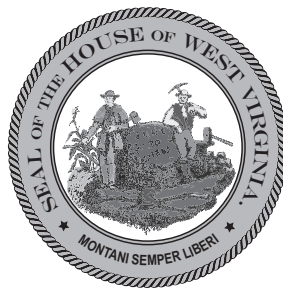


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February 28, 2025  
SEVENTEENTH DAY



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Friday, February 28, 2025

**SEVENTEENTH 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 Thursday, February 27, 2025, being the first order of business, when the further reading thereof was dispensed with and the same approved.

**Reordering the Calendar**

Pursuant to the action of the Committee on Rules, Delegate McGeehan announced that Committee Substitute for H. B. 2006 and H. B. 2400, on Second Reading, Special Calendar, had been transferred to the House Calendar.

**Committee Reports**

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. 2008**, Executive Branch Reorganization,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 2008** - "A Bill to amend and reenact §5B-1-1, §5B-1-2, §5B-2-1, §5B-2-2, §5B-2-3, §5B-2-3b, §5B-2-4, §5B-2-4a, §5B-2-5, §5B-2-6, §5B-2-6a, §5B-2-9a, §5B-2-10, §5B-2-14, §5B-2-16, §5B-2-17, §5B-2-18, §5B-2-19, §5B-2-20, §5F-1-2, §5F-2-1, §29-1-8d, §31G-1A-1, §31G-1A-5, §31G-1A-6, and §31G-1A-7 of the Code of West Virginia, 1931, as amended; and to repeal §5F-1-3a and §5F-1-6, relating to the merging and reorganizing of the executive branch; reconstituting the Department of Economic Development as the Division of Economic Development and placing it within the Department of Commerce; specifying that starting on July 1, 2025, new hires and anyone who moves positions within the Department of Commerce shall be in the classified exempt service system and shall be exempt from the state grievance procedures; redesignating the Department of Economic Development as the Division of Economic Development under the Department of Commerce; correcting titles of the Division of Economic Development and Department of Commerce in several sections of code; specifying that starting on July 1, 2025, new hires and anyone who moves positions within the Division of Economic Development shall be in the classified exempt service system and shall be exempt from the state grievance procedures; correcting titles of affected departments, divisions, and positions based on the redesignations; and technical cleanup of amended and reenacted sections,"

And,

**H. B. 2158**, Relating to removal of a sunset clause for the West Virginia spay and neuter program,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 2158** - "A Bill to amend and reenact §19-14-5 of the Code of West Virginia, 1931, as amended, all relating to removal of the sunset clauses for registration fees on bulk and non-bulk pet food payable to the West Virginia spay and neuter program,"

With the recommendation that the committee substitutes each do pass.

Delegate Akers, 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. 2434**, Relating to establishing the Stop Squatters Act,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 2434** - "A Bill to amend and reenact §55-3C-1 of the Code of West Virginia, 1931, as amended, and adding thereto a new article, designated §55-3D-1, §55-3D-2, §55-3D-3, and §55-3D-4, all relating to squatting; amending the definition of squatting; establishing the Stop Squatters Act; providing a limited alternative remedy to remove unauthorized persons from residential and commercial real properties; providing for the immediate removal by a law-enforcement agency upon request of the property owner of any person unlawfully occupying a residential dwelling or commercial building if certain conditions are met; providing a civil cause of action for wrongful removal; establishing misdemeanor and felony offenses for unlawfully occupying and intentionally damaging a residential dwelling or commercial building and providing penalties upon conviction thereof; establishing a misdemeanor offense for knowingly presenting a false document purporting to convey real property and providing penalties upon conviction thereof; and establishing a felony offense for any person who knowingly lists or advertises residential real property or a commercial building for sale or renting without legal title or authority and providing penalties upon conviction thereof,"

With the recommendation that the committee substitute do pass.

On motion for leave, a bill was introduced (Originating in the Committee on Government Organization and reported with the recommendation that it do pass), which was read by its title, as follows:

**By Delegate Phillips:**

**H. B. 2009** - "A Bill to amend and reenact §5B-2I-2, §5B-2I-4, §5F-2-1, §10-5-2, §29-1-1, §29-1-1a, §29-1-2, §29-1-3, §29-1-4, §29-1-6, §29-1-7, §29-1-8, §29-1-8c, §29-1-8d, §29-1-9, §29-1-11, §29-1-12, §29-1-13, §29-1-14, and §29-1-15 of the Code of West Virginia, 1931, as amended; and to repeal §5F-1-3a, §5F-1-6, and §29-1-10, relating to the merging and reorganizing of the executive branch; abolishing the Department of Arts, Culture, and History and reorganizing its sections and commissions under the Department of Tourism; specifying the authority of the Secretary of the Department of Tourism over these sections and commissions; correcting titles of affected departments, divisions, and positions based on the redesignations; specifying that starting on July 1, 2025, new hires and anyone who moves positions within the Department of

Tourism shall be in the classified exempt service system and shall be exempt from the state grievance procedures; governing and providing for the Secretary of the Department of Tourism authority to appoint the directors of the sections listed in §29-1-1(b) of this code; substituting the title of Secretary of the Department of Tourism for the Secretary of the Department of Arts, Culture, and History in several sections of code; granting Secretary of Tourism authority to approve or repeal rules promulgated by sections and commissions listed in §29-1-1(b) of this code; specifying that starting on July 1, 2025, new hires and employee that moves positions within the sections and commissions shall be in the classified exempt service system and shall be exempt from the state grievance procedures; granting the Secretary of the Department of Tourism discretion to allow a person to serving in multiple positions or professions within the sections listed in §29-1-1(b) of this code; removing certain specific qualifications for persons appointed as directors of the various sections listed in §29-1-1(b) of this code; and technical cleanup of amended and reenacted sections."

Delegate Akers, 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. 2360**, Clarifying the victims of crimes against law-enforcement officers,

**H. B. 2437**, Clarification of penalties for offenses involving Fentanyl,

And,

**H. B. 2511**, Relating to charitable bingo and alcohol sales and consumption while such bingo is taking places,

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

### **Messages from the Senate**

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. 103** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15-1B-28, relating to exempting certain records from public release"; which was referred to the Committee on the Judiciary.

### **Resolutions Introduced**

Resolutions were introduced and severally referred as follows:

**By Delegate Dillon:**

**H. C. R. 68** —"Requesting the Division of Highways name Bridge Number: 30-003/05-016.21 () (30A288), (37.90962, -82.24858) locally known as Breeden Bridge, carrying CR 03/05 over West FK of Twelvepole CK in Mingo County the "Jim Marcum and Airlie Shai Wallace Memorial Bridge""; to the Committee on Energy and Public Works then Rules

And,

**By Delegates Dillon and Coop-Gonzalez:**

**H. C. R. 69** —"Requesting the Division of Highways to rename bridge number 30-3/5-13.59 (30A016) on County Route 3/5 in Mingo County, West Virginia, currently named the "Baisden Family Memorial Bridge," to be renamed "The Landen, Fannie, Katherine, Ab, and Laura Baisden Family Memorial Bridge."; 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 Mallow, Heckert, Marple, Miller and DeVault:**

**H. J. R. 28** - "Proposing an amendment to the Constitution of the State of West Virginia, amending section §1b, article X thereof; relating to permitting increase in homestead exemption for persons with yearly income that does not exceed \$20,000; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of the proposed amendment"; to the Committee on Finance then the Judiciary.

**By Delegates Mallow, Heckert, DeVault, Miller and Marple:**

**H. J. R. 29** - " Proposing an amendment to the Constitution of the State of West Virginia amending section one, article X thereof, relating to authorizing the Legislature to exempt tangible machinery and equipment personal property directly used in business activity and personal property tax on motor vehicles and 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 2026; 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 Delegates Pinson, Riley, McGeehan, Kelly, Rohrbach, Amos, Jeffries, Moore, B. Smith and Holstein:**

**H. J. R. 30** - " Proposing an amendment to the Constitution of the State of West Virginia, amending section four, article VII thereof, relating to preventing any individual from serving in the office of Secretary of State, Auditor, State Treasurer, Commissioner of Agriculture, or Attorney General for more than three consecutive terms; 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 Dillon, Coop-Gonzalez, White, Anders, Butler, Mazzocchi, T. Howell, T. Clark and Moore:**

**H. J. R. 31** - " Proposing an amendment to the Constitution of the state of West Virginia amending article II thereof by adding thereto a new section, designated section nine, relating to the State of West Virginia recognizing the Holy Bible, complete with the sixty-six books of the Old and New Testaments, as the divinely inspired, inerrant foundational document for our society and government, an accurate historical record of human and natural history, and the utmost authority for human moral behavior. As such, the Holy Bible and its precepts shall be given a place of prominence and reverence in the public buildings, laws, policies, and schools of the state of West Virginia; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on the Judiciary.

**By Delegates Mallow, Heckert, Marple, DeVault, Miller and T. Clark:**

**H. J. R. 32** - " 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 Young, Hornbuckle, Fluharty, Hamilton, Garcia, Williams, Pushkin, Hansen and Lewis:**

**H. J. R. 33** - " Proposing an amendment to the Constitution of the State of West Virginia by amending section one, of article XII thereof, relating to proving for free early childhood education for all West Virginia children; 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.

### **Bills Introduced**

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

**By Delegates Mallow, Heckert, Marple, DeVault and Miller:**

**H. B. 3027** - "A Bill to amend and reenact §3-1-34 of the Code of West Virginia, 1931, as amended, relating to requiring that in elections for candidates for public office, all registered voters shall produce a valid identifying document containing a photograph in order to vote"; to the Committee on the Judiciary.

**By Delegates Mallow, Heckert, Marple and Miller:**

**H. B. 3028** - "A Bill to amend and reenact §17D-2A-6a and §33-6-31g of the Code of West Virginia, 1931, as amended, relating to requiring the commissioner of Motor Vehicles to develop and implement an electronic insurance verification program; and requiring the Insurance Commissioner to propose rules necessary to implement requirements of the electronic insurance verification program"; to the Committee on Government Organization then Finance.

**By Delegates Hillenbrand, Crouse and Horst:**

**H. B. 3029** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-36-1; relating to requiring the Board of Education to design, test, and deploy an internet-based reporting system to be known as the Home School Portal"; to the Committee on Education then Finance.

**By Delegates Fehrenbacher, Anderson and Zatezalo:**

**H. B. 3030** - "A Bill to amend and reenact §22-11-10 of the Code of West Virginia, 1931, as amended, relating to the administration of the West Virginia Water Pollution Control Act; and eliminating fee caps on permits"; to the Committee on Energy and Public Works.

**By Delegates Jennings, DeVault, Ridenour, Phillips, McGeehan, Butler, Mallow and Ward:**

**H. B. 3031** - "A Bill to amend and reenact §15A-12-3 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Fusion Center Joint Oversight Committee; terminating the Joint Oversight Committee as of June 30, 2025; establishing the Fusion Center Joint Oversight Committee to be effective July 1, 2025; directing the Inspector General to conduct an annual audit of the Fusion Center; establishing audit requirements; requiring Inspector General or Director of Fusion Center to respond to questions from committee; providing that the President and Speaker may call Fusion Center employees to testify in committee meetings; establishing that violations

of law or policy identified by audit may form basis for disciplinary action regarding Fusion Center employee"; to the Committee on the Judiciary.

**By Delegates Fehrenbacher and Hott:**

**H. B. 3032** - "A Bill to amend and reenact §11-24-13 of the Code of West Virginia, 1931, as amended, relating to providing an automatic extension for taxpayers filing a state corporation net income tax return who are granted a federal extension"; to the Committee on Finance.

**By Delegates Fehrenbacher, Kump, Dittman, Mallow and Hott:**

**H. B. 3033** - "A Bill to amend and reenact §55-2-6 of the Code of West Virginia, 1931, as amended, to shorten the statute of limitations for actions upon written and oral contracts"; to the Committee on the Judiciary.

**By Delegates Fehrenbacher, Crouse, Dittman, Hott and Young:**

**H. B. 3034** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18C-10-1, §18C-10-2, §18C-10-3, §18C-10-4, §18C-10-5, and §18C-10-6 relating generally to establishing the West Virginia TEACH Scholarship Program; defining terms; authorizing the West Virginia Higher Education Policy Commission to award West Virginia TEACH Scholarship Program scholarships under certain terms and conditions; requiring the West Virginia Higher Education Policy Commission to report certain information on the West Virginia TEACH Scholarship Program; requiring the West Virginia Higher Education Policy Commission to propose legislative rules; providing eligibility and renewal requirements for a West Virginia TEACH Scholarship Program scholarship; requiring applicants enter into certain agreements; and establishing the West Virginia TEACH Scholarship Program Fund"; to the Committee on Education then Finance.

**By Delegates Mallow, Heckert, Marple and Miller:**

**H. B. 3035** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-22-5, relating to requiring a public entity accepting a bid on a public construction contract or any other type of contract to notify every municipality and county in which the contractor or any of its subcontractors will be performing services under the contract of the existence of the contract; publishing terms of contract; and providing time for public comment"; to the Committee on Government Organization.

**By Delegates Mallow, Heckert, Marple, DeVault and Miller:**

**H. B. 3036** - "A Bill to amend and reenact §22-6-2 the Code of West Virginia, 1931, as amended, relating to requiring the secretary of the Department of Environmental Protection to adopt rules relating to the standardization of leases, deeds or contracts relating to oil and gas, consistent in format with the purpose of making the terms of these documents less confusing to the landowners"; to the Committee on the Judiciary.

**By Delegates Mallow, Marple, DeVault and Miller:**

**H. B. 3037** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-1C-9a, relating to fair and equitable assessment of real property; providing Legislative findings; providing that it is unlawful to increase the assessed value of real property for no apparent reason than to establish a new or additional source of revenue; and providing that increased assessments may be made only upon the periodic evaluation of the property"; to the Committee on Finance.



**By Delegates Mallow, Heckert, Miller and Marple:**

**H. B. 3038** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-5T-8, relating to establishing quick response teams under the Office of Drug Control Policy to act as first responders in narcotic related medical emergencies"; to the Committee on Health and Human Resources.

**By Delegates Mallow, Heckert, Marple, DeVault, Miller and T. Clark:**

**H. B. 3039** - "A Bill to amend and reenact §16-13A-3 of the Code of West Virginia, 1931, as amended, relating to providing that if a public service board represents more than one community, there shall be one member from each such community on the service district board"; to the Committee on Government Organization.

**By Delegates Mallow, Heckert, Brooks, Marple, Miller, DeVault and T. Clark:**

**H. B. 3040** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13-2s, relating to providing a credit against the business and occupation tax imposed on coal-fired electric generating units to help off-set environmental compliance costs"; to the Committee on Energy and Public Works then Finance.

**By Delegates Mallow, Heckert, Jennings, Marple and Miller:**

**H. B. 3041** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-33-9, relating to requiring public elementary schools and secondary schools to display in a conspicuous place in each classroom of the school a durable poster or framed copy of the Ten Commandments that meets certain requirements, listing requirements for the posters or framed and uses for surplus posters"; to the Committee on Education then the Judiciary.

**By Delegates Mallow, Brooks, Marple, DeVault, Miller, T. Clark and Heckert:**

**H. B. 3042** - "A Bill to amend and reenact §17A-3-14b of the Code of West Virginia, 1931, as amended, relating to exempting honorably discharged veteran of any branch of the armed services of the United States from the payment of registration fees under the provisions of this chapter, except for a special initial application fee of \$10"; to the Committee on Government Organization then Finance.

**By Delegates Mallow, Heckert, Brooks, Marple, DeVault, Miller and T. Clark:**

**H. B. 3043** - "A Bill to amend and reenact §17C-13-6 of the Code of West Virginia, 1931, as amended, relating to designated accessible parking for persons with a mobility impairment; increasing certain penalties for illegally parking, stopping, standing or blocking access to a designated accessible parking space, or illegally creating, obtaining and use of special plates or windshield cards issued to mobility impaired persons; establishing a program to increase public awareness of the applicable law, criminal penalties and the consequences of illegally parking, stopping or standing in designated accessible parking spaces and illegally creating, obtaining and using of special plates or windshield cards issued to mobility impaired persons"; to the Committee on the Judiciary.

**By Delegates Mallow, Heckert, Brooks, Marple, DeVault, Miller and T. Clark:**

**H. B. 3044** - "A Bill to amend and reenact §7-10-2, §7-10-4, §19-20-22, §19-20-26 and §61-8-19 of the Code of West Virginia, 1931, as amended, and to amend said code by adding five new sections designated §7-10-1a, §19-20-12a, §19-20-27, §61-8-19d and §61-8-19e, relating generally to providing increased protections for the welfare of domestic animals; requiring facilities for the care of stray, abandoned, and surrendered animals and providing for access by the public; defining terms; updating the duties of humane officers; defining an owner's duty of care for

companion animals; requiring an owner to confine unspayed female dogs in estrus; requiring dog breeders to provide written disclosures to purchasers; specifying minimum levels of care to be provided by dog breeders; defining when a dog is unfit for sale by a dog breeder and providing remedies therefor; increasing the penalty for a second offense of cruelty to animals; defining the criminal offenses of unlawful confinement of domestic animals and hoarding of animals; establishing criminal penalties; and providing for mental health treatment in certain circumstances involving hoarding of animals"; to the Committee on Government Organization.

**By Delegates Ward, Jennings, Hillenbrand, Crouse, Phillips, Street, Zatezalo, Brooks, DeVault, Ridenour and Coop-Gonzalez:**

**H. B. 3045** - "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, and §19-40-4, relating to creating the Farmer Protection Act and providing for its administration"; to the Committee on Energy and Public Works then Finance.

**By Delegates Mallow, Heckert, Brooks, DeVault, Miller and Marple:**

**H. B. 3046** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-5i, relating to the unification of county school districts in the state; establishing findings; require county school districts be unified with other county school districts by July 1, 2028; require State Board of Education to study and provide recommendation regarding school district unification by October 31, 2025; creating School District Unification Committee to assist State Board of Education; and authorizing rulemaking to aid in the transition process"; to the Committee on Education.

**By Delegate Mallow:**

**H. B. 3047** - "A Bill to amend and reenact §30-42-10 of the Code of West Virginia, 1931, as amended, relating to requiring a written contract between a licensed contractor and owner or lessee of residential property and information to be contained in the written contract"; to the Committee on the Judiciary.

**By Delegates Mallow, Heckert, Brooks, Jennings, Marple, Miller, DeVault and T. Clark:**

**H. B. 3048** - "A Bill to amend and reenact §5C-2-1, §11-6A-5a and §11-13A-6 of the Code of West Virginia, 1931, as amended; relating to ensuring that coal remains the primary source of power in West Virginia during emergency weather events; limiting the new amount of permits to construct wind power plant, wind power farm, or 'windmills' for power generally in West Virginia; and providing that for each new wind powered facility built in West Virginia, there is an offset in the amount of taxes paid by new and existing coal fired power plants"; to the Committee on Energy and Public Works then Finance.

**By Delegates Dillon, Pritt, Bridges, Clay, Flanigan, Mazzocchi and T. Clark:**

**H. B. 3049** - "A Bill to amend and reenact §18-5-13a of the Code of West Virginia, 1931, as amended, relating to the creation of the Community School Parents' Choice Act; ensuring that parents of students in schools under consideration for closure and consolidation shall be provided with a means to prevent closure or consolidation; and providing for a 10 year sunset date"; to the Committee on Education then Finance.

**By Delegates Dillon, Moore, Pritt, Kimble, T. Howell, Bridges, Clay, Browning, Flanigan, Mazzocchi and T. Clark:**

**H. B. 3050** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-13e, relating to the creation of the Community School Funding Formula Revision Act"; to the Committee on Education then Finance.

**By Delegates Mallow, Heckert, Marple and Miller:**

**H. B. 3051** - "A Bill to amend and reenact §18-2D-1, §18-2D-2, §18-2D-3, and §18-2D-4 of the Code of West Virginia, 1931, as amended, relating to require the implementation of community education programs throughout the state to facilitate the providing of educational, recreational, cultural, social, health, and other community services to all of the people of the community"; to the Committee on Education then Finance.

**By Delegates Holstein, Young, Shamblin, Chiarelli, Willis and Lewis:**

**H. B. 3052** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §8A-7A-1 and §8A-7A-2, relating to prohibiting municipalities from adopting certain regulations in relation to accessory dwelling units"; to the Committee on Government Organization.

**By Delegates Holstein, Young, Shamblin, J. Cannon, Chiarelli, Lewis, Pritt and Willis:**

**H. B. 3053** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §8A-7-14 and §8A-7-15, relating to revising municipal zoning laws to allow for accessory dwelling units; requiring municipalities to adopt certain regulations in relation to accessory dwelling units; prohibiting certain regulations in relation to accessory dwelling units; allowing a municipality to charge a fee to review applications to create accessory dwelling units; and establishing zoning regulation criteria and guidelines"; to the Committee on Government Organization.

**By Delegates Holstein, Young, Shamblin, Chiarelli, Lewis, Willis, J. Cannon, Drennan and Leavitt:**

**H. B. 3054** - "A Bill to amend and reenact §8A-7-2 of the Code of West Virginia, 1931, as amended, relating to removing minimum lot sizes from zoning ordinances"; to the Committee on Government Organization.

**By Delegates Dillon, White, Anders and Bridges:**

**H. B. 3055** - "A Bill to amend and reenact §24-1-1 of the Code of West Virginia, 1931, as amended, relating to the authority of the Public Service Commission; requests for rate adjustments from public electric utilities; limiting the jurisdiction of the Public Service Commission to holding hearings on rate adjustment requests by public electrical utilities; to making recommendations to the Legislature; and requiring that electric utility rate adjustments be approved by the Legislature"; to the Committee on Energy and Public Works.

**By Delegates Linville, Canterbury and Phillips:**

**H. B. 3056** - "A Bill to amend and reenact §15A-10-1, §15A-10-3, §15A-10-6 and §15A-10-25 of the Code of West Virginia, 1931, as amended, and to amend the code by adding two new sections, designated §15A-10-1a and §15A-10-26, all relating to generally to the qualifications and responsibilities of the State Fire Marshal"; to the Committee on Government Organization.

**By Delegates Mallow, Heckert, Marple, DeVault, Miller and T. Clark:**

**H. B. 3057** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-5-16, relating to limiting the assessed value of antique or classic vehicles; and providing a justification requirement for any increase by the county tax assessor which must be presented to the vehicle owner before any increase may take effect"; to the Committee on Finance.

**By Delegates Mallow, Brooks, Heckert, Marple, DeVault, Miller and T. Clark:**

**H. B. 3058** - "A Bill to amend and reenact §11-6B-3 of the Code of West Virginia, 1931, as amended, relating to property tax exemptions; providing for an exemption from increasing property tax for eligible individuals"; to the Committee on Finance.

**By Delegates Mallow, Heckert and Marple:**

**H. B. 3059** - "A Bill to amend and reenact §61-2-10b of the Code of West Virginia, 1931, as amended, relating to making a mandatory sentence of 25 years for an assault on any law enforcement officer or animal"; to the Committee on the Judiciary.

**By Delegates Mallow, Heckert, Marple and Miller:**

**H. B. 3060** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-28-1; and to amend said code by adding thereto a new article, designated §8-20B-1, relating to unsafe real property conditions in counties or municipalities; providing a process by which county commissions may compel the cleanup of hazardous real property conditions; providing a power to assert a lien if a real property owner fails to comply with a hazardous condition resolution by a county commission; providing a hearing and appeals process regarding unsafe condition determinations made by county commissions; providing a process by which local governing bodies may compel the cleanup of hazardous real property conditions; providing a power to assert a lien if a real property owner fails to comply with a local governing body's hazardous condition resolution; and providing a hearing and appeals process on unsafe condition determinations made by local governing bodies"; to the Committee on the Judiciary.

**By Delegates Mallow, Jennings, Heckert, Marple and Miller:**

**H. B. 3061** - "A Bill to amend and reenact §11-12-3 of the Code of West Virginia, 1931, as amended, relating to providing that any person who has obtained a business registration certificate to engage in business in West Virginia, may not be required to obtain a business registration license by a municipality or county"; to the Committee on Government Organization.

**By Delegates Mallow, Jennings, Heckert, Marple, DeVault, Miller and T. Clark:**

**H. B. 3062** - "A Bill to amend and reenact §11-3-9 of the Code of West Virginia, 1931, as amended, relating to property exempt from taxation; and providing a tax exemption for real property used for farming, if the owner-farmer resides on the real property and receives at least 40 percent of his or her income from the farm"; to the Committee on Finance.

**By Delegates Mallow, Jennings, Statler, Brooks, Heckert, Marple, DeVault and Miller:**

**H. B. 3063** - "A Bill to amend and reenact §17A-3-2 of the Code of West Virginia, 1931, as amended, relating to providing motor vehicle registrations and license plates free of charge to volunteer firefighters who have at least five years of service"; to the Committee on Finance.

**By Delegates Mallow, Heckert, Marple, Miller, DeVault and T. Clark:**

**H. B. 3064** - "A Bill to amend and reenact §11-6B-3 of the Code of West Virginia, 1931, as amended, relating to providing an additional homestead exemption on the property tax of any West Virginia citizen farmer who produces more than 50% of his or her income from their farm"; to the Committee on Finance.

**By Delegates Mallow, Jennings, Statler, Brooks, Heckert, Marple, DeVault, Miller and T. Clark:**

**H. B. 3065** - "A Bill to amend and reenact §61-2-10b of the Code of West Virginia, 1931, as amended, relating to the amend the penalties for any assault on a police officer or police dog"; to the Committee on the Judiciary.

**Special Calendar****Third Reading**

**H. B. 2065**, To allow Gold Star parents to receive one free Gold Star vehicle registration for personal use; 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. 14**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Bridges and Fluharty.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 2065) 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. 2157**, Provide one trip temporary vehicle permits to be purchased and printed online; 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. 15**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Bridges and Fluharty.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2157) 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. 2170**, Allowing volunteer fire departments to use fire protection funding for certain purchases; 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. 16**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Bridges and Fluharty.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2170) passed.

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

**H. B. 2344**, Relating generally to traffic safety; 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. 17**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Bridges and Fluharty.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 2344) 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. 2354**, Banning certain products from food in West Virginia; on third reading, coming up in regular order, with the right to amend, was reported by the Clerk.

On motion by Delegate Worrell, the Committee Substitute was amended on page 1, by striking everything after the enacting clause and inserting in lieu thereof the following:  
“CHAPTER 16. PUBLIC HEALTH.

## **ARTICLE 7. PURE FOOD AND DRUGS.**

### **§16-7-2. What constitutes adulteration.**

Any drug or article of food shall be deemed to be adulterated within the meaning of this article: for the purpose of this article:

(a) In the case of drugs:

(1) If, when sold under or by a name recognized in the United States Pharmacopoeia official at that time, it differs from the standard of strength, quality, or purity laid down therein;

(2) If, when sold under or by a name not recognized in the United States Pharmacopoeia official at the time, but which is found in some other pharmacopoeia or other standard work of materia medica, it differs materially from the standard of strength, quality, or purity laid down in such work;

(3) If its strength, quality, or purity falls below the professed standard under which it is sold;

(4) If it be an imitation of, or offered for sale under the name of, another article; or

(5) If the contents of the package as originally put up shall have been removed in whole or in part, and other contents shall have been placed in such package, or if the package fails to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaïne, chloroform, cannabis indica, chloral hydrate, acetanilide, or any derivative or preparation of any such substance contained therein: *Provided*, That nothing in this paragraph shall be construed to apply to the dispensing of prescriptions written by regular licensed practicing physicians, veterinary surgeons, or dentists, and kept on file by the dispensing pharmacist, nor to such drugs as are recognized in the United States Pharmacopoeia and the National Formulary, which are sold under the name by which they are recognized.

(b) In the case of food, drink, confectionery, or condiment:

(1) If any substance or substances have been mixed with it, so as to lower or depreciate or injuriously affect its quality, strength, or purity;

(2) If any inferior or cheaper substance or substances have been substituted wholly or in part for it;

(3) If any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it;

(4) If it is an imitation of, or is sold under the name of, another article;

(5) If it consists wholly or in part of diseased, decomposed, putrid, infected, tainted, or rotten animal or vegetable substance, whether manufactured or not, or, in the case of milk, if it is the product of a diseased animal;

(6) If it is colored, coated, polished, or powdered, whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is;

(7) If it contains any added substance or ingredients which are poisonous or injurious to the health, including butylated hydroxyanisole, propylparaben, FD&C Blue No. 1, FD&C Blue No. 2, FD&C Green No. 3, FD&C Red No. 3, FD&C Red No. 40, FD&C Yellow No. 5, and FD&C Yellow No. 6;

(8) if it is sold under a coined name and does not contain some ingredient suggested by such name or contains only an inconsiderable quantity; or

(9) if the package containing it or any label thereon shall bear any statement regarding it or its composition which shall be false or misleading in any particular: *Provided*, That the provisions of this article ~~shall~~ do not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food or drink, if each and every package sold or offered for sale is distinctly labeled in words of the English language as mixtures or compounds, with the name and percent of each ingredient therein; the word "compound" or "mixture" shall be printed in type not smaller in either height or width than one half the largest type upon any label on the package, and the formula shall be printed in letters not smaller in either height or width than one fourth the largest type upon any label on the package, and said compound or mixture must not contain any ingredients injurious to the health.

(10) The amendments made to this section during the 2025 regular session of the Legislature shall be effective on January 1, 2027. CHAPTER 18. EDUCATION.

## **ARTICLE 5D. WEST VIRGINIA FEED TO ACHIEVE ACT.**

### **§18-5D-3A. Unsafe food additives prohibited.**

(a) Effective August 1, 2025, the following food additives shall be deemed unsafe and shall not be permitted as an ingredient in any meal served in a school nutrition program as set forth in this article:

(1) Red Dye No. 3 (CAS Reg. No. 16423-68-0);

(2) Red Dye No. 40 (CAS Reg. No 25956-17-6);

(3) Yellow Dye No. 5 (CAS Reg. No. 1934-21-0);

(4) Yellow Dye No. 6 (CAS Reg. No. 2783-94-0);

(5) Blue Dye No. 1 (CAS Reg. No. 3844-45-8);

(6) Blue Dye No. 2 (CAS Reg. No. 860-22-0); and

(7) Green Dye No. 3 (CAS Reg. No. 2353-45-9).

(b) An elementary, middle, or high school may permit the sale of food items that do not comply with this section as part of a school fundraising event if the sale of those items takes place off of and away from school premises or the sale of those items takes place on the school premises at least one-half hour after the end of the school day."

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. 18**), and there were—yeas 93, nays 5, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Anders, Gearheart, McCormick, Phillips and D. Smith.

Absent and Not Voting: Bridges and Fluharty.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2354) passed.

Upon motion of Delegate Worrell the Committee Substitute was amended by striking out the title and substituting therefor a new title, to read as follows:

"A BILL to amend and reenact §16-7-2 of the Code of West Virginia, 1931, as amended, and to amend the code by adding a new section, designated §18-5D-3A, relating to prohibiting certain products that are injurious to health; setting forth criteria considered adulterated; prohibiting certain unsafe food additives in school nutrition programs; providing exceptions; and setting effective dates."

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

On this question, the yeas and nays were taken (**Roll No. 19**), and there were—yeas 93, nays 5, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Anders, Clay, Gearheart, D. Smith and Vance.

Absent and Not Voting: Bridges and Fluharty.

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. 2354) 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.



### **Second Reading**

The following bills on second reading, coming up in regular order, were each read a second time and ordered to engrossment and third reading:

**Com. Sub. for H. B. 2222**, Relating to authorizing the Department of Administration to promulgate a legislative rule relating to retention and disposal scheduling,

**Com. Sub. for H. B. 2331**, Relating to authorizing the Office Miners' Health, Safety, and Training to promulgate a legislative rule relating to the certification, recertification, and training of EMT-Miners and the certification of EMT-M instructors,

**Com. Sub. for H. B. 2515**, Relating to elementary behavior intervention and safety,

The bill was then ordered to engrossment and third reading.

And,

### **First Reading**

The following bills on first reading, coming up in regular order, were each read a first time and ordered to second reading:

**Com. Sub. for H. B. 2217**, Relating to penalties for conspiracy to commit murder,

And,

**H. B. 2362**, Relating to recognizing the law-enforcement powers of correctional officers employed by the Division of Corrections and Rehabilitation.

### **Leaves of Absence**

At the request of Delegate McGeehan, and by unanimous consent, leaves of absence for the day were granted Delegates Bridges and Fluharty.

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

**H. B. 2060**: Delegate Hott;

**H. B. 2188**: Delegate Hott;

**H. B. 2515**: Delegate Coop-Gonzalez;

**H. B. 2609**: Delegate Eldridge;

**H. B. 2889**: Delegate Hott;

**H. B. 2983**: Delegate Pritt;

**H. B. 2987**: Delegate Pritt;

**H. B. 2963:** Delegate Hott;

**H. B. 3004:** Delegate Kump;

**H. B. 3018:** Delegate Kump;

**H. B. 3019:** Delegate Kump;

**H. B. 3021:** Delegate Kump;

**H. B. 3037:** Delegate Kump;

**H. B. 3042:** Delegate Kump;

**H. B. 3043:** Delegate Kump;

And,

**H. B. 3057:** Delegate Kump.

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. 2732:** Delegate Drennan.

At 11:57 a.m., the House of Delegates adjourned until 11:00 a.m., Monday, March 03, 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**

**Monday, March 3, 2025**

**20th Day**

**11:00 A.M.**

### **THIRD READING**

- Com. Sub. for H. B. 2222 - Relating to authorizing the Department of Administration to promulgate a legislative rule relating to retention and disposal scheduling
- Com. Sub. for H. B. 2331 - Relating to authorizing the Office Miners' Health, Safety, and Training to promulgate a legislative rule relating to the certification, recertification, and training of EMT-Miners and the certification of EMT-M instructors
- Com. Sub. for H. B. 2515 - Relating to elementary behavior intervention and safety

### **SECOND READING**

- Com. Sub. for H. B. 2217 - Relating to penalties for conspiracy to commit murder
- H. B. 2362 - Relating to recognizing the law-enforcement powers of correctional officers employed by the Division of Corrections and Rehabilitation.

### **FIRST READING**

- Com. Sub. for H. B. 2008 - Executive Branch Reorganization
- H. B. 2009 - Relating to the merging and reorganizing of the executive branch
- Com. Sub. for H. B. 2158 - Relating to removal of a sunset clause for the West Virginia spay and neuter program
- H. B. 2360 - Clarifying the victims of crimes against law-enforcement officers.
- Com. Sub. for H. B. 2434 - Relating to establishing the Stop Squatters Act
- H. B. 2437 - Clarification of penalties for offenses involving Fentanyl
- H. B. 2511 - Relating to charitable bingo and alcohol sales and consumption while such bingo is taking places

**HOUSE CALENDAR**

**Monday, March 3, 2025**

**20th Day**

**11:00 A.M.**

**SECOND READING**

Com. Sub. for H. B. 2006 - Defining Men and Women

Com. Sub. for H. B. 2400 - Prohibiting the delivery of unsolicited absentee ballot applications to any person who has not specifically requested one from the county clerk

# **WEST VIRGINIA HOUSE OF DELEGATES**

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**MONDAY, MARCH 3, 2025**

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

**SUBCOMMITTEE ON REVENUE AND INVESTMENTS  
9:00 A.M. – FINANCE COMMITTEE ROOM 460M**

**COMMITTEE ON JUDICIARY  
9:00 A.M. – JUDICIARY COMMITTEE ROOM 410M**

**SUBCOMMITTEE ON COURTS  
9:30 A.M. – JUDICIARY COMMITTEE ROOM 410M**

**SUBCOMMITTEE ON LEGAL SERVICES  
9:45 A.M. – JUDICIARY COMMITTEE ROOM 410M**

**SUBCOMMITTEE ON HOMELAND SECURITY  
10:00 A.M. – JUDICIARY COMMITTEE ROOM 410M**

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

**SUBCOMMITTEE ON AGRICULTURE, COMMERCE AND TOURISM  
2:00 P.M. – GOVERNMENT ORGANIZATION COMMITTEE ROOM 215E**

**SUBCOMMITTEE ON HEALTH CARE REGULATIONS  
3:30 P.M. – HEALTH COMMITTEE ROOM 215E**

**COMMITTEE ON EDUCATION  
1:00 P.M. – EDUCATION COMMITTEE ROOM 432M**

**COMMITTEE ON ENERGY AND PUBLIC WORKS  
3:00 P.M. – JUDICIARY COMMITTEE ROOM 410M**





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