includes chief executives, law-enforcement officials, and pre-certified law-enforcement officers"; to the Committee on the Judiciary.

**By Delegate Kelly:**

**H. B. 2361** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §15A-3-19 and §15A-3-20, relating to creating Regional Jail Commissions; setting forth the composition of the commissions; setting forth the terms of the members; setting forth compensation of the members; setting forth administrative responsibilities; creating powers and duties of the commissions; and requiring reports"; to the Committee on the Judiciary.

**By Delegate Kelly:**

**H. B. 2362** - "A Bill to amend and reenact §15A-3-10 of the Code of West Virginia, 1931, as amended, relating to recognizing the law-enforcement powers of correctional officers employed by the Division of Corrections and Rehabilitation; providing that such officers are not subject to certain certification requirements; authorizing the commissioner to consult with the Law Enforcement Professional Standards Subcommittee with regard to training; clarifying powers of arrest; and clarifying application of the federal Law Enforcement Officers Safety act to eligible employees"; to the Committee on the Judiciary.

**By Delegate Kelly:**

**H. B. 2363** - "A Bill to amend and reenact §61-8C-3 of the Code of West Virginia, 1931, as amended, relating to child pornography; and clarifying the groups of persons to whom the criminal prohibitions related to child pornography are inapplicable when such persons are performing their official or employment duties"; to the Committee on the Judiciary.

**By Delegate Kelly:**

**H. B. 2364** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15A-14-1, §15A-14-2, §15A-14-3, §15A-14-4, §15A-14-5, §15A-14-6, §15A-14-7, §15A-14-8, and §15A-14-9, relating to the Corrections and Rehabilitation Ombudsman; authorizing an ombudsman position within the Office of the Inspector General; authorizing review of complaints; providing access to complainants, facilities, agencies, and records to assist in review; providing cooperation among government departments and agencies; clarifying confidentiality; providing limitations on liability; requiring an annual report; including penalties for noncompliance and retaliation; and providing funding for the program"; to the Committee on the Judiciary.

**By Delegate Kelly:**

**H. B. 2365** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-5-17b, relating to 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 opioids; 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 opioids causing death; 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 opioids causing bodily injury; requiring proof of a violation of this code; establishing criminal penalties; requiring proof of exposure; and providing definitions"; to the Committee on the Judiciary.

**By Delegates Heckert, T. Clark, Sheedy, DeVault, Jennings, Drennan and Crouse:**

**H. B. 2366** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-17-1, §15-17-2, §15-17-3, §15-17-4, §15-17-5, §15-17-6, §15-17-7, §15-17-8, §15-17-9, §15-17-10, §15-17-11, and §15-17-12, relating to the creation of a Domestic Violence Registry; and providing criminal penalties"; to the Committee on the Judiciary.

**By Delegates Heckert, T. Clark, Sheedy, DeVault, Jennings, Drennan, Horst, Willis and Crouse:**

**H. B. 2367** - "A Bill to amend and reenact §49-2-111c and §49-2-127 of the Code of West Virginia, 1931, as amended; and to amend said Code by adding thereto new sections, designated §49-2-131 and §49-2-132; all relating to providing foster families with better access to records, better representation in decision-making concerning the foster system, and changing drug screening procedures during improvement periods"; to the Committee on Health and Human Resources.

**By Delegates Heckert, T. Clark, Sheedy, Horst and Crouse:**

**H. B. 2368** - "A Bill to amend and reenact §3-3-2 of the Code of West Virginia, 1931, as amended, relating to formerly incarcerated individuals' voting rights; and eliminating restrictions to voting rights following an individual's release from incarceration through pardon, probation, parole, or completion of sentence"; to the Committee on the Judiciary.

**By Delegates Heckert, T. Clark, DeVault, Jennings, Drennan and Crouse:**

**H. B. 2369** - "A Bill to amend and reenact §49-4-605 and §49-4-610 of the Code of West Virginia, 1931, as amended, all relating to limiting the number of improvement periods a parent may have per child or actions in abuse and neglect proceedings"; to the Committee on the Judiciary.

**By Delegates Heckert, T. Clark, DeVault, Jennings, Drennan and Crouse:**

**H. B. 2370** - "A Bill to amend and reenact §27-5-1, §27-5-1b, §27-5-2, §27-5-2a, §27-5-4, and §27-5-10 of the Code of West Virginia, 1931, as amended, relating to clarifying the duties and responsibilities of mental health professionals in West Virginia; providing for a physician, psychologist, licensed professional counselor, licensed independent social worker, advanced nurse practitioner, physician assistant, or law enforcement officer to make an application for involuntary hospitalization; and providing for the Department of Health and Human Resources to provide transportation for individuals who require involuntary hospitalization"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates Heckert, W. Clark, Drennan, Horst, Mallow, Willis, T. Clark, Crouse and Green:**

**H. B. 2371** - "A Bill to amend and reenact §8-15-8b of the Code of West Virginia, 1931, as amended; relating to increasing the allowance for volunteer and part-volunteer fire companies and departments to make an expenditure for educational and training supplies and fire prevention promotional materials from \$500 to \$5,000 per year"; to the Committee on Finance.

**By Delegates Heckert, T. Clark, DeVault, Jennings, Horst, Crouse and Green:**

**H. B. 2372** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §49-12-1, §49-12-2, and §49-12-3, all relating to codifying the Parents' Bill of Rights"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates Cooper, Toney and Clay:**

**H. B. 2373** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §19-40-1, §19-40-2, §19-40-3, §19-40-4, §19-40-5, §19-40-6, §19-40-7, §19-40-8, and §19-40-9, relating to creating the Equipment Right to Repair Act; creating a short title; defining terms; establishing jurisdiction of the Commissioner of Agriculture; establishing requirements; establishing limitations; providing for rulemaking; establishing violations; imposing civil penalties; authorizing civil actions, penalties, and injunctive relief; and providing for applicability and effective date of article"; to the Committee on Government Organization then the Judiciary.

**By Delegates Cooper, Toney and Clay:**

**H. B. 2374** - "A Bill to amend and reenact §11-15-3c of the Code of West Virginia, 1931, as amended, relating to exempting from the sales tax all-terrain vehicles and utility terrain vehicles used as farm equipment"; to the Committee on Finance.

**By Delegate Burkhammer:**

**H. B. 2375** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated as §16-5EE-1, relating to prohibiting the requiring of the performance or assistance of an irreversible gender reassignment surgery"; to the Committee on Health and Human Resources.

**Leaves of Absence**

At the request of Delegate McGeehan, and by unanimous consent, leaves of absence for the day were granted to Delegates Ferrell, Martin, and Sheedy.

**Miscellaneous Business**

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

**H. B. 2043:** Delegate Horst

**H. B. 2066:** Delegate Heckert;

**H. B. 2067:** Delegate Kimble.

**H. B. 2079:** Delegate Ridenour.

**H. B. 2080:** Delegate Ridenour.

**H. B. 2155:** Delegate Masters.

**H. B. 2349:** Delegates Amos, Butler, Crouse, Dittman, Heckert, Hite, T. Howell, Masters, Moore, Petitto, and Rohrbach;

**H. B. 2352:** Delegate Masters.

**H. B. 2354:** Delegate Masters.

**H. B. 2375:** Delegate Masters.

**H. J. R. 5:** Delegate Ridenour.

**H. J. R. 7:** Delegate Ridenour.

**H. J. R. 8:** Delegate Ridenour.

At 11:30 a.m., the House of Delegates adjourned until 11:00 a.m., Friday, February 14, 2025.

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





**SPECIAL CALENDAR**

**Friday, February 14, 2025**

**3rd Day**

**11:00 A.M.**

**NO BILLS**



**HOUSE CALENDAR**

**Friday, February 14, 2025**

**3rd Day**

**11:00 A.M.**

**NO BILLS**



# **WEST VIRGINIA HOUSE OF DELEGATES**

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**FRIDAY, FEBRUARY 14, 2024**

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**HOUSE CONVENES AT 11:00 A.M.**

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

**COMMITTEE ON THE JUDICIARY  
9:00 A.M. – JUDICIARY COMMITTEE ROOM**

**SUBCOMMITTEE ON LEGAL SERVICES  
9:30 A.M. – JUDICIARY COMMITTEE ROOM**

**SUBCOMMITTEE ON COURTS  
10:00 A.M. – GOVERNMENT ORGANIZATION COMMITTEE ROOM 215E**

**COMMITTEE ON EDUCATION  
1:00 P.M. - EDUCATION COMMITTEE ROOM**

**SUBCOMMITTEE ON AGRICULTURE, COMMERCE AND TOURISM  
2:15 P.M. – GOVERNMENT ORGANIZATION COMMITTEE ROOM**





HOUSE OF DELEGATES

JEFF PACK, Clerk

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