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February 20, 2025
NINTH DAY

Thursday, February 20, 2025

NINTH 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 19, 2025, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

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

Your Standing Committee on the Judiciary has had under consideration:

H. B. 2042, Relating to allowing a guardian ad litem to request the appointment of a court appointed special advocate,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 2042 - "A Bill to amend and reenact §49-4-601 of the Code of West Virginia, 1931, as amended, relating to procedures in cases of child neglect or abuse; allowing a prosecuting attorney, respondent parent, or guardian ad litem to request the appointment of a court appointed special advocate if that circuit court is serviced by a court appointed special advocate,"

H. B. 2066, Creating a crime for the destruction of first responder equipment,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 2066 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated as §61-3-60, relating to damage, destruction, or theft of property or equipment used by emergency responders; creating a felony offense for damaging, destroying, or stealing certain property of an emergency responder; creating elements of the new felony offense; specifying that felony offense is a separate and distinct offense; creating definitions; and creating criminal penalties,"

And,

H. B. 2363, 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,

And reports back a committee substitute therefor, as follows:

Com. Sub. for 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; 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; requesting the Supreme Court of Appeals to promulgate certain rules; authorizing mandatory reporting of certain individuals who observe images appearing to be a minor engaged in sexually explicit conduct on electronic devices; and creating an affirmative defense for persons complying with the mandatory reporting requirements,"

With the recommendation that the committee substitutes each do pass.

Resolutions Introduced

Resolutions were introduced and severally referred as follows:

By Delegates Campbell, Canterbury and Cooper:

H. C. R. 55 --"Requesting the Division of Highways rename the section of road beginning at (37.765157, -80.466491) and ending at (37.787638, -80.452570), known locally as the Seneca Trail, to the "Vance Brothers Six Military Veterans Highway" and have signs placed identifying it as such"; to the Committee on Energy and Public Works then Rules

By Delegates Campbell, Canterbury and Cooper:

H. C. R. 56 --"Requesting the Division of Highways name bridge number: 13-060/87-000.15 () (13A243), (37.79351, -80.30456) locally known as Greenbrier Avenue Bridge, carrying CR 060/87 over Howard Creek in Greenbrier County, the "U.S. Army SP4 Thomas William "Tom Bill" Dudley, Sr. Memorial Bridge""; to the Committee on Energy and Public Works then Rules

By Delegates Ridenour, Jennings, Mallow, Phillips, Martin, Jeffries, Hillenbrand, Ward, Flanigan and Marple:

H. C. R. 57 --"Requesting that the State of West Virginia acknowledge and identify that the People's Republic of China is conducting an illegal, asymmetric war against the United States of America and West Virginia"; to the Committee on Rules

By Delegate Coop-Gonzalez:

H. C. R. 58 --"Expressing the position of the West Virginia Legislature that unborn children are legal and constitutional persons entitled to the equal protection of the laws"; to the Committee on the Judiciary then Rules

By Delegate Coop-Gonzalez:

H. C. R. 59 --"Requesting that the West Virginia Legislature recognize a Victims of Communism Day"; to the Committee on Rules

And,

By Delegate Mallow:

H. C. R. 60 --"Requesting the Division of Highways name Bridge Number: 25-079/00-135.62 () (25A260), (39.46437, -80.13663) locally known as PLEASANT VALLEY BRIDGE, carrying IS 079 over Mar. Co. Rt. 64 in Marion County, the "Janice L. Cosco Memorial Bridge" with accompanying signage stating, "Marion County's Longest Serving Clerk."; to the Committee on Energy and Public Works then Rules

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

By Delegates Horst, Bridges, Hornby, Masters, Worrell, Jeffries, Crouse, White, Leavitt, McCormick and Kyle:

H. J. R. 22 - " 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.

And,

By Delegates Horst, Crouse, Masters and White:

H. J. R. 23 - " 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, 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.

Bills Introduced

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

By Delegates Barnhart, Stephens, Shamblin and Ferrell:

H. B. 2636 - "A Bill to amend and reenact §5-22-1 of the Code of West Virginia, 1931, as amended, relating to government construction contracts; providing preference to local contractors; providing the municipal council authority to award bids to other than lowest bidder in certain circumstance; and clarifies when a municipality can reject a bid"; to the Committee on Government Organization.

By Delegates Barnhart, Shamblin, Stephens and Ferrell:

H. B. 2637 - "A Bill to amend and reenact §5-22-1 of the Code of West Virginia, 1931, as amended, relating to raising the bid threshold of competitive bids in construction contracts for the state and its subdivisions from \$25,000 to \$50,000"; to the Committee on Government Organization.

By Delegates Cooper, Heckert and Toney:

H. B. 2638 - "A Bill to amend and reenact §49-4-609 of the Code of West Virginia, 1931, as amended, relating to mandating that criminal charges be brought against parents when children are removed from their custody due to abuse and neglect"; to the Committee on the Judiciary.

By Delegates Cooper and Heckert:

H. B. 2639 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-46, relating to banning the use of electronic calculators by public school students in grades pre-kindergarten through six"; to the Committee on Education.

By Delegates Cooper, Heckert, Toney and Roop:

H. B. 2640 - "A Bill to amend and reenact §15-2-7 of the Code of West Virginia, 1931, as amended, relating to increasing the maximum age requirement for appointment to the State Police from 39 years of age to 45 years of age"; to the Committee on the Judiciary.

By Delegates Fehrenbacher, Crouse, Hall, Barnhart, Heckert, Holstein, G. Howell, Dittman, Moore and Drennan:

H. B. 2641 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §11-21-98 and §11-24-45; relating to providing a tax credit against the state corporate net income tax and the state personal income tax for expenditures related to the operation of existing employer-provided or sponsored childcare facilities; defining terms; providing for rulemaking; setting the amount of the credit; providing for limitation of the credit; providing for transferrable credit available to non-profit corporations; and providing for a recapture process"; to the Committee on Finance.

By Delegates Maynor, Riley, Rohrbach, Hornby, Fehrenbacher and Barnhart:

H. B. 2642 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §31-15-34; relating to establishing a commercial property assessed capital expenditure financing program for localities and defining terms"; to the Committee on Finance.

By Delegates Gearheart, D. Smith, Hornby, Pritt, Ellington, Brooks, Ridenour and Butler:

H. B. 2643 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-16A-31, relating to providing guidelines for the West Virginia Parkways Authority to cease tolls on the West Virginia Turnpike upon completion of all bond payments"; to the Committee on Energy and Public Works then Finance.

By Delegates Gearheart, Hornby, Ellington, Pritt and Brooks:

H. B. 2644 - "A Bill to amend and reenact §17-16A-11 of the Code of West Virginia, 1931, as amended, relating to ensuring that funding to counties named in this section from the State Road Construction Account does not affect any other funding received by those counties from the State Road Fund"; to the Committee on Energy and Public Works then Finance.

By Delegates Gearheart, D. Smith, Ridenour, Ellington, Pritt, Brooks and Butler:

H. B. 2645 - "A Bill to amend and reenact §17-16A-13 of the Code of West Virginia, 1931, as amended, relating to requiring certain non-discretionary procedures be strictly complied with by the West Virginia Parkways Authority before tolls, rents, fees, or charges may be increased"; to the Committee on Energy and Public Works.

By Delegates Gearheart, Canterbury, Hornby, Pritt, Ellington, Foggin, Drennan, Butler, Brooks, Ridenour and Funkhouser:

H. B. 2646 - "A Bill to amend and reenact §18-5-39 of the Code of West Virginia, 1931, as amended, relating to permitting students in eighth and ninth grades to attend summer school in order to raise their grades and establish academic eligibility to play sports in the fall"; to the Committee on Education.

By Delegates Gearheart and Drennan:

H. B. 2647 - "A Bill to repeal §18-2-25e of the Code of West Virginia, 1931, as amended, relating to athletic eligibility of transfer students"; to the Committee on Education.

By Delegates Gearheart, D. Smith, Ellington and Brooks:

H. B. 2648 - "A Bill to amend and re-enact §37-15-2 and §37-15-6 of the Code of West Virginia, 1931, as amended, relating to tenant protections and landlord notice requirements at rental properties for house trailers, mobile homes, manufactured homes, and modular homes"; to the Committee on the Judiciary.

By Delegates Gearheart, Canterbury, Hornby, Pritt, Ellington, Butler, Brooks, Ridenour and Funkhouser:

H. B. 2649 - "A Bill to amend and reenact §18A-5-1 of the Code of West Virginia, 1931, as amended, relating to adding elementary schools into school disciplinary measures added during the 2023 Regular Session of the Legislature"; to the Committee on Education.

By Delegates Horst, Masters, D. Smith, Coop-Gonzalez, Hornby, Worrell, Maynor, Crouse, White and Bridges:

H. B. 2650 - "A Bill to amend and reenact §61-7-11a of the Code of West Virginia, 1931, as amended, relating to allowing persons who have a concealed carry license to carry a concealed handgun in or on the grounds of any primary or secondary educational facility"; to the Committee on Education then the Judiciary.

By Delegates Horst, Hornby, Heckert, Sheedy, Masters, Worrell, Maynor, W. Clark, Crouse, White and Statler:

H. B. 2651 - "A Bill to amend and reenact §18-5-32 of the Code of West Virginia, 1931, as amended, relating to county boards of education; mandating that general and special supervisors or directors of instruction serve at the will and pleasure of the county board of education"; to the Committee on Education.

By Delegates Horst, Bridges, Funkhouser, White, W. Clark, Jeffries, Masters, Hornby, Worrell, Maynor and Crouse:

H. B. 2652 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §62-1H-1, §62-1H-2, §62-1H-3, §62-1H-4, §62-1H-5, and §62-1H-6, all relating to establishing the Protection of Shared Physical and Digital Property from Warrantless Searches Act; providing for legislative findings; providing for definitions; creating conditions for government to search or seize physical or digital property from a third party; defining illegal searches and seizures, and providing for an effective date"; to the Committee on the Judiciary.

By Delegates Akers and Lewis:

H. B. 2653 - "A Bill to amend and reenact §4-12-1, §4-12-2, §4-12-3, §4-12-4, §4-12-5, and §4-12-6 of the Code of West Virginia, 1931, as amended, all relating to updating the West Virginia Law Institute"; to the Committee on the Judiciary.

By Delegates Brooks and Green:

H. B. 2654 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §19-40-1, relating to the Food Safety Act of 2025; prohibiting persons or entities from offering for human consumption food products that contain certain substances; and establishing civil penalties for violation of section"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Pritt:

H. B. 2655 - "A Bill to amend and reenact §17C-3-2 of the Code of West Virginia, 1931, as amended, relating to requiring that a three-second pause be added to all traffic-control lights and devices"; to the Committee on Energy and Public Works.

By Delegates Pritt and T. Clark:

H. B. 2656 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §19-20-27, relating to prohibiting a person from taking a dog, cat, or other animal into a grocery store or retail establishment that sells food unless the animal is a registered service animal"; to the Committee on the Judiciary.

By Delegates Cooper, Heckert and Toney:

H. B. 2657 - "A Bill to amend and reenact §18A-5-2 of the Code of West Virginia, 1931, as amended, relating to providing for Saturday classes for public school and public charter school students who need extra assistance or who may be falling behind in his or her coursework"; to the Committee on Education then Finance.

By Delegates Drennan, Crouse, Mallow, Butler, Rohrbach, Leavitt, Akers and Pinson:

H. B. 2658 - "A Bill to amend and reenact §7-1-3, §7-1-3d and §7-17-10 of the Code of West Virginia, 1931, as amended; relating to granting administrative control of fire departments within a county to a county fire board or, in the absence of a fire board, to the county commission of that county when they are not already under administrative control of a municipal corporation"; to the Committee on Government Organization.

By Delegates W. Clark, D. Smith, Riley, Kyle, Hall, Willis and Lucas:

H. B. 2659 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §60-7-8h, relating to adding a special permit for a non-profit entity to be a qualified permit holder in a private outdoor designated area"; to the Committee on Government Organization.

By Delegates Funkhouser, Ridenour, W. Clark, Masters, Hornby and D. Cannon:

H. B. 2660 - "A Bill to amend and reenact §11A-3-52 of the Code of West Virginia, 1931, as amended, relating to amending duties of a purchaser of property sold by the Auditor for unpaid taxes in order to secure a deed to include the satisfaction of any municipal lien of record on the property"; to the Committee on Finance.

By Delegate Burkhammer:

H. B. 2661 - "A Bill to amend and reenact §33-3-14d of the Code of West Virginia, 1931, as amended, relating to providing equal share of funds from the fire and casualty premium tax to part volunteer departments"; to the Committee on the Judiciary then Finance.

By Delegates Masters, Hornby, Butler, Horst, Maynor, Mallow and Kimble:

H. B. 2662 - "A Bill to amend and reenact §17C-5-1 and §61-2-30 of the Code of West Virginia, as amended; and to amend the code by adding a new section, designated §17C-5-1a, all relating to creating the separate and distinct offenses of misdemeanor vehicular homicide and felony aggravated vehicular homicide; and to recognize and protect unborn victims of these criminal offenses"; to the Committee on the Judiciary.

By Delegates Gearheart, Canterbury, Hornby and Butler:

H. B. 2663 - "A Bill to amend and reenact §12-2-2 of the Code of West Virginia, 1931, as amended, relating to the forfeiture of unencumbered funds in special revenue accounts and repayment of certain percentages of the special revenue accounts to the General Revenue Fund, if these accounts have been inactive for designated periods; and prohibiting expenditures from these accounts pending the forfeiture of the funds"; to the Committee on Finance.

By Delegates Gearheart, D. Smith, Hornby, Ellington and Brooks:

H. B. 2664 - "A Bill to amend and reenact §18-5-1 of the Code of West Virginia, 1931, as amended, relating to election of members of county boards of education; providing for two members to be elected as at large members and the remaining three to be elected on the basis of magisterial districts"; to the Committee on the Judiciary.

By Delegates Gearheart, Canterbury, Hornby and Brooks:

H. B. 2665 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §12-2-2a, relating to requiring a transfer from reappropriated revenue accounts to General Revenue Fund"; to the Committee on Finance.

By Delegates Gearheart, Brooks, Ridenour and Funkhouser:

H. B. 2666 - "A Bill to amend and reenact §20-2-15 of the Code of West Virginia, 1931, as amended, relating to permit landowners or lessees of land whose land is damaged by deer or other wildlife to hire a third party to kill the deer or other wildlife by bow and arrow"; to the Committee on Government Organization.

By Delegates Gearheart, D. Smith, Hornby, Brooks, Ridenour and Butler:

H. B. 2667 - "A Bill to amend and reenact §17-16A-10 of the Code of West Virginia, 1931, as amended, relating to requiring the approval of the Legislature and the Governor before additional bonds may be issued by the Parkways Authority; and requiring tolls to be removed six months following removal of encumbrances for the bonds"; to the Committee on Energy and Public Works then Finance.

By Delegates Statler and Ellington:

H. B. 2668 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-12a, relating to creating a computer science credit requirement for public high school students"; to the Committee on Education.

By Delegates Statler and Ellington:

H. B. 2669 - "A Bill to amend and reenact §61-7-11a of the Code of West Virginia, 1931, as amended, relating to allowing off duty law enforcement officers to carry concealed weapons at public schools and at public school events"; to the Committee on the Judiciary.

By Delegates Funkhouser, W. Clark, Lucas, Ferrell, Butler, Horst, Hillenbrand, Miller, Masters, Ridenour and Browning:

H. B. 2670 - "A Bill to amend and reenact §11-6B-3 of the Code of West Virginia, 1931, as amended, relating to increasing the Homestead Property Tax Exemption from \$20,000 to \$40,000"; to the Committee on Finance.

By Delegates Funkhouser, Rohrbach, B. Smith, Ferrell, Butler, Hillenbrand, Masters, Miller, Ridenour, Flanigan and Browning:

H. B. 2671 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-21-27, relating to creating an income tax exemption for memberships to gyms in West Virginia; setting exemption at \$60 per month with a total of \$720 per year"; to the Committee on Finance.

By Delegate Pritt:

H. B. 2672 - "A Bill to amend and reenact §30-3-7 of the Code of West Virginia, 1931, as amended, relating to requiring persons or entities rendering medical services to patients who were under the age of 18 years at the time of the services to notify these patients after they reach 18

years of age to contact the providers of any adverse or negative effects experienced from the services"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Anders, White, Ridenour, Dillon, Kump, Kimble, Dean and Bridges:

H. B. 2673 - "A Bill to amend and reenact §60A-7-701, §60A-7-702, §60A-7-703, §60A-7-704, §60A-7-705, §60A-7-706, §60A-7-707, and §60A-7-708 of the Code of West Virginia, 1931, as amended; to amend said code by adding new sections designated §60A-7-709, §60A-7-710, §60A-7-711, §60A-7-712, §60A-7-713, §60A-7-714, §60A-7-715, §60A-7-716, §60A-7-717, §60A-7-718, §60A-7-719, §60A-7-720, §60A-7-721, §60A-7-722, §60A-7-723, §60A-7-724, §60A-7-725, §60A-7-726, §60A-7-727, §60A-7-728, §60A-7-729, §60A-7-730, §60A-7-731, §60A-7-732, and §60A-7-733; and to amend said code by repealing §60A-7-705a thereof, related to eliminating civil asset forfeiture; setting definitions; setting forth purpose and legislative intent; describing jurisdictional and procedural requirements for criminal asset forfeiture; requiring notice of intent to seize real property; permitting seizure and providing for disposition of contraband and stolen property; providing storage procedures for contraband and seized property; requiring a receipt for seized property; permitting prosecuting authorities to establish a minimum dollar amount for seized currency and motor vehicles; permitting for knowing and voluntary waiver or property rights; prohibiting prosecuting authorities from conditioning initial engagement in plea negotiations on waiver of property rights; vesting title of seized property; permitting representation by public defenders in forfeiture proceedings; requiring notice of seizure to all known owners of seized property; permitting courts to place reasonable restrictions on return of seized property to preserve the property for use as evidence; requiring and providing procedure for prompt post-seizure hearings; requiring notice of proposed forfeiture; providing for discovery; providing for when property may be forfeited; providing for exceptions to the conviction requirement; permitting motions and hearings to determine proportionality of forfeiture; setting forth requirements for disposition of seized property that is encumbered by a security interest; prohibiting forfeiture of property owned by an innocent owner; providing for disposition of seized property upon failure to convict; permitting substitution of assets in certain cases; providing that enumerated remedies are the sole remedies; prohibiting joint and several liability for forfeiture awards owed by other defendants; providing for appeals of seizure and forfeiture orders; permitting recovery of attorney fees under enumerated circumstances; providing process and requirements for return of seized property; providing procedure for disposition of forfeited property and proceeds; limiting sales of forfeited property; preempting local laws regarding asset forfeiture; limiting cooperation with federal agencies; requiring prosecuting authorities to consult with U.S. Attorneys to establish guidelines; and permitting the Department of Homeland Security to develop and offer training on seizure and forfeiture"; to the Committee on the Judiciary.

By Delegates Statler and Ellington:

H. B. 2674 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-2-3a, relating to allowing licensed substitute and full-time teachers to serve as parent volunteers without an additional background check"; to the Committee on Education.

By Delegates Gearheart, D. Smith, Brooks, Butler and Ridenour:

H. B. 2675 - "A Bill to amend and reenact §17-16A-10, §17-16A-21, and §17-16A-25 of the Code of West Virginia, 1931, as amended, relating to eliminating the authority of the West Virginia Parkways Authority to issue further parkway revenue, parkway revenue refunding, or special obligation bonds after July 1, 2025; and providing that subsequent to that date, no new bonds may be issued"; to the Committee on Energy and Public Works then Finance.

By Delegates Gearheart, Hornby, Butler and Drennan:

H. B. 2676 - "A Bill to amend and reenact §17-22-4 of the Code of West Virginia, 1931, as amended, relating to the removal of specific statutory restrictions on outdoor advertisement"; to the Committee on the Judiciary.

By Delegates Gearheart, D. Smith, Hornby, Ellington, Brooks, Funkhouser, Drennan and Ridenour:

H. B. 2677 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-46, relating to providing for state board and county board policies to prohibit the use of cell phones during instructional times with provisions of exception and enforcement"; to the Committee on Education.

By Delegates Gearheart, Canterbury, Hornby, Ellington, Brooks, Funkhouser, Drennan, Butler and Ridenour:

H. B. 2678 - "A Bill to amend and reenact §17C-6-1 of the Code of West Virginia, 1931, as amended, relating to clarifying that school zones include private schools that have requested the Division of Highways to designate a school zone"; to the Committee on Energy and Public Works.

By Delegate Pritt:

H. B. 2679 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-29-15, relating to providing guidelines for reinstating sheriff's deputies to their former departments after retirement and defining applicability, eligibility, and rules for the process"; to the Committee on the Judiciary.

By Delegates Gearheart, Funkhouser and Butler:

H. B. 2680 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §62-11G-1, §62-11G-2, §62-11G-3, §62-11G-4, §62-11G-5, §62-11G-6, and §62-11G-7, relating to creating a pilot work/incarceration prison; providing a short title; specifying offenders who are eligible to participate; establishing one work/incarceration prison; authorizing the Division of Corrections to propose rules for the operation and reporting of the work/incarceration prison; allowing a reduction in the sentence of an offender sentenced to the work/incarceration prison; providing that a serious violation of the rules result in an additional sentence; specifying a suggested appropriation; allowing the admittance of offenders from other counties; and requiring the evaluation of the work/incarceration prison"; to the Committee on the Judiciary then Finance.

By Delegates Pritt, Brooks, Hillenbrand, Barnhart, Willis, Crouse, Canterbury, Eldridge, Hornby, Shamblin and Clay:

H. B. 2681 - "A Bill to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating to requiring all West Virginia high school students to be taught how to properly handle, fold, treat, honor, display, and retire the American flag and pass an examination on this subject as a prerequisite for graduation"; to the Committee on Education.

By Delegates Pritt, Hornbuckle, Vance, Bridges, Holstein, Mazzocchi, Adkins, Hansen, Young, Eldridge and Canterbury:

H. B. 2682 - "A Bill to amend and reenact §23-4-2 of the Code of West Virginia, 1931, as amended, relating to establishing payment guidelines for pulmonary massive fibroids without current pulmonary impairment in order to care for those who face future impairment that would otherwise fall outside of the timeframe for filing a complaint"; to the Committee on the Judiciary.

By Delegates Hillenbrand, Akers, Funkhouser, Horst, Ridenour, White, Brooks, Moore, Holstein, Kimble and Maynor:

H. B. 2683 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §3-1-52, relating to prohibiting ranked choice voting in West Virginia"; to the Committee on the Judiciary.

By Delegate Pritt:

H. B. 2684 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §14A-1-1, §14A-1-2, and §14A-1-3, relating to providing compensation to those who have been adversely impacted by the actions of the West Virginia Supreme Court of Appeals's Judicial Investigative Committee or any other division operating under the umbrella of the West Virginia Supreme Court of Appeals"; to the Committee on the Judiciary then Finance.

By Delegate Pritt:

H. B. 2685 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §7-14-13a, relating to providing county sheriffs the authority to appoint a deputy chief; creating requirements for the establishment of the position; establishing duties; making the appointment of the position discretionary; and requiring a department to have at least 25 deputy sheriffs to be eligible to utilize position"; to the Committee on the Judiciary.

By Delegate Pritt:

H. B. 2686 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8-12-28, relating to authorizing municipalities to place signage on state roads within their municipal jurisdiction and boundaries"; to the Committee on Energy and Public Works.

By Delegate Pritt:

H. B. 2687 - "A Bill to amend and reenact §17A-3-14, §17A-10-8, §17B-2-1, and §17C-16-6 of the Code of West Virginia, 1931, as amended, relating to removing the fees for license plates; vehicle registration; operator's licenses; and inspection fees for volunteer fire fighters; and providing for the issuance of a special license plate for elected officials, military members; organizations; youth organizations; and others"; to the Committee on Energy and Public Works then Finance.

By Delegates Bridges, Dean, Vance, Pritt, Ward, Sheedy, Horst, Stephens, Foggin, Barnhart and Hornby:

H. B. 2688 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section designated §11-21-12o, relating to exempting personal income tax on overtime"; to the Committee on Finance.

By Delegates Chiarelli, Pritt, Jeffries, Mazzocchi, Akers, Kimble, Phillips, Mallow, Street, Maynor and Funkhouser:

H. B. 2689 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new chapter, designated §49A-1-101, §49A-1-102, §49A-1-103, §49A-1-104, §49A-1-105, §49A-1-106, and §49A-1-107 all relating to creating liability for publishers and distributors of sexual material harmful to minors; providing definitions; relating to what constitutes reasonable age verification; providing exceptions to applicability of this article; requiring a commercial entity that provides pornography and other materials defined as being harmful to minors as a substantial portion of the entity's content to verify the age of individuals accessing the material and establishing liability and a cause of action; for the retention of data; imposing liability for publishers and distributors of material harmful to minors who fail to comply with verification requirements;

imposing liability for publishers and distributors of material that is obscene or child pornography; and providing that an internet service provider or hosting entity is not liable for hosting or transmitting material harmful to minors to the extent that it is not the creator of the material; providing a five year statute of limitations to these civil actions; relating to certain civil actions allowable by the Attorney General, relating to remedy of civil penalties, relating to how amount of civil penalties are to be based; relating to a five year statute of limitations for civil actions relating for Attorney General civil actions; relating to rule-making authority of the Office of Technology; relating to enforcement of the provisions of this article; and relating to a severability section"; to the Committee on the Judiciary.

By Delegates W. Clark, Fehrenbacher, Jeffries, Burkhammer, Hite, Ellington, Rohrbach and J. Cannon:

H. B. 2690 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §33-64-1, §33-64-2, §33-64-3, §33-64-4, §33-64-5, §33-64-6, and §33-64-7, relating to dental health care service plans; providing for transparency of expenditures of patient premiums; requiring carriers to file annual reports; authorizing methods of payment; authorizing third party network contracts; requiring annual rebates in the form of premium reductions if funds spent for patient care is less than a certain percentage of premium funds; and providing for legislative and emergency rulemaking"; to the Committee on Finance.

By Delegates White, Anders, Ridenour, Coop-Gonzalez, McGeehan, Kimble, Crouse, Kump, Mazzocchi, Dittman and Masters:

H. B. 2691 - "A Bill to amend and reenact §61-7-11a of the Code of West Virginia, 1931, as amended, relating to allowing public school teachers and public school employees to carry a firearm with a concealed carry permit"; to the Committee on Education then the Judiciary.

By Delegate Young:

H. B. 2692 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-7-18, related to requiring the safe storage of firearms"; to the Committee on the Judiciary.

By Delegate McGeehan:

H. B. 2693 - "A Bill to amend and reenact §29-6-7 of said code the Code of West Virginia, 1931, as amended, to amend said code by adding thereto a new article, designated §5-1F-1, §5-1F-2, and §5-1F-3; and to amend said code by adding thereto a new section, designated §29-6-23a, all relating to the management of personal service appropriations for vacant positions; providing for findings; providing for the transfer of appropriations for vacant positions; providing for a transfer of appropriations in a state of emergency; and providing for an annual report"; to the Committee on Government Organization then Finance.

By Delegate Criss:

H. B. 2694 - "A Bill to amend and reenact §29-22B-1408 the Code of West Virginia, 1931, as amended, relating to the amount deposited into the State Lottery Fund for costs and expenses of administering the article"; to the Committee on Finance.

By Delegates Maynor, Roop, Brooks, Toney, Willis and Hornby:

H. B. 2695 - "A Bill to amend and reenact §7-22-9 of the code of West Virginia, 1931, as amended, relating to allowing Raleigh County to levy a special district excise tax for the benefit the Raleigh County Economic Opportunity Development District"; to the Committee on Finance.

By Delegates Statler, Ellington and Toney:

H. B. 2696 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §51-1-14, relating to the West Virginia Supreme Court of Appeal's power to promulgate rules allowing for the limited practice of law by nonlawyers and the creation of a task force to encourage the Supreme Court's use of such power"; to the Committee on the Judiciary.

By Delegates Dittman, Moore, Drennan, Pritt, Crouse, Mazzocchi, Petitto, Willis, Chiarelli, Stephens and Miller:

H. B. 2697 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18B-22-1, relating to forbidding all state-funded colleges, universities, and community colleges from charging students for transcripts"; to the Committee on Education then Finance.

By Delegates Horst, Crouse, Ridenour, Bridges, Masters, Worrell, Jeffries, White, Leavitt, Petitto and Miller:

H. B. 2698 - "A Bill to repeal §17C-16-1, §17C-16-2, §17C-16-3, §17C-16-4, §17C-16-5, §17C-16-6, §17C-16-7, §17C-16-8, and §17C-16-9 of the Code of West Virginia, 1931, as amended, relating to removing the requirement that automobiles be inspected"; to the Committee on Government Organization then Finance.

By Delegates Horst, Ridenour, Hornby, Masters, Crouse, White, Petitto, Bridges and Miller:

H. B. 2699 - "A Bill to repeal §19-20-1, §19-20-2, and §19-20-11 of the Code of West Virginia, 1931, as amended, relating to repealing the sections of code relating to dogs being subject to taxation"; to the Committee on Finance.

By Delegates Horst, Ridenour, Masters, Crouse, White, Petitto, Miller and Bridges:

H. B. 2700 - "A Bill to amend and reenact §30-6-8 and §30-6-9 of the Code of West Virginia, 1931, as amended, relating to modifying the education and apprenticeship requirements to obtain a license for funeral directors and embalmers"; to the Committee on Government Organization.

By Delegate Horst:

H. B. 2701 - "A Bill to amend and reenact §16-2D-2 and §16-2D-10 of the Code of West Virginia, 1931, as amended, relating to the certificate of need process; defining neighborhood hospital; and exempting activities related to neighborhood hospitals, ambulatory health care facilities, and ambulatory surgical facility from the certificate of need process"; to the Committee on Health and Human Resources.

By Delegates Akers and Maynor:

H. B. 2702 - "A Bill to amend and reenact §3-10-3 of the Code of West Virginia, 1931, as amended, relating to vacancies in offices of state officials; and authorizing the Governor to appoint an acting official to perform the duties of the constitutional officer until the office is filled by appointment by the Governor"; to the Committee on the Judiciary.

By Delegates Funkhouser, Ridenour and Hornby:

H. B. 2703 - "A Bill to amend and reenact §17-3-6a of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article designated §17-31-1, §17-31-2, §17-31-3, §17-31-4, and §17-31-5; relating to the Division of Highways; requiring the state road commissioner to set aside 20 percent of the state road fund to be used to reimburse counties for funds they have expended by way of local revenue sources assessed for the construction, reconstruction, and maintenance of feeder and state local roads; prescribing the manner in which

said funds are to be distributed; providing annual meetings open to the public; requiring the Commissioner of Highways to develop a formula for allocating road funds among districts for the benefit of the counties; making legislative findings; requiring the commissioner to solicit and consider public comments; requiring the commissioner to include certain factors in the formula; and requiring the commissioner to submit the formula to the Legislature for approval as a legislative rule"; to the Committee on Energy and Public Works then Finance.

By Delegates Funkhouser, Horst, Ridenour, Hornby, W. Clark, White, Hillenbrand, D. Cannon and Kyle:

H. B. 2704 - "A Bill to amend and reenact §27-5-4 of the Code of West Virginia, 1931, as amended, relating to allowing for multiple deputies in the transportation of those involuntarily hospitalized and to allowing counties the discretion to contract with another, closer jurisdiction out of state that may be closer to them"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Barnhart, Stephens, Shamblin, Foggin, Ferrell and Lucas:

H. B. 2705 - "A Bill to amend and reenact §5-16-13 of the Code of West Virginia, 1931, as amended, relating to allowing a person who first becomes a member of the Teachers Retirement System on or after July 1, 2015, to apply his or her accrued annual and sick leave, on the basis of one day's retirement service credit for each two days of accrued annual and sick leave, toward an increase in his or her retirement benefits with those days constituting additional credited service in computation of the benefits under the Teachers Retirement System"; to the Committee on Finance.

By Delegates Barnhart and Stephens:

H. B. 2706 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-13MM-8A, relating to clarifying the county to which ad valorem taxes should be paid when the seat of a well is in a different county than the location of the property from which the well draws"; to the Committee on Finance.

By Delegate W. Clark:

H. B. 2707 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §20-20-1, §20-20-2, §20-20-3, §20-20-4, §20-20-5, §20-20-6, §20-20-7, §20-20-8, and §20-20-9, all relating to creating the Mountain Bike Responsibility Act; stating a legislative purpose; defining terms; and providing for duties of trail system operators, mountain bicyclists, and passengers on aerial passenger tramways"; to the Committee on the Judiciary.

By Delegates Vance and Ferrell:

H. B. 2708 - "A Bill to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended, relating to allowing the WVSSAC to pull the coaching credentials of any coach found guilty of illegally recruiting student athletes"; to the Committee on Education then the Judiciary.

By Delegates Akers, Crouse, Leavitt, Petitto, Shamblin, Hall, Drennan, Jeffries and J. Cannon:

H. B. 2709 - "A Bill to amend and reenact §3-1-41 of the Code of West Virginia, 1931, as amended, relating to permitting a voter with a change of address to vote in his or her current precinct without having to cast a provisional ballot"; to the Committee on the Judiciary.

By Delegates Akers and Fehrenbacher:

H. B. 2710 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §29-19A-1, §29-19A-2, §29-19A-3, §29-19A-4, and §29-19A-5, relating to the

Truth in Giving Act; providing a short title and purpose; defining terms; requiring certain information to be disclosed by thrift operators to donors and customers; specifying manner of disclosure; authorizing the Secretary of State to investigate violations; establishing criminal and civil penalties; providing for deposit of recovered funds; and authorizing Secretary of State to promulgate legislative rules"; to the Committee on the Judiciary.

By Delegates Akers, Criss, Hott and Barnhart:

H. B. 2711 - "A Bill to amend and reenact §36-1A-1, §36-1A-2, §36-1A-5, §36-1A-6, and §36-1A-7, of the Code of West Virginia, 1931, as amended, all relating to the repeal of the common law rule against perpetuities by extending it to 1,000 years for all trusts"; to the Committee on the Judiciary.

By Delegates White, Anders, Kump, Coop-Gonzalez, Burkhammer, McGeehan, Ridenour, Pinson, Ward and Dillon:

H. B. 2712 - "A Bill to amend and reenact §16-2O-1 and §16-2R-3 of the Code of West Virginia, 1931, as amended; relating to removing abortion exceptions for rape and incest"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Ward, Anders, Stephens, Bridges, T. Clark and Jennings:

H. B. 2713 - "A Bill to amend and reenact §11-6A-5a of the Code of West Virginia, 1931, as amended, relating to pollution control facilities tax treatment; clarifying that wind power projects are not pollution control facilities for purposes of this article; and providing that wind power projects be taxed at the real property rate"; to the Committee on Energy and Public Works then Finance.

By Delegates Ward, Anders, Stephens, Bridges, T. Clark and Jennings:

H. B. 2714 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-2-11e, relating to establishing requirements for the commission to approve a siting certificate; defining terms; mandating a minimum setback for the siting of a wind turbine from a property line, residence, paved public road or overhead transmission line of 115kV capacity or greater; and providing methodology for calculation"; to the Committee on Energy and Public Works then the Judiciary.

By Delegates Ward, Stephens and Sheedy:

H. B. 2715 - "A Bill to amend and reenact §19-20-6 of the Code of West Virginia, 1931, as amended, relating to increasing the impoundment period for dogs and modifying notice requirements"; to the Committee on Government Organization.

By Delegates Barnhart, Bridges and Foggin:

H. B. 2716 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, §11-13NN-6, §11-13NN-7, §11-13NN-8, §11-13NN-9, §11-13NN-10, and §11-13NN-11, relating to establishing a road or highway infrastructure improvement projects or coal production and processing facilities tax credit for taxpayers subject to the tax imposed by West Virginia Code; specifying a short title; specifying legislative findings and purpose for new credit; defining terms; specifying the amount of the credit, application of credit, and carry forward of unused credit; requiring filing of application for road or highway infrastructure improvement project credit as condition precedent to claiming credit, specifying procedure for application for certification, contents of application and limitation on maximum amount of credits which can be approved; specifying computation of qualified investment in coal production and processing facilities; allowing transfer of credits to successors; providing for forfeiture of unused tax credits and redetermination of credit allowed; providing penalties for failure to maintain records of qualified

property; and establishing an effective date"; to the Committee on Energy and Public Works then Finance.

By Delegates Crouse, Dean, Horst, White, Brooks, Hornby, Masters, Amos, Petitto, Clay and T. Howell:

H. B. 2717 - "A Bill to repeal §17C-16-1, §17C-16-2, §17C-16-3, §17C-16-4, §17C-16-5, §17C-16-6, §17C-16-7, §17C-16-8, and §17C-16-9 of the Code of West Virginia, 1931, as amended, relating to the elimination of mandatory state inspections of motor vehicles"; to the Committee on Energy and Public Works then Finance.

By Delegates McGeehan, Hanshaw (Mr. Speaker), Masters, Worrell, Horst, Funkhouser, J. Cannon and Hornby:

H. B. 2718 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18B-1D-12, relating to creating a State Advisory Council on Establishing a Military College; creating a state advisory council; providing the council's purpose; providing for the council's membership; providing for the council's meetings and business; creating a special fund; requiring the council to designate an executive director; providing for reimbursement of expenses; requiring biannual reports; providing a termination date for the council"; to the Committee on Government Organization.

By Delegates Hornby, Criss, Riley, J. Cannon, McCormick, Hillenbrand, Horst, Hite, Worrell, Crouse and Maynor:

H. B. 2719 - "A Bill to amend and reenact §3-8-1a, §3-8-5a, §3-8-5c, and §3-8-8 of the Code of West Virginia, 1931, as amended, all relating to the regulation and control of elections; updating definitions and terms; clarifying reporting requirements in a candidate or candidate's committee financial statements; providing that corporations and membership organizations may contribute to a candidate, candidate's committee or political action committee; and clarifying limitations on corporate contributions"; to the Committee on the Judiciary.

Special Calendar

First Reading

The following bill on first reading, coming up in regular order, was read a first time and ordered to second reading:

Com. Sub. for H. B. 2053, Relating to including the United States Space Force in the definition armed forces.

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. 2004: Delegate Crouse;

H. B. 2006: Delegate Crouse;

H. B. 2079: Delegate Horst;

H. B. 2152: Delegate Leavitt;

H. B. 2158: Delegate T. Howell;

H. B. 2166: Delegate Pritt;

H. B. 2184: Delegate T. Howell;

H. B. 2376: Delegate Pinson;

H. B. 2381: Delegate Browning;

H. B. 2434: Delegate Funkhouser;

H. B. 2540: Delegate Eldridge;

H. B. 2564: Delegate Horst;

H. B. 2705: Delegate Lucas;

H. C. R. 51: Delegate T. Howell;

And,

H. J. R. 10: Delegate Howell.

At 11:21 a.m., the House of Delegates adjourned until 11:00 a.m., Friday, February 21, 2025.

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

SPECIAL CALENDAR

Friday, February 21, 2025

10th Day

11:00 A.M.

SECOND READING

Com. Sub. for H. B. 2053 - Relating to including the United States Space Force in the definition armed forces

FIRST READING

Com. Sub. for H. B. 2042 - Relating to allowing a guardian ad litem to request the appointment of a court appointed special advocate

Com. Sub. for H. B. 2066 - Creating a crime for the destruction of first responder equipment.

Com. Sub. for H. B. 2363 - 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

HOUSE CALENDAR

Friday, February 21, 2025

10th Day

11:00 A.M.

NO BILLS

WEST VIRGINIA HOUSE OF DELEGATES

FRIDAY, FEBRUARY 21, 2024

HOUSE CONVENES AT 11:00 A.M.

COMMITTEE ON JUDICIARY

9:00 A.M. – FINANCE COMMITTEE ROOM - 410M

SUBCOMMITTEE ON COURTS

9:30 A.M. – JUDICIARY COMMITTEE ROOM - 410M

SUBCOMMITTEE ON LEGAL SERVICES

10:00 A.M. – JUDICIARY COMMITTEE ROOM - 410M

SUBCOMMITTEE ON HOMELAND SECURITY

10:30 A.M. – JUDICIARY COMMITTEE ROOM - 410M

SUBCOMMITTEE ON EDUCATIONAL CHOICE

1:00 P.M. – EDUCATION COMMITTEE ROOM - 432M

SUBCOMMITTEE ON HIGHER EDUCATION

2:00 P.M. – EDUCATION COMMITTEE ROOM - 432M

SUBCOMMITTEE ON APPROPRIATION

9:00 A.M. – FINANCE COMMITTEE ROOM – 460M

COMMITTEE ON GOVERNMENT ORGANIZATION

1:00 P.M. – GOVERNMENT ORGANIZATION COMMITTEE - ROOM 215E

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