

West Virginia Legislature

JOURNAL  
of the  
HOUSE of DELEGATES

Eighty-Seventh Legislature  
First Regular Session

Held at Charleston  
Published by the Clerk of the House



March 6, 2025  
TWENTY-THIRD DAY



---

Thursday, March 6, 2025

**TWENTY-THIRD 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, March 5, 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 Committee on the Judiciary has had under consideration:

**Com. Sub. for S. B. 138**, Enhancing penalties for fleeing officer,

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

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. 2382**, Camping ban on certain public property.,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 2382** - "A Bill to amend and reenact §61-6-18 of the Code of West Virginia, 1931, as amended, relating to public camping on certain public property; creating findings; creating definitions; creating warnings and misdemeanor offenses for camping or storing property on certain public property; clarifying that each day constitutes a new violation; requiring certain notifications to a person unlawfully camping; providing certain exceptions for violations; and creating criminal penalties,"

And,

**H. B. 2634**, To double the criminal penalty for anyone found guilty of sexual assault on a minor,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 2634** - "A Bill to amend and reenact §61-8B-5, §61-8B-9, §61-8D-5 and §61-8D-6 of the Code of West Virginia, 1931, as amended; relating to increasing penalties for sexual assault in the third degree, sexual abuse in the third degree, sexual abuse by a parent, guardian, custodian or person in a position of trust to a child; parent, guardian, custodian or person in a position of trust allowing sexual abuse to be inflicted upon a child, and for sending, distributing, exhibiting, possessing, displaying or transporting material by a parent, guardian, or custodian, or person in a position of trust, depicting a child engaged in sexually explicit conduct,"

With the recommendation that the committee substitutes each do pass.

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

Your Committee on Education has had under consideration:

**H. B. 2190**, Including Potomac State College in the definition of community and technical college education program for participation in the "Learn and Earn Program",

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 2190** - "A Bill to amend and reenact §18B-3D-6 of the Code of West Virginia, 1931, as amended, relating to adding Potomac State College of West Virginia University as an eligible institution for participation in the "Learn and Earn Program"; and removing reference to the program being a "pilot" program,"

And,

**H. B. 2411**, To provide and change graduation requirements and change duties relating to academic content standards,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 2411** - "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 pass a minimum of one credit of computer science; establishing requirements for the classes; establishing rulemaking; and creating teaching positions and requirements for those teaching positions,"

With the recommendation that the committee substitutes each do pass.

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

Your Committee on Education has had under consideration:

**H. B. 2614**, To allow money paid to state employees to go to their estate if they pass away before their retirement date,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 2614** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-4-10b, relating to providing an optional lump

sum payment of accrued personal leave to full-time employees of a county school board upon the ending of full-time employment due to death, establishing a cap for payment, clarifying deductions and contributions, and providing time frame for payment,"

With the recommendation that the committee substitute do pass, but that it first be referred to the Committee on Finance.

In accordance with the former direction of the Speaker, the bill (Com. Sub. for H. B. 2614) was referred to the Committee on Finance.

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

Your Committee on Education has had under consideration:

**H. B. 2166**, Establishing the behavioral health workforce education initiative at the Higher Education Policy Commission,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2166) was referred to the Committee on Finance.

### **Messages from the Senate**

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect July 1, 2025, and requested the concurrence of the House of Delegates in the passage, of

**Com. Sub. for S. B. 284** - "A Bill to amend and reenact §18-5-1a and §18-5-4 of the Code of West Virginia, 1931, as amended, relating to adding to topics required to be covered by the county board of education member orientation; requiring that any county board of education member who is unable to attend the initial orientation training for good cause complete a make-up orientation training within 30 days of being sworn in; requiring any appointed member to attend and complete a make-up orientation training within 30 days of being appointed; increasing annual hours of training required of county board of education members; modifying topics required to be covered by training; allowing the State Board of Education to require a county board of education member to attend additional training under certain conditions; including trainings required by the State Board of Education with those trainings for which failure to attend and complete without good cause constitutes neglect of duty; removing January 1 deadline for the requirement that a county board of education member satisfy the annual training requirement in the final year of any four-year term of office and creating exception to that requirement; adding certain non-voting ex officio members to the County Board Member Training Standards Review Committee; requiring the State Superintendent of Schools to report annually to the Legislative Oversight Commission on Education Accountability certain County Board Member Training Standards Review Committee and county board member training-related information; setting the county board of education member compensation rate at \$260 per meeting attended unless the board votes to approve a lower rate; and excepting payment for mileage from the requirement for presentation of receipts"; which was referred to the Committee on Education.

A message from the Senate, by

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

**Com. Sub. for S. B. 487** - "A Bill to amend and reenact §3-2-25 of the Code of West Virginia, 1931, as amended, relating to systematic purging program and additional systematic confirmation procedure for the removal of ineligible voters from active voter rolls; removing obsolete reference to combined voter registration and licensing fund; and decreasing the period of voting inactivity from four to two years"; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

**Com. Sub. for S. B. 581** - "A Bill to amend and reenact §18-8-4 of the Code of West Virginia, 1931, as amended, relating 2 to expanding the definition of excused absence; including up to five college visits in the 3 definition of excused absence; including a student participating in a 4-H or FFA-sponsored 4 activity or program in the definition of excused absence; providing that the student be 5 credited as present in the same manner as a student participating in an educational field 6 trip; providing that the student not be counted as absent; requiring a 4-H or FFA agent to 7 provide documentation of a student's participation upon request of the principal or the 8 principal's designee; addressing makeup of missed schoolwork and the student's class 9 grades; and addressing 4-H or FFA program participation during any period of time the 10 student has been suspended, expelled, or assigned to an alternative school or program."; which was referred to the Committee on Education.

### **Bills Introduced**

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

**By Delegates Green, Brooks, Riley, Gearheart, Hott, Martin, Dean, Kyle, Vance, Hite and Jeffries:**

**H. B. 3170** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §37-6-30a, relating to requiring approved sewage systems for all rental properties"; to the Committee on Energy and Public Works.

**By Delegates Kimble, White, Anders, Mazzocchi, T. Howell, Petitto, Ridenour, Kump, Phillips, Butler and Jeffries:**

**H. B. 3171** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5-32-1, §5-32-2, §5-32-3, §5-32-4, §5-32-5, §5-32-6, §5-32-7 and §5-32-8; relating to creating Citizen and State Accountability Act; authorizing departments, agencies, and officials of state or local government to apply for major and minor grant agreements; establishing the requirements for applying for the grant agreements; requiring reports; requiring written consent of major grant requests by the Governor; permitting the Governor to prohibit the submission of a minor grant application or prohibit the acceptance of any such grant; repealing all statutes that conflict with the Citizen and State Accountability Act; and defining terms"; to the Committee on Government Organization then Finance.

**By Delegates Kimble, Anders, White, McGeehan, Mazzocchi, T. Howell, Funkhouser, Kump, Phillips, Butler and Coop-Gonzalez:**

**H. B. 3172** - "A Bill to amend and reenact §3-1A-6 of the Code of West Virginia, 1931, as amended, relating to requiring the Secretary of State to refer potential election fraud to the Attorney General for prosecution instead of a county prosecuting attorney"; to the Committee on the Judiciary.

**By Delegates Hansen, Hornbuckle, Fluharty, Lewis, Garcia, Hamilton, Young, Williams and Pushkin:**

**H. B. 3173** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-2-4i, relating to placing a two year a cap on electrical utility rates"; to the Committee on Energy and Public Works.

**By Delegate G. Howell:**

**H. B. 3174** - "A Bill to amend and reenact §8-19-17, §16-13-22a, and §16-13A-24 of the Code of West Virginia, 1931, relating to requiring municipalities to determine the cost of adding potential customers to water service from the municipality; requiring municipalities to apply through the West Virginia Infrastructure and Jobs Development Council for available funding; and to requiring municipalities to extend service to potential customers who have made required deposits if a grant or grants are awarded to cover the fees for the service extension"; to the Committee on Energy and Public Works.

**By Delegates Ridenour, Butler, Jennings, Mallow, Hillenbrand, Mazzocchi, Kimble, Marple, Linville, Martin and Kump:**

**H. B. 3175** - "A Bill to amend and reenact §3-8-1a of the Code of West Virginia; to amend said code by adding thereto a new section, designated §3-8-8a; and to amend said code by adding thereto a new section, designated §24-3-2a, all relating to certain contributions by public utilities; providing definition of a public utility; prohibiting public utilities from making contributions from funds derived from rate payers to political candidates or campaigns, political action committees, groups that can make contributions to political candidates, campaigns, or political action committees; creating criminal offense and penalties for violation; and prohibiting charitable contributions by public utilities to charitable organizations"; to the Committee on the Judiciary.

**By Delegate Martin:**

**H. B. 3176** - "A Bill to amend and reenact §18A-4-8 of the Code of West Virginia, 1931, as amended, relating to defining a workday and a one-half workday for school service personnel and removing a provision relating to employment of licensed practical nurses"; to the Committee on Education.

**By Delegate Martin:**

**H. B. 3177** - "A Bill to amend and reenact §60A-9-5 of the Code of West Virginia, 1931, as amended, relating to adding to the persons who have access to the Controlled Substances Monitoring Database maintained by the Board of Pharmacy"; to the Committee on Health and Human Resources.

**By Delegates Martin, Flanigan, Brooks, Mallow, Vance and Kump:**

**H. B. 3178** - "A Bill to amend and reenact §17-5-1 of the Code of West Virginia, 1931, as amended, relating to making all inmates, regardless of gender, eligible to work on a state convict road force"; to the Committee on the Judiciary.

**By Delegates Kyle and D. Cannon:**

**H. B. 3179** - "A Bill to amend and reenact §24-2H-7 of the Code of West Virginia, 1931, as amended, relating to utility acquisitions; limiting the commission's authority on ordering the acquisition of distressed or failing authorities; and establishing guidelines for when the commission can order acquisitions"; to the Committee on Energy and Public Works.

**By Delegates J. Cannon and Canterbury:**

**H. B. 3180** - "A Bill to amend and reenact §5-10-2, §5-10-19, §5-10-27b, and §5-10-48 of the Code of West Virginia, 1931, as amended; to amend and reenact §5-10C-4; to amend and reenact §5-10D-6a; to amend and reenact §7-14D-2, §7-14D-9b, and §7-14D-24a; to amend and reenact §8-22A-2, §8-22A-11, and §8-22A-34; to amend and reenact §15-2-45; to amend an reenact §15-2A-2 and §15-2A-6b; to amend said code by adding thereto a new section, designated §15-2A-6e; to amend and reenact §16-5V-2, §16-5V-13, and §16-5V-35; to amend and reenact §18-7A-3, §18-7A-13a, and §18-7A-28b; to amend and reenact §18-7B-2, and §18-7B-12a; to amend and reenact §20-18-2, §20-18-14, and §20-18-30; and to amend and reenact §51-9-1a, §51-9-10, and §51-9-12b, all relating to retirement provisions of the West Virginia Public Employees Retirement System, the Deputy Sheriffs' Retirement System, the Municipal Police and Firefighters Retirement System, the West Virginia State Police Death, Disability and Retirement System, the State Police Retirement System, the Emergency Medical Services Retirement System, the Teachers Retirement System, the Teachers' Defined Contribution Retirement System, the Natural Resources Police Officers Retirement System, and the Judges' Retirement System; defines 'bona fide separation from service upon retirement', 'participating public employer' and 'retirant' and amends the definition of 'required beginning date' to be consistent with federal law; clarifies notification by employer of retirant who returns to work by a participating public employer; adds the Emergency Medical Service Retirement System to the pick-up provisions of members' contributions by participating public employers; amends retired public safety officers provision to pay for qualified health insurance premiums from eligible retirement plans, and technical clean-up provisions"; to the Committee on Finance.

**By Delegates G. Howell, Heckert, Ridenour, Masters, Ward, Kelly, Linville, Pinson, Stephens, Marple and Phillips:**

**H. B. 3181** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15-10-8, related to providing for the purchase of service weapons upon retirement or at the end of service as a law enforcement officer"; to the Committee on the Judiciary.

**By Delegates Kyle, Leavitt and D. Cannon:**

**H. B. 3182** - "A Bill to amend and reenact §49-2-126 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §49-2-126A, all relating to providing foster care children with their own luggage for transporting their personal belongings"; to the Committee on Health and Human Resources.

**By Delegates J. Cannon and Canterbury:**

**H. B. 3183** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-10D-15, relating to personally identifiable information of a member, retirant, beneficiary or alternate payee of a retirement system administered by the Consolidated Public Retirement Board being confidential and exempt from disclosure"; to the Committee on Finance.

**By Delegates Worrell, Dean, Toney, Flanigan, B. Smith, Bridges, Foggin, Shamblin, Willis, Browning and Eldridge:**

**H. B. 3184** - "A Bill to amend and reenact §5-22-1 of the Code of West Virginia, 1931, as amended, relating to public construction contracts; providing definitions; granting political



subdivisions the authority to hire the lowest responsible bidder; and providing that political subdivisions may enter into project labor agreements"; to the Committee on Government Organization.

**By Delegates Worrell, Dean, Toney, Flanigan, Moore, B. Smith, Bridges, Foggin, Shamblin, Willis and Browning:**

**H. B. 3185** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-21-11a, relating to taxable income of residents; and creating the Taxpayer Protection Act designed to ensure that individual taxpayers are not misclassified"; to the Committee on Finance.

**By Delegates Worrell, Dean, Toney, Flanigan, B. Smith, Bridges, Foggin, Shamblin, Willis, Eldridge and Stephens:**

**H. B. 3186** - "A Bill to amend and reenact §21-1C-4 and §21-1C-5 of the Code of West Virginia, 1931, as amended, relating to putting West Virginia first; requiring employers that receive a local labor utilization waiver to hire at the same qualifications and rates provided to Workforce West Virginia; clarifying West Virginia Jobs Act applicability to all public improvement construction projects including West Virginia Development Authority pilot projects; and requiring that Division of Labor establish a public database of records from employers performing work on public improvement contracts"; to the Committee on Government Organization.

**By Delegates J. Cannon, Hanshaw (Mr. Speaker), Maynor, Linville, Hornby, Rohrbach, Kimble, Holstein and Riley:**

**H. B. 3187** - "A Bill to amend and reenact §5A-6-9 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Task Force on Artificial Intelligence; adding identification of economic opportunities to the agenda of the Task Force requiring that the Task Force submit annual electric reports"; to the Committee on Energy and Public Works.

**By Delegates Green, Martin, Marple, Hott, Kelly, Funkhouser and Heckert:**

**H. B. 3188** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding two new sections, designated §61-5-17b and §61-5-30, relating to reasonable suspicion of committing a crime; prohibiting people lawfully detained from failing to identify or providing false names; prohibiting people from loitering or prowling; providing restitution; authorizing court orders; and creating criminal penalties"; to the Committee on the Judiciary.

**By Delegates Green, Martin, Kelly, Brooks, Mallow, Heckert, Browning, Ward, Pinson, Marple and Funkhouser:**

**H. B. 3189** - "A Bill to amend and reenact §61-5-8 of the Code of West Virginia, 1931, as amended, relating to federal correctional institutions; adding federal correctional institutions to the list of correctional facilities in which it is a criminal offense to deliver any thing unlawfully to a person in custody or confined therein"; to the Committee on the Judiciary.

**By Delegates Green, Martin, Kelly, Brooks, Mallow, Heckert, Browning, Ward, Pinson, Marple and Funkhouser:**

**H. B. 3190** - "A Bill to amend and reenact §60-6-9 of the Code of West Virginia, 1931, as amended, relating to expanding the offense of public intoxication to persons intoxicated by controlled substances"; to the Committee on the Judiciary.

**By Delegates Green, Martin, Marple, Brooks, Hott, Kelly, Funkhouser, Ward, Heckert, Browning and Cooper:**

**H. B. 3191** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §61-5-30, relating to creating a 25-foot barrier around first responders"; to the Committee on the Judiciary.

**By Delegates Ellington, Statler and Toney:**

**H. B. 3192** - "A Bill to repeal §18-11-1, §18-11-1a, §18-11-1b, §18-11-2, §18-11-3, §18-11-4, §18-11-4a, §18-11-4d, §18-11-5, §18-11-5b, §18-11-5d, §18-11-6, §18-11-6a, §18-11-7, §18-11-8, §18-11-8a, §18-11-9, §18-11-9a, §18-11-10, §18-11-10a, §18-11-11, §18-11-19, §18-11-20, §18-11-21, §18-11-22, §18-11-23, §18-11-24, §18-11-25, §18-11A-1, §18-11A-2, §18-11A-3, §18-11A-4, §18-11A-5, §18-11A-6, §18-11A-7, §18-11A-8, §18-11B-1, §18-11B-2, §18-11B-3, §18-11B-4, §18-11B-5, §18-11B-6, §18-11B-7, §18-11B-8, §18-11B-9, §18-11B-10, §18-11B-11, §18-11B-12, §18-11D-1, §18-11D-2, §18-11D-3, §18-11D-4, §18-11D-5, §18-11D-6, §18-11D-7, §18-11D-8, §18-11D-9, §18-11D-10, §18-11D-11, §18-11D-12, §18-11D-13, §18-11D-14, §18-11D-15, §18-11E-1, §18-11E-2, §18-11E-3, §18-11E-4, §18-11E-5, §18-11E-6, §18-11E-7, §18-11E-8, §18-11E-9, §18-11E-10, §18-11E-11, §18-11E-12, §18-11E-13, §18-11E-14, §18-11E-15, §18-12-1, §18-12A-1, §18-12A-2, §18-12A-3, §18-12A-4, §18-12A-5, §18-12A-6, §18-12A-7, §18-12A-8, §18-12B-1, §18-12B-2, §18-12B-3, §18-12B-4, §18-12B-5, §18-12B-6, §18-12B-7, §18-12B-8, §18-12B-9, §18-12B-10, §18-12B-11, §18-12B-12, §18-19-1, §18-19-2, §18-19-3, §18-19-4, §18-22C-1, §18-22C-2, §18-22D-1, §18-22D-2, §18-22D-3, §18-22D-4, §18-22D-5, §18-22D-6, §18-22D-7, §18-22D-8, §18-22D-9, §18-23-6, §18-23-7, §18-23-9, §18-23-10, §18-23-16, §18-23-17, §18-23-19, §18B-1-1a, §18B-1-3, §18B-1-8, §18B-1-11, §18B-1A-4, §18B-1A-5, §18B-1A-6, §18B-1C-1, §18B-1D-6, §18B-1F-10, §18B-2-6, §18B-2-8, §18B-2A-5, §18B-2A-6, §18B-2A-7, §18B-2A-7a, §18B-2B-1, §18B-3-4, §18B-3B-1, §18B-3B-2, §18B-3B-3, §18B-3C-5, §18B-3C-7, §18B-3C-7a, §18B-3C-10, §18B-3C-11, §18B-3C-12, §18B-3C-13, §18B-3C-15, §18B-3C-16, §18B-3E-1, §18B-3E-2, §18B-3F-1, §18B-3F-2, §18B-3F-3, §18B-3F-4, §18B-3F-5, §18B-3F-6, §18B-3F-7, §18B-3F-8, §18B-3F-9, §18B-3F-10, §18B-4-2a, §18B-4-5a, §18B-7-16, §18B-9A-5, §18B-9A-5a, §18B-11-1, §18B-11-3, §18B-14-1, §18B-14-2, §18B-14-9, §18B-17-4, §18B-17-5, §18B-17-6, §18B-19-1, and §18B-19-9, of the Code of West Virginia, 1931, as amended; relating to repeal of antiquated, inoperative, conflicting and duplicative provisions of code"; to the Committee on Education.

**By Delegates J. Cannon and Canterbury:**

**H. B. 3193** - "A Bill to amend and reenact §8-22A-33a of the Code of West Virginia, 1931, as amended, relating to failure to pay the required contribution and interest payment for any police officer or firefighter who transferred from the Public Employees Retirement System to the Municipal Police Officers and Firefighters Retirement System"; to the Committee on Finance.

**By Delegates Crouse, Lucas, Dean, Bridges, Ward, White, Petitto and Pritt:**

**H. B. 3194** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section designated §15-2D-6, relating to salaries of employees for the Division of Protective Services; providing legislative findings and intent; authorizing a pay increase to all employees; providing directives for the funding; and clarifying this section controls in the event of a conflict"; to the Committee on Finance.

**By Delegates Crouse, Lucas, White and Petitto:**

**H. B. 3195** - "A Bill to amend and reenact §18-31-3 of the Code of West Virginia, 1931, as amended, relating to the composition of the Hope Scholarship Board"; to the Committee on Education.

**By Delegates Funkhouser, Rohrbach, Hott, Linville, J. Cannon, Shamblin, Hall and Barnhart:**

**H. B. 3196** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §30-4C-1, §30-4C-2, and §30-4C-3, §30-4C-4, §30-4C-5, §30-4C-6, §30-4C-7, §30-4C-8, §30-4C-9, §30-4C-10, §30-4C-11, §30-4C-12, and §30-4C-13, §30-4C-14, §30-4C-15, §30-4C-16, §30-4C-17, §30-4C-18, and §30-4C-19, relating to creating the Teledentistry

Practice Act; definitions; standard of care; provider-patient relationship; and disciplinary procedures"; to the Committee on Government Organization.

**By Delegates Dillon and Ridenour:**

**H. B. 3197** - "A Bill to amend and reenact §17A-3-19 of the Code of West Virginia, 1931, as amended, relating to lost titles; clarifying conditions when the division shall issue a new title; and providing circumstances which void title and initiate a legal investigation"; to the Committee on Government Organization.

**By Delegates Dillon, Coop-Gonzalez, White and Ridenour:**

**H. B. 3198** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §5-1A-6, relating to discontinuing using taxpayer funds to subsidize private enterprises; and definition"; to the Committee on Energy and Public Works then Finance.

**By Delegates Hornby and Chiarelli:**

**H. B. 3199** - "A Bill to amend and reenact §16-9A-2 the Code of West Virginia, 1931, as amended, and to amend said code by adding thereto a new section, designated §16-9A-12, relating to restrictions on tobacco usage; defining terms; and clarifying legislative intent of the Legislature with respect to preempting the field of legislation concerning the regulation of certain tobacco products and devices"; to the Committee on Health and Human Resources.

**By Delegates Crouse and Adkins:**

**H. B. 3200** - "A Bill to amend and reenact §11-15-3c of the Code of West Virginia, 1931, as amended, relating to modifying the rate of tax on motor vehicles to include the exchange of used cars"; to the Committee on Finance.

**By Delegates Flanigan, Marple, Hott, Statler and Eldridge:**

**H. B. 3201** - "A Bill to amend and reenact §16A-3-2, §16A-3-3, §16A-8-1, and §60A-9-4 of the Code of West Virginia, 1931, as amended, relating generally to medical cannabis; modifying allowable forms of medical cannabis to include edible form; specifying certain requirements applicable to medical cannabis dispensed in edible form; modifying the unlawful use of medical cannabis; relating to the controlled substance monitoring database; adding the reporting of dispensing medical cannabis to the controlled substance monitoring database; and relating to certain required information for controlled substances monitoring"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates Dillon, Anders and Ridenour:**

**H. B. 3202** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-1-17; and to amend said code by adding thereto a new section, designated §18-5-52, all relating to providing for the process of a recall election for county commissioners or county board of education officials"; to the Committee on the Judiciary.

**By Delegates Dillon and Ridenour:**

**H. B. 3203** - "A Bill to amend and reenact §3-10-5 and §3-10-7 of the Code of West Virginia, 1931, as amended, relating to changing the manner of filling vacancies in the state legislature and county commissions; and vacancies in the state legislature when a person is prevented from taking office for any reason, or is expelled by the respective legislative body"; to the Committee on the Judiciary.

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

**H. B. 3204** - "A Bill to amend and reenact §3-2-32 of the Code of West Virginia, 1931, as amended, relating to requiring the Secretary of State to provide for verification of voter residence"; to the Committee on the Judiciary.

**By Delegates Dillon, Anders, Coop-Gonzalez, White and Ridenour:**

**H. B. 3205** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article designated §6-15-1, §6-15-2, §6-15-3, §6-15-4, §6-15-5, §6-15-6, §6-15-7, §6-15-8, §6-15-9, §6-15-10, §6-15-11, §6-15-12, §6-15-13, §6-15-14, and §6-15-15, relating to legal actions concerning the exercise of a person's constitutional rights; providing definitions; creating a short title; providing the scope of the cause of action; providing expedited relief; establishing when a stay may be entered; establishing procedures for hearings, proof, and for dismissals; providing a time frame for rulings; allowing for an immediate appeal as a matter of right; allowing for costs attorney fees, and expenses; clarifying the construction and application of the act; clarifying severability; and providing a date the act goes into effect"; to the Committee on the Judiciary.

**By Delegate Pritt:**

**H. B. 3206** - "A Bill to amend and reenact §17B-2-1 of the Code of West Virginia, 1931, as amended, relating to providing a means by which applicants for driver's licenses or identification certificates who do not have permanent addresses may obtain a driver's license or identification certificate; provide for auditing of the addresses permitted by the Department of Motor Vehicles; listing cancellation standards; and providing a fee waiver for those applicants with no permanent address"; to the Committee on the Judiciary.

**By Delegates Canterbury and Cooper:**

**H. B. 3207** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §22-5-21, relating to prohibiting the injection, release, or dispersion, by any means, of chemicals, chemical compounds, substances, or apparatus within the borders of this state into the atmosphere with the express purpose of affecting temperature, weather, or the intensity of the sunlight"; to the Committee on Energy and Public Works.

**By Delegate Jennings:**

**H. B. 3208** - "A Bill to amend and reenact §18-5-45a of the Code of West Virginia, 1931, as amended, relating to modifying the required amount of contracted teaching days and provide for breaks per semester for teachers"; to the Committee on Education then Finance.

**By Delegates Statler, Brooks, Criss, Ellington, Heckert, Cooper, Campbell, Stephens, Vance, Dittman and Hanshaw (Mr. Speaker):**

**H. B. 3209** - "A Bill to amend and reenact §18-5-18b and §18-9A-8 of the Code of West Virginia, 1931, as amended, relating to requiring a statewide full-time professional counselor to student ratio of one to every 250 students; and requiring that every public school in the state have at least one professional counselor"; to the Committee on Education then Finance.

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

**Com. Sub. for H. B. 2117**, Relating to when Mail In Ballots are Due; 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. 32**), and there were--yeas 86, nays 14, absent and not voting none, with the nays being as follows:

Nays: Adkins, Bridges, Flanigan, Fluharty, Garcia, Hamilton, Hansen, Hornbuckle, Lewis, Marple, Pritt, Pushkin, Williams and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2117) 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. 2441**, To make those who fail drug test ineligible for unemployment; 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. 33**), and there were--yeas 100, nays none, absent and not voting none.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2441) 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. 2444**, Relating to limiting financial records of limited video lottery permittees that are subject to examination by Lottery Commission; on third reading, coming up in regular order, was read a third time.

Delegate Martin requested to be excused from voting on H. B. 2444, under the provisions of House Rule 49.

The Speaker replied that the Delegate was a member of a class of persons possibly to be affected by the passage of the bill and directed the Member to vote.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 34**), and there were--yeas 80, nays 20, absent and not voting none, with the nays being as follows:

Nays: Anders, Burkhammer, Butler, Coop-Gonzalez, Dillon, T. Howell, Jeffries, Jennings, Kimble, McCormick, McGeehan, Pinson, Pritt, Ridenour, B. Smith, Street, Toney, Ward, White and Worrell.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 2444) 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. 2653**, Updating the West Virginia Law Institute; 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. 35**), and there were--yeas 100, nays none, absent and not voting none.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2653) 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. 2709**, Permitting a voter with a change of address to vote in his or her new precinct without having to cast a provisional ballot; 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. 36**), and there were--yeas 99, nays 1, absent and not voting none, with the nays being as follows:

Nays: Lewis.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 2709) passed.

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

### **Second Reading**

**Com. Sub. for S. B. 456**, Defining "men" and "women"; on second reading, coming up in regular order, was read a second time,

**On motion of Delegate Akers, the amendment was adopted.**

Delegate Akers moved to amend the committee substitute on page 4, section 4, line 5, following the word "circumstances" by inserting the words ": *Provided*, That nothing in this article may be construed as authorizing any person other than a treating health care provider to visually or physically examine a minor child for purposes of verifying the biological sex of the child without the consent of the child's parent, guardian, or custodian"

**On motion of Delegate Young, the amendment was rejected.**

Delegate Young moves to amend Com Sub for SB456 on page 6, section 5, following the period on line 28 by inserting a new subsection (d) to read as follows: "(d) Nothing in this section may be construed to permit the inspection of the genitalia of any adult or any child without parental consent.";

And,

On page 7, section 6, following the period on line 39 by inserting a new subsection (e) to read as follows: "(e) Nothing in this section may be construed to permit the inspection of the genitalia of any adult or any child without parental consent."

**S. B. 490**, Prohibiting ranked-choice voting in elections in West Virginia; on second reading, coming up in regular order, was read a second time and ordered to third reading,

**Com. Sub. for H. B. 2054**, Relating to liability of vendors in private farmers markets;

on second reading, coming up in regular order, was reported by the Clerk.

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

**H. B. 2060**, Creating tax exemption for agricultural cooperative associations; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

**Com. Sub. for H. B. 2129**, Creating the Parents Bill of Rights.; on second reading, coming up in regular order, was read a second time,

**On motion of Delegate Butler, the amendment was adopted.**

Delegate Butler moved to amend the Committee Substitute on page 2, section 4, line 16, following the word "tribunal." by inserting the words "In addition, any person aggrieved by the provisions of this article may bring an action for injunctive relief against a person who engages in conduct that constitutes a violation of this article in the circuit court of any county in which any part of the conduct occurs. The circuit court may grant any appropriate injunctive relief to prevent or abate the conduct, including a temporary restraining order, preliminary injunction, or permanent injunction."

The bill was then ordered to engrossment and third reading.

**Com. Sub. for H. B. 2560**, Creating Infrastructure Ready Jurisdictions; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

**H. B. 2678**, Relating to school zones of public or private schools; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

**H. B. 2942**, Administration of the West Virginia Department of Environmental Protection Design-Build Pilot Program; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

And,

**H. B. 2943**, Administration of the West Virginia Hazardous Waste Management Act; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

### **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 S. B. 240**, Updating crime of sexual extortion,

**Com. Sub. for H. B. 2267**, Authorizing Department of Revenue to Promulgate Legislative Rules,

**Com. Sub. for H. B. 2710**, Truth in Giving,

And,

**Com. Sub. for H. B. 2871**, Relating to the crime of negligent homicide.

**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. 2164:** Delegate Heckert;

**H. B. 2181:** Delegate Horst;

**H. B. 2742:** Delegate Eldridge;

**H. B. 3101:** Delegate Hornby;

**H. B. 3164:** Delegate Kump;

**H. B. 3167:** Delegate Kump;

**H. B. 3168:** Delegate Kump;

**H. B. 3175:** Delegate Kump;

And,

**H. B. 3178:** Delegate Kump.

At 12:16 p.m., the House of Delegates adjourned until 11:00 a.m., Friday, March 7, 2025.

---

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



## **SPECIAL CALENDAR**

**Friday, March 7, 2025**

**24th Day**

**11:00 A.M.**

### **THIRD READING**

|                            |   |
|----------------------------|---|
| Com. Sub. for S. B. 456 -  | Defining "men" and "women"  |
| S. B. 490 -                | Prohibiting ranked-choice voting in elections in West Virginia  |
| H. B. 2060 -               | Creating tax exemption for agricultural cooperative associations                                      |
| Com. Sub. for H. B. 2129 - | Creating the Parents Bill of Rights.  |
| Com. Sub. for H. B. 2560 - | Creating Infrastructure Ready Jurisdictions   |
| H. B. 2678 -               | Relating to school zones of public or private schools   |
| H. B. 2942 -               | Administration of the West Virginia Department of Environmental Protection Design-Build Pilot Program |
| H. B. 2943 -               | Administration of the West Virginia Hazardous Waste Management Act                                    |

### **SECOND READING**

|                            |   |
|----------------------------|---|
| Com. Sub. for S. B. 240 -  | Updating crime of sexual extortion                                |
| Com. Sub. for H. B. 2054 - | Relating to liability of vendors in private farmers markets       |
| Com. Sub. for H. B. 2267 - | Authorizing Department of Revenue to Promulgate Legislative Rules |
| Com. Sub. for H. B. 2710 - | Truth in Giving   |
| Com. Sub. for H. B. 2871 - | Relating to the crime of negligent homicide                       |

### **FIRST READING**

|                            |  |
|----------------------------|--|
| Com. Sub. for S. B. 138 -  | Enhancing penalties for fleeing officer  |
| Com. Sub. for H. B. 2190 - | Including Potomac State College in the definition of community and technical college education program for participation in the "Learn and Earn Program" |
| Com. Sub. for H. B. 2382 - | Camping ban on certain public property.  |

- Com. Sub. for H. B. 2411 - To provide and change graduation requirements and change duties relating to academic content standards
- Com. Sub. for H. B. 2634 - To double the criminal penalty for anyone found guilty of sexual assault on a minor

## **HOUSE CALENDAR**

**Friday, March 7, 2025**

**24th Day**

**11:00 A.M.**

### **SECOND READING**

|                            |   |
|----------------------------|---|
| Com. Sub. for H. B. 2006 - | Defining Men and Women  |
| 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. 2400 - | Prohibiting the delivery of unsolicited absentee ballot applications to any person who has not specifically requested one from the county clerk |
| H. B. 2683 -               | To prohibit rank choice voting  |

# **WEST VIRGINIA HOUSE OF DELEGATES**

---

**FRIDAY, MARCH 7, 2025**

---

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

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

**SUBCOMMITTEE ON EDUCATIONAL CHOICE  
2:00 P.M. – EDUCATION COMMITTEE ROOM 432M**







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