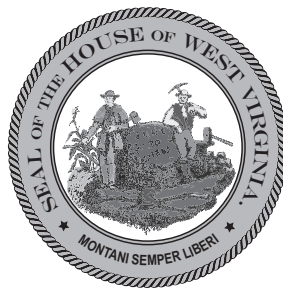


West Virginia Legislature

JOURNAL  
of the  
HOUSE of DELEGATES

Eighty-Seventh Legislature  
First Regular Session

Held at Charleston  
Published by the Clerk of the House



March 31, 2025  
FORTY-EIGHTH DAY



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Monday, March 31, 2025

**FORTY-EIGHTH 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 Friday, March 28, 2025, being the first order of business, when the further reading thereof was dispensed with and the same approved.

**Reordering of the Calendar**

Pursuant to the action of the Committee on Rules, Delegate McGeehan announced that Com. Sub. for H. B. 2409, on second reading, Special Calendar, had been transferred to the House Calendar; Com. Sub. for H. B. 3432, on second reading, Special Calendar, had been transferred to the House Calendar; H. B. 3446, on second reading, Special Calendar, had been transferred to the House Calendar; and H. B. 2518, on first reading, Special Calendar, had been transferred to the House Calendar. Com. Sub. for H. B. 2054, on second reading, House Calendar, had been transferred to the Special Calendar; and Com. Sub. for H. B. 3154, on second reading, House Calendar, had been transferred to the Special Calendar.

**Committee Reports**

On motions for leave, the following bills were introduced (Originating in the Committee on the Judiciary and reported with the recommendation that they each do pass), which was read by their title, as follows:

**By Delegates Hanshaw (Mr. Speaker) and Rohrbach:**

**H. B. 3516** - "A Bill to amend and reenact §55-2-15 of the Code of West Virginia, 1931, as amended, by and amend said code by deleting and replacing subsection (a) thereto, redesignating the current subsection (b) as the amended subsection (a), amending the time period within which a person may file suit if the basis of the suit occurred in the persons infancy, from age of majority plus eighteen years, to age of majority plus two years, then deleting current subsection (c) in its entirety,"

At the respective requests of Delegate McGeehan, and by unanimous consent, reference of the bill (H. B. 3516) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

And,

**By Delegates Akers, Hanshaw (Mr. Speaker) and Rohrbach:**

**H. B. 3517** - "A Bill to amend and reenact §8-35-1 and §8-35-2 of the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §6-9D-1, §6-9D-2, §6-9D-2a, §6-9D-3, §6-9D-4, §6-9D-5, §6-9D-6, §6-9D-7, §6-9D-8, §6-9D-9, §6-9D-10, §6-9D-11 and §6-9D-12; and to amend said code by adding thereto by adding 4 new sections, designated §8-35-3, §8-

35-4, §8-35-5 and §8-35-6, all relating generally to fiscal emergencies of local governments; establishing a system to remediate those emergencies; requiring certain action be taken by the State Auditor or a designee; and modernizing the process for the dissolution of municipalities."

At the respective requests of Delegate McGeehan, and by unanimous consent, reference of the bill (H. B. 3517) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

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. 2566**, Relating generally to allowing the Supreme Court of Appeals discretion to create uniform pay scales for all levels of judicial support staff,

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

At the respective requests of Delegate McGeehan, and by unanimous consent, reference of the bill (H. B. 2566) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

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. 2922**, Safer Communities Act,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 2922** - "A Bill to amend the Code of West Virginia, 1931, as amended, to add a new article, designated §7-28-1, §7-28-2, §7-28-3, §7-28-4, §7-28-5, §7-28-6 and §7-28-7, relating to creating the Safer Communities Act; stating legislative findings and declarations; providing definitions; authorizing counties to levy a public safety sales or amusement tax; requiring notification to certain offices; providing for severability; and providing exclusions,"

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. 2922) was referred to the Committee on Finance.

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

Your Committee on Government Organization has had under consideration:

**H. B. 2720**, To create the Southern Coalfield Resiliency and Revitalization Program,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 2720** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5B-2R-1, §5B-2R-2, §5B-2R-3, §5B-2R-4, §5B-2R-5, §5B-2R-6, §5B-2R-7, §5B-2R-8, §5B-2R-9, and §5B-2R-10, relating to creating the Southern Coalfield Resiliency and Revitalization Program for a period of five years; defining terms; finding that there are challenges facing the counties in which the southern coalfields are located; establishing the Southern Coalfield Resiliency and Revitalization Program; providing that the program will terminate five years after this section goes into effect; establishing revitalization council to organize and prioritize state resources and technical assistance for these counties; directing revitalization council to develop strategies to stimulate economic activity in and around the municipalities in Boone, Logan, McDowell, Mingo, and Wyoming counties in coordination with certain contributing partners to the extent possible; directing revitalization council to annually report; directing Department of Economic Development and revitalization council to facilitate economic development incentives for the counties in which the southern coalfields are located; authorizing Department of Economic Development or other state body to provide state property and equipment to businesses investing in the counties of the southern coalfield area of the state at a reduced cost; providing that the program shall prioritize West Virginia's natural resources, industries, businesses, raw materials, agricultural commodities, and reliable forms of energy,"

**H. B. 2866**, Relating to fees and charges for municipality provided fire services,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 2866** - "A Bill to amend and reenact §8-13-13 of the Code of West Virginia, 1931, as amended, relating to fees and charges for municipality-provided fire services; providing that no municipality may impose any new fire protection service fee, effective on or after June 30, 2024, on a person located in a county that has imposed a fire service fee without an intergovernmental agreement in place between the municipality and the county commission; providing the required contents of the agreement; providing an exception for increasing existing fees,"

And,

**H. B. 3145**, Relating to duties of licensees under the West Virginia Real Estate License Act,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 3145** - "A Bill to amend and reenact §30-40-26 of the Code of West Virginia, 1931, as amended, relating to the duties of Real Estate Commission licensees; requiring a licensee to have the commission's notice of agency and consumer guide to agency signed at first contact; requiring a licensee to enter into a written notice with a prospective client prior to listing or showing property,"

With the recommendation that the committee substitutes each do pass.

At the respective requests of Delegate McGeehan, and by unanimous consent, reference of the bills (H. B. 2720, H. B. 2866, and H. B. 3145) were taken up for immediate consideration, read a first time and ordered to second reading.

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:

**Com. Sub. for S. B. 459**, Requiring county planning commission members be state residents,

And,

**Com. Sub. for S. B. 538**, Allowing certain entities to purchase qualifying tax-delinquent properties before they are offered at public auction,

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

**Messages from the Executive  
and Other Communications**

The Senate of West Virginia  
Charleston

LEE CASSIS  
CLERK OF THE SENATE



STATE CAPITOL, ROOM M-211  
1900 KANAWHA BLVD. EAST  
CHARLESTON, WV 25305-0800  
304-357-7800

March 31, 2025

The Honorable Patrick Morrisey, II  
Governor, State of West Virginia  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305

Dear Governor Morrisey,

The following bill, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, has been examined and found truly enrolled:

**Com. Sub. for S. B. 283**, Expanding grade levels of personal finance course requirements needed for graduation.

This bill is presented to you on this day, March 31, 2025.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lee Cassis".

Lee Cassis  
Clerk of the Senate

C: The Honorable Jeffrey Pack  
Clerk of the House of Delegates

PRESENTED TO THE GOVERNOR

MAR 31 2025  
Time 9:45am

LEE.CASSIS@WVSENATE.GOV

### 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. 197** - "A Bill to amend and reenact §18A-3-2a of the Code of West Virginia, 1931, as amended, relating to limiting persons required to pass appropriate West Virginia Board of Education-approved basic skills and subject matter tests in the area for which licensure is being sought as a condition for the issuance of a professional teaching certificate"; 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, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

**Com. Sub. for S. B. 225** - "A Bill to amend and reenact §15-10-5 of the Code of West Virginia, 1931, as amended, relating to expanding the powers of law-enforcement officers of the National Park Service to include the authority to enforce all laws of this state and the authority to investigate pursuant to that authority"; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

**S. B. 517** - "A Bill to amend and reenact §16-1-6 of the Code of West Virginia, 1931, as amended, relating to the Commissioner of the Bureau for Public Health; requiring medical professionals to report to the Bureau for Public Health all injuries and side effects from vaccines and produce an annual report for the Legislature; requiring medical professionals that deliver vaccines to receive educational materials from the Bureau for Public Health about negative side effects from vaccines and to be formally trained every five years; and requiring the commissioner to make available a mechanism for individuals, including parents, to report adverse impact from vaccines"; which was referred to the Committee on Health and Human Resources.

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. 576** - " A BILL to amend and reenact §29-22D-3 and §29-22D-4 of the Code of West Virginia, 1931, as amended; and to amend the code by adding five new sections, designated §29-22D-15a, §29-22D-17a, §29-22D-17b, §29-22D-17c, and §29-22D-25, relating to fixed odds racing; authorizing fixed odds racing in horse and dog racing; defining terms; creating a special revenue account entitled Fixed Odds Horse Racing Wagering Purse Supplement Fund; providing for administration of the fund; providing for distribution of certain proceeds into the fund; providing for use of the funds; allowing funds to be invested; providing for distribution of funds; creating a special revenue account entitled Fixed Odds Dog Racing Wagering Purse Supplement Fund; providing for administration of the fund; providing for distribution of certain proceeds into the fund; providing for use of the funds; allowing funds to be invested; providing for distribution of funds; precluding certain individuals from wagering; making conforming amendments; and making technical corrections."; which was referred to the Committee on Finance.



A message from the Senate, by

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

**Com. Sub. for S. B. 593** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §3-4A-27a, relating to preservation of voting data from electronic voting machines; and requiring the Secretary of State to electronically publish cast vote records and images of each ballot cast in an election"; 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. 690** - " A BILL to amend and reenact §7-7-1 and §7-7-4 of the Code of West Virginia, 1931, as amended, relating to authorizing county commissions to increase the compensation of elected county officials."; which was referred to the Committee on Government Organization then Finance.

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. 626** - " A BILL to amend and reenact §8-29-6 of the Code of West Virginia, 1931, as amended, relating to qualifications of members of regional airport authority; and authorizing participating municipality or county to appoint a nonresident member to a regional airport authority after complying with required legal advertisement."; which was referred to the Committee on Government Organization.

A message from the Senate, by

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

**Com. Sub. for S. B. 707** - "A BILL to amend and reenact §16-5K-6 of the Code of West Virginia, 1931, as amended, relating to professional services provided to the West Virginia Birth-to-Three program by therapists and other professionals who are not employed by a state agency; and providing a 25 percent increase payment for those services provided in person"; which was referred to the Committee on Finance.

A message from the Senate, by

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

**Com. Sub. for S. B. 708** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §22A-1-10a, relating to providing a \$4,000 salary increase to certain state inspectors"; which was referred to the Committee on Finance.

A message from the Senate, by

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

**Com. Sub. for S. B. 722** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, §11-13NN-6, §11-13NN-7, and §11-13NN-8, relating to creating the West Virginia Short Line Railroad Modernization Act; defining terms; setting out the amount of the tax credit; setting limitations on the credit; providing for requirements to claim the credit; setting out uses of the credit; providing for carryover of the credit; allowing the transfer of the credit; providing for review and accountability; and setting a sunset date"; which was referred to the Committee on Finance.

A message from the Senate, by

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

**Com. Sub. for S. B. 724** - "A Bill to amend and reenact §11-6B-3 and §11-6B-7 of the Code of West Virginia, 1931, as amended; and to repeal §11-8-6e, relating to taxation; providing for an increase in the homestead exemption; providing that change to exemption is contingent on passage of constitutional amendment; and repealing limitation on levy rates resulting in property tax increase"; which was referred to the Committee on Finance.

A message from the Senate, by

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

**S. B. 728** - "A Bill to amend and reenact §36-12-9 of the Code of West Virginia, 1931, as amended, relating to the Uniform Real Property Transfer on Death Act; and setting forth the requisite capacity requirements for a transfer on death deed"; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

**Com. Sub. for S. B. 739** - "A Bill to amend and reenact §16-59-1, §16-62-1, and §16-62-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §16-59-1a, relating to recovery residences; setting forth legislative findings; reorganizing definitions section; and correcting internal citations in other sections of code referencing the definitions section"; which was referred to the Committee on Health and Human Resources.

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. 748** - "A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §7-28-1, §7-28-2, §7-28-3, §7-28-4, §7-28-5, §7-28-6, and §7-28-7, relating to creating the Safer Communities Act; stating legislative findings and purpose; providing definitions; authorizing counties to levy a public safety sales or amusement tax; providing for voter referendum prior to levying a public safety sales or amusement tax; providing passage by simple majority; requiring voter approval for rate change; setting a procedure for the referendum; setting out ballot language; requiring publication prior to election; requiring entry of an order following voter approval; requiring notification to certain offices; dedicating purposes of

the funds; providing maximum tax rate amount; setting out an effective date; and providing exclusions. "; which was referred to the Committee on Government Organization.

A message from the Senate, by

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

**Com. Sub. for S. B. 761** - "A Bill to amend and reenact §27-5-2 and §27-5-4 of the Code of West Virginia, 1931, as amended, relating to involuntary custody and involuntary hospitalization; providing additional grounds for application for involuntary hospitalization; modifying evidentiary standards for imposing civil liability on mental health professionals rendering services in mental hygiene cases; requiring individual to agree to voluntary treatment before being removed from involuntary hospitalization prior to probable cause hearing; providing additional grounds for satisfaction of probable cause and involuntary hospitalization standards in mental hygiene proceedings; providing name of amendments; permitting hospitalization of individuals with substance use disorder under certain circumstances; providing prohibition on consideration of refusal of substance abuse services when considering individual's judgment; providing for dismissal of involuntary hospitalization proceedings under certain circumstances; setting forth additional required findings by the chief medical officer; providing for restoration of firearm possession rights under certain circumstances; and providing for removal of individual from mental health registry under certain circumstances"; which was referred to the Committee on Health and Human Resources then Finance.

A message from the Senate, by

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

**Com. Sub. for S. B. 765** - "A Bill to amend and reenact §18A-3-1 and §18A-3-2a of the Code of West Virginia, 1931, as amended, relating to establishing the Troops-to-Teachers Program; providing for establishment and purpose of program; and setting out conditions for issuance of professional teaching certificate"; which was referred to the Committee on Education then Finance.

A message from the Senate, by

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

**Com. Sub. for S. B. 801** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §20-3C-1, §20-3C-2, §20-3C-3, and §20-3C-4, relating to creating the West Virginia Public Waterway Access Act; establishing purpose and legislative findings; defining terms; requiring public access at bridge crossings in certain circumstances; and requiring Department of Transportation, in cooperation with the Division of Natural Resources, to develop guidelines to implement West Virginia Public Waterway Access Act"; which was referred to the Committee on Government Organization.

A message from the Senate, by

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

**Com. Sub. for S. B. 810** - "A Bill to amend and reenact §30-7-15 of the Code of West Virginia, 1931, as amended, relating to clarifying the qualifications required for the administration of

anesthesia and chronic pain practice by certain licensed nurses"; which was referred to the Committee on Health and Human Resources.

A message from the Senate, by

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

**Com. Sub. for S. B. 833** - "A Bill to amend and reenact §5-16-7f, §9-5-32, §33-15-4s, §33-16-3dd, §33-24-7s, §33-25-8p, and §33-25a-8s of the Code of West Virginia, 1931, as amended, relating to prior authorization; and clarifying that pharmaceutical medication is excluded from the prior authorization gold card process"; which was referred to the Committee on Health and Human Resources then Finance.

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

**Com. Sub. for S. B. 837** - "A BILL to repeal §5A-1-11 of the Code of West Virginia, 1931, as amended, relating to the State of West Virginia Office of Equal Opportunity"; which was referred to the Committee on Government Organization.

A message from the Senate, by

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

**Com. Sub. for S. B. 844** - "A Bill to amend and reenact §20-2-47 of the Code of West Virginia, 1931, as amended, relating to licenses for private game farm for propagating animals and birds for commercial purposes"; which was referred to the Committee on Government Organization.

A message from the Senate, by

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

**S. B. 866** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-22f, relating to requiring the West Virginia Board of Education to promulgate a legislative rule in consultation with the West Virginia Board of Physical Therapy, that governs concussion protocol, education, and training to prevent concussions and the development of a Concussion Education Prevention and Response Plan; allowing the West Virginia Board of Physical Therapy to provide a draft rule; specifying to whom the rule applies; requiring initial rule to comply with certain concussion-related code; allowing recommendation for code to be amended or repealed; requiring rule to specify individuals who are to receive concussion-related education; and requiring a school to adopt a Concussion Education, Prevention, and Response Plan in accordance with the rule"; 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, to take effect July 1, 2025, and requested the concurrence of the House of Delegates in the passage, of

**Com. Sub. for S. B. 874** - "A Bill to amend and reenact §16-5V-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §16-5V-6f, relating to permitting current home confinement officers in this state to participate in the

Emergency Medical Services Retirement System; updating definitions; including home confinement officers as members in the Emergency Medical Services Retirement System; and providing for home confinement officers to transfer from the Public Employees Retirement System to the Emergency Medical Services Retirement System"; which was referred to the Committee on Finance.

A message from the Senate, by

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

**Com. Sub. for S. B. 904** - "A Bill to amend and reenact §16-1-5 of the Code of West Virginia, 1931, as amended, relating to the clarification of requirements for Commissioner of the Bureau for Public Health"; which was referred to the Committee on Health and Human Resources.

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. 907** - "A Bill to amend and reenact §31-15-23a of the Code of West Virginia, 1931, as amended, relating to the definition of "high-impact development projects" reviewed and approved by the West Virginia Economic Development Authority board; removing inefficient price floor; allowing for consideration of regional and local economic factors; amending the limits on the board of directors ability to make determinations on economic development financial assistance packages"; which was referred to the Committee on Energy and Public Works.

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. 934** - " A BILL to amend and reenact §60-1-5 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §60-8B-1, §60-8B-2, §60-8B-3, §60-8B-4, and §60-8B-5, relating to the manufacture, sale, and distribution of low-proof spirit alcohol products."; which was referred to the Committee on the Judiciary then Finance.

A message from the Senate, by

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

**S. C. R. 6** - "Requesting the Division of Highways name bridge number 10-077/00-062.66 (10A205), (37.98938, -81.33126), locally known as Skitter Creek Bridge, carrying Interstate 77 over Skitter Creek/Coal Haul Road in Fayette County, the "U. S. Army Major Jerome Lee Workman Memorial Bridge."

A message from the Senate, by

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

**Com. Sub. for S. C. R. 9** - "Requesting the Division of Highways name bridge number 12-028/07-012.02 (12A094), (39.12160, -79.21598) locally known as WEIMER BRIDGE, carrying CR 028/07 over NORTH FORK LUNICE CREEK in Grant County, the "U.S. Army PVT Eugene Becker and PFC Kermit Becker Memorial Bridge".

A message from the Senate, by

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

**S. C. R. 16** – "Requesting the Division of Highways name bridge number 11660 (38.1177, -81.8426) locally known as Rock Creek bridge, carrying CR 119/93 Rock Creek Road over the Little Coal River in Boone County the "U. S. Army SPC Johnny Long Memorial Bridge".

A message from the Senate, by

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

**Com. Sub. for S. C. R. 17** - "Requesting the Division of Highways name bridge numbers 25-218/00-010.86 () (25A270), (39.58637, -80.23675), locally known as Basnettsville Bridge, carrying County Route 17 over Paw Paw Creek in Marion County, the "U.S. Marine Corps PVT Arlie Haught Memorial Bridge".

A message from the Senate, by

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

**S. J. R. 16** - " Proposing an amendment to the Constitution of the State of West Virginia, amending section one b, article X thereof, relating to homestead exemption increases; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment."

### **Resolutions Introduced**

A Resolution was introduced and referred as follows:

**By Delegate Canterbury:**

**H. C. R. 96;** "Urging West Virginia's members of Congress to ask the President not to cut funding for the Local Food in Schools and Childcare nutrition," to the Committee on Rules.

Delegate McGeehan asked and obtained unanimous consent to proceed to the Twelfth Order of business to consider bills on Third Reading.

### **Special Calendar**

#### **Third Reading**

**Com. Sub. for S. B. 458,** Universal Professional and Occupational Licensing Act of 2025; 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. 256**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Ferrell, Green and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 458) 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 S. B. 823**, Clarifying and separating duties between Division of Emergency Management and DEP; 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. 257**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Green.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 823) passed.

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

**Com. Sub. for Com. Sub. for H. B. 2002**, Establishing One Stop Shop Permitting Process; 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. 258**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Green.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2002) 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. 2010**, Real Estate Broker Office Requirement; 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. 259**), and there were—yeas 97, nays 2, absent and not voting 1, with the nays and the absent and not voting being as follows:

Nays: Foggin and Lucas.

Absent and Not Voting: Green.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 2010) 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. 2013**, Transfer of employees to classified exempt service; 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. 260**), and there were—yeas 69, nays 30, absent and not voting 1, with the nays and the absent and not voting being as follows:

Nays: Adkins, Bridges, T. Clark, Clay, Dean, Dillon, Eldridge, Ferrell, Flanigan, Fluharty, Foggin, Garcia, Hamilton, Hansen, Heckert, Hillenbrand, Hornbuckle, Kump, Lewis, Lucas, Marple, Moore, Pritt, Pushkin, Shamblin, Stephens, Toney, Vance, Williams and Young.

Absent and Not Voting: Green.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2013) passed.

Delegate McGeehan moved that the bill take effect July 1, 2025.

On this question, the yeas and nays were taken (**Roll No. 261**), and there were—yeas 76, nays 22, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Adkins, Bridges, T. Clark, Clay, Dean, Dillon, Ferrell, Flanigan, Fluharty, Garcia, Hamilton, Hansen, Hornbuckle, Kump, Lewis, Marple, Pritt, Pushkin, Toney, Vance, Williams and Young.

Absent and Not Voting: Green and Holstein.

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. 2013) takes effect July 1, 2025.

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

**H. B. 2120**, Relating to forms and disclosures to the Ethics Commission; 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. 262**), and there were—yeas 97, nays 1, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Anders.

Absent and Not Voting: Green and Holstein.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 2120) 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. 2156**, Relating to time limits imposed on the Division of Highways to grant a highway entrance permit; 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. 263**), and there were—yeas 92, nays 7, absent and not voting 1, with the nays and the absent and not voting being as follows:

Nays: W. Clark, Criss, Heckert, Lewis, Pushkin, Williams and Young.

Absent and Not Voting: Green.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2156) 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. 2159**, Relating to the assessment of interest on overpayments by the Bureau for Medical Services; on third reading, coming up in regular order, was read a third time.

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

Delegate Rohrbach moved to amend the bill on page 1, lines 5 through 8, by striking the following:

“Interest on overpayments shall be the sum of the interest amounts calculated on the unpaid balance for each year or part thereof from the date that an overpayment determination is finalized to the date the balance including accrued interest is resolved, using the interest rate in effect for each respective year or part thereof.” and inserting the following in lieu of: “Interest on overpayments shall be the sum of the interest amounts calculated on the unpaid balance for each year or part thereof, using the interest rate in effect for each respective year or part thereof. No interest shall accrue during the first thirty days following the date that an overpayment determination is finalized. Thereafter, interest shall accrue from the thirty-first day until the date the balance, including accrued interest, is resolved.”

Delegates Ellington and Hite requested to be excused from voting on Com. Sub. for H. B. 2159 under the provisions of House Rule 49.

The Speaker replied that all Delegates were members of a class of persons possibly to be affected by the passage of the bill and directed the Members to vote.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 264**), and there were—yeas 56, nays 42, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Bridges, Butler, D. Cannon, Chiarelli, W. Clark, Clay, Coop-Gonzalez, Dean, Dillon, Drennan, Eldridge, Ellington, Fluharty, Foggin, Funkhouser, Garcia, Hamilton, Hansen, Hite,

Hornbuckle, Hornby, G. Howell, T. Howell, Kimble, Kyle, Leavitt, Lewis, Linville, Masters, Mazzocchi, Pinson, Pushkin, Ridenour, Statler, Steele, Street, Ward, White, Williams, Willis, Worrell, and Young.

Absent and Not Voting: Green and Riley

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2159) 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 Com. Sub. for H. B. 2167**, Relating to public charter schools code provisions; 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. 265**), and there were—yeas 80, nays 17, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Dean, Dittman, Eldridge, Flanigan, Fluharty, Hamilton, Hansen, Hornbuckle, Lewis, Miller, Pritt, Pushkin, Stephens, Toney, Vance, Williams and Young.

Absent and Not Voting: Green, Hillenbrand and Kump.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2167) 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. 2351**, Relating to compensation for panel attorneys; on third reading, coming up in regular order, was read a third time.

Delegates G. Howell, Steele, Masters, Roop, and Flanigan requested to be excused from voting on Com. Sub. for H. B. 2351 under the provisions of House Rule 49.

The Speaker replied that all Delegates were members of a class of persons possibly to be affected by the passage of the bill and directed the Members to vote.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 266**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Green, Hillenbrand and Kump.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2351) passed.

Delegate McGeehan moved that the bill take effect July 1, 2025.

On this question, the yeas and nays were taken (**Roll No. 267**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Green, Hillenbrand and Mazzocchi.

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. 2351) takes effect July 1, 2025.

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

**Com. Sub. for H. B. 2351** — “A BILL to amend and reenact §29-21-13a of the Code of West Virginia, 1931, as amended, relating to attorneys appointed to represent indigent persons in criminal, juvenile, and abuse and neglect cases, and attorneys appointed to serve as guardians ad litem in the state courts; increasing compensation paid by Public Defender Services; and requiring Public Defender Services to annually provide report summarizing certain legal services provided by guardians ad litem.”.

*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. 2571**, Create mechanism for towing companies in WV to quickly access owner information; 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. 268**), and there were—yeas 95, nays 1, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Anders.

Absent and Not Voting: Bridges, Green, Hillenbrand and Mazzocchi.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2571) passed.

Delegate McGeehan moved that the bill take effect July 1, 2025.

On this question, the yeas and nays were taken (**Roll No. 269**), and there were—yeas 95, nays 1, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Anders.

Absent and Not Voting: Bridges, Green, Hillenbrand and Mazzocchi.

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. 2571) takes effect July 1, 2025.

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

**H. B. 2575**, Relating to the establishment of a full-time Dementia Services Director position; 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. 270**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Green and Hillenbrand.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 2575) 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. 2787**, To permit the county commission of each county to lease, rent or to permit the use of a county owned wireless tower or any portion thereof, with exceptions; on third reading, coming up in regular order, was read a third time.

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

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

**Com. Sub. for H. B. 2816**, Relating to clarifying secondary sources are not the law and public policy of West Virginia in certain instances; 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. 271**), and there were—yeas 84, nays 11, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Canterbury, Flanigan, Fluharty, Garcia, Hamilton, Hansen, Hornbuckle, Lewis, Pushkin, Williams and Young.

Absent and Not Voting: Devault, Green, Hillenbrand, Linville and Lucas.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2816) 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. 2894**, Prohibiting human trafficking of illegal aliens; 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. 272**), and there were—yeas 96, nays 1, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Hansen.

Absent and Not Voting: Green, B. Smith and Ward.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2894) passed.

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

**H. B. 2894** — A Bill to amend and reenact §61-14-1, §61-14-2, §61-14-3, §61-14-4, §61-14-5, §61-14-6, §61-14-7, and §61-14-8 and creating a new section §61-14-9 of the Code of West Virginia, 1931, as amended, relating to human trafficking, and creating crimes relating to human smuggling of an adult and human smuggling of a minor and establishing penalties for each of these newly created crimes, amending the definition of “coercion”, adding definitions for “human smuggling, smuggling, or smuggles”, “illegal alien”, and immediate family member”; general provisions and enhancement of criminal penalties; providing that an individual convicted of an offense under this article when a finding of an “aggravated circumstance” has been made may not be eligible for parole before serving five years in a correctional facility when the sentence is of an indeterminate nature; providing that if an individual is convicted of an offense under this article when the victim is a minor shall not be eligible for parole; redefining what constitutes an “aggravating circumstance”; and providing that illegal aliens are not eligible for restitution and under what other situations restitution may be ordered by a court; and creating an exemption for medical, mental health, and legal services being provided for an illegal alien”;

*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. 2897**, Permitting the Legislative Auditor to conduct periodic performance and financial audits of the West Virginia Department of Education; 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. 273**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Green, Hornbuckle, Marple, B. Smith and Street.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2897) 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. 2958**, To clarify what constitutes trespassing at an institution of higher education; 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. 274**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Green, Jennings, Marple and Street.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2958) 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. 3111**, To provide pay increases to members of the judiciary; on third reading, coming up in regular order, was read a third time.

Delegates Eldridge and Akers requested to be excused from voting on Com. Sub. for H. B. 3111 under the provisions of House Rule 49.

The Speaker replied that all Delegates were members of a class of persons possibly to be affected by the passage of the bill and directed the Members to vote.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 275**), and there were—yeas 92, nays 4, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Anders, Coop-Gonzalez, Dillon and Garcia.

Absent and Not Voting: Green, Jennings, Steele and Street.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3111) passed.

Delegate McGeehan moved that the bill take effect July 1, 2025.

On this question, the yeas and nays were taken (**Roll No. 276**), and there were—yeas 94, nays 2, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Anders and Horst.

Absent and Not Voting: Green, Jennings, Steele and Street.

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. 3111) takes effect July 1, 2025.

**Com. Sub. for H. B. 3133**, Permitting counties and municipalities to enter into memoranda of understanding for demolition of dilapidated structures; 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. 277**), and there were—yeas 94, nays 1, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Adkins.

Absent and Not Voting: Funkhouser, Green, Jennings, Steele and Williams.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3133) passed.

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

On this question, the yeas and nays were taken (**Roll No. 278**), and there were—yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: T. Clark, Funkhouser, Green, Jennings, Miller, Steele and Williams.

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. 3133) takes effect from its passage.

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

**Com. Sub. for H. B. 3152**, Claims Bill; 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. 279**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Green, Jennings and Williams.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3152) passed.

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

On this question, the yeas and nays were taken (**Roll No. 280**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Green, Jennings and Williams.

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. 3152) takes effect from its passage.

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

**Com. Sub. for H. B. 3167**, To require hair follicle drug testing of parents or guardians in cases of substantiated child abuse or neglect of a minor; 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. 281**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: W. Clark, Green, Jennings and Williams.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3167) passed.

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

**H. B. 3167** — A Bill to amend the Code of West Virginia, 1931, as amended, by inserting a new section thereto, designated §49-4-611, relating to drug testing relating to child neglect or abuse; allowing a 12-panel hair follicle drug testing after the filing of a petition alleging child abuse and neglect; permitting a circuit court to order a pediatric neurological evaluation of certain children under two months of age in certain circumstances; allowing usage of a 12-panel hair follicle drug test to verify drug use; providing that attempting to alter hair to evade detection of

drug usage as demonstrated by a result from a 12-panel hair follicle drug test or the refusal to take such test shall be considered a positive test; establishing that the results of a 12-panel hair follicle drug test can be reported to a multidisciplinary treatment team subject to limitations by a circuit court; and allowing for rebuttal of an allegation of drug use with the use of the 12-panel hair follicle drug test.”

*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. 3179**, Funding for failing public utilities; 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. 282**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Green, Kelly and Williams.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3179) 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. 3181**, Allow all law enforcement officers to purchase gun upon retirement; 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. 283**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Green, Kelly and Williams.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3181) 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. 3209**, To provide at least one counselor for every 250 students in public schools and public charter schools in this state; 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. 284**), and there were—yeas 97, nays 1, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Anders.

Absent and Not Voting: Green and Kelly.



So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3209) passed.

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

**H. B. 3209** — “A BILL to amend and reenact §18-5-18b 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 1000 students; providing that the requirement shall not increase the number of student support personnel for which an allowance is required under certain statutory provisions; allowing counties to follow a one to 400-450 counselor-to-student ratio in elementary and middle school and a one to 250-300 counselor-to-student ratio in high school.”

Delegate McGeehan moved that the bill take effect July 1, 2025.

On this question, the yeas and nays were taken (**Roll No. 285**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Green, Kelly and Parsons.

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. 3209) takes effect July 1, 2025.

*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. 3276**, Provide mechanism for rate increases for water and sewer utilities; 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. 286**), and there were—yeas 70, nays 28, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Anders, Bridges, Brooks, D. Cannon, Clay, Dean, Dillon, Fluharty, Funkhouser, Garcia, Gearheart, Hamilton, Hansen, Hornbuckle, Horst, Jennings, Lewis, Linville, Pritt, Pushkin, Ridenour, Steele, Street, Toney, Vance, White, Williams and Young.

Absent and Not Voting: Green and Parsons.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3276) 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. 3279**, Relating to requirements for WVU and WVSU Board of Governors; on third reading, coming up in regular order, was read a third time.

Delegate Lewis requested to be excused from voting on Com. Sub. for H. B. 3279 under the provisions of House Rule 49.

The Speaker replied that all Delegates were members of a class of persons possibly to be affected by the passage of the bill and directed the Members to vote.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 287**), and there were—yeas 62, nays 35, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Adkins, Akers, Anders, Bridges, Campbell, J. Cannon, Canterbury, Chiarelli, T. Clark, Dean, Devault, Dillon, Dittman, Drennan, Eldridge, Flanigan, Fluharty, Garcia, Hamilton, Hansen, Hornbuckle, Horst, Jennings, Kimble, Kump, Lewis, Lucas, Mallow, McCormick, Phillips, Pushkin, Statler, Vance, Williams and Young.

Absent and Not Voting: Green, Hall and Parsons.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3279) 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. 3347**, Supplemental Appropriation -Administration - Diamond Bldg.; on third reading, coming up in regular order, was read a third time.

On the passage of the bill, the yeas and nays were taken (**Roll No. 288**), and there were—yeas 87, nays 4, absent and not voting 9, with the nays and the absent and not voting being as follows:

Nays: Anders, Dillon, Foggin and Vance.

Absent and Not Voting: Amos, Crouse, Devault, Green, Hall, Linville, Maynor, Parsons and Stephens.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3347) passed.

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

On this question, the yeas and nays were taken (**Roll No. 289**), and there were—yeas 89, nays 3, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Anders, Dillon and Vance.

Absent and Not Voting: Amos, Devault, Green, Hall, Linville, Maynor, Parsons and Stephens.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3347) takes effect from its passage.

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

**H. B. 3363**, Supplemental Appropriation - Public Defender; on third reading, coming up in regular order, was read a third time.

On the passage of the bill, the yeas and nays were taken (**Roll No. 290**), and there were—yeas 92, nays none, absent and not voting 8, with the absent and not voting being as follows:

Absent and Not Voting: Amos, Devault, Green, Hall, Linville, Mallow, McCormick and Parsons.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3363) passed.

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

On this question, the yeas and nays were taken (**Roll No. 291**), and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Amos, Green, Hall, Linville, Mallow and Parsons.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3363) takes effect from its passage.

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

**H. B. 3368**, Supplemental Appropriation - Administration - Lease Rental Payment; on third reading, coming up in regular order, was read a third time.

On the passage of the bill, the yeas and nays were taken (**Roll No. 292**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Amos, Green, Linville, Mallow and Parsons.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3368) passed.

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

On this question, the yeas and nays were taken (**Roll No. 293**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Amos, Green, Linville, Mallow and Parsons.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3368) 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.

1:18 p.m., on motion of Delegate McGeehan, the House of Delegates recessed until 4:00 p.m.

\* \* \* \* \*

### Evening Session

\* \* \* \* \*

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

**Third Reading (continued)**

**H. B. 3373**, To extend and revise the sunset provision in the Tourism Development Act to December 31, 2030; 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. 294**), and there were—yeas 82, nays 6, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Anders, Coop-Gonzalez, Dillon, Ridenour, Street and White.

Absent and Not Voting: Amos, W. Clark, Drennan, Green, Hornbuckle, Kump, Lucas, Martin, Miller, Petitto, Pushkin and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 3373) 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. 3389**, Exclude the Department of Tourism as a Governmental agency; 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. 295**), and there were—yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Drennan, Green, Kump, Lucas, Martin, Pushkin and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 3389) passed.

On motion of Delegate Philips, the title of the bill was amended to read as follows: **H. B. 3389** — “A BILL to amend and reenact §18-10G-2 of the Code of West Virginia, 1931, as amended, relating to exempting Department of Tourism from the division of vocational rehabilitation food services facilities program.”

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

**H. B. 3424**, Removing language regarding short term loans being provided to released inmates for costs related to reentry into the community; 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. 296**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Green, Kump, Lucas, Martin and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 3424) passed.

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

**H. B. 3424** — “A Bill to amend and reenact §15A-4-21 of the Code of West Virginia, 1931, as amended, relating to corrections management; and removing language authorizing short term loans to released inmates.”

*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. 3429**, Prequalifying consultants for WVDEP- Abandon Mine Lands; 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. 297**), and there were—yeas 93, nays 2, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Dillon and Pritt.

Absent and Not Voting: Green, Kump, Lucas, Martin and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3429) 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. 3505**, Relating to insurance; 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. 298**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Green, Kump, Lucas, Martin and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 3505) 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. 275**, Removing requirement school cooks or custodians have high school diploma or equivalent; on second reading, coming up in regular order, was read a second time,

**On motion of Delegate Ellington, the amendment was adopted**

An amendment was recommended by the Committee on Education, on page 1, after the enacting clause by striking out the remainder of the bill and inserting, in lieu thereof, the following:

**ARTICLE 2. SCHOOL PERSONNEL.**

### **§18A-2-5. Employment of service personnel; limitation.**

The board may employ such service personnel, including substitutes, as is deemed necessary for meeting the needs of the county school system: *Provided*, That the board may not employ a number of such personnel whose minimum monthly salary under §18A-4-8a of this code is specified as pay grade "H", which number exceeds the number employed by the board on March 1, 1988.

Effective July 1, 1988, a county board shall not employ for the first time any person who has not obtained a high school diploma or general educational development certificate (GED) or who is not enrolled in an approved adult education course by the date of employment in preparation for obtaining a GED: *Provided*, That such employment is contingent upon continued enrollment or successful completion of the GED program: *Provided, further however*, That this paragraph shall not apply to school bus drivers ~~and~~ who are 21 years of age or older, cooks who are 21 years of age or older, or custodians who are 21 years of age or older.

Before entering upon their duties service personnel shall execute with the board a written contract which shall be in the following form:

"COUNTY BOARD OF EDUCATION

SERVICE PERSONNEL CONTRACT OF EMPLOYMENT

THIS (Probationary or Continuing) CONTRACT OF EMPLOYMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 19 20 \_\_\_\_, by and between THE BOARD OF EDUCATION OF THE COUNTY OF \_\_\_\_\_, a corporation, hereinafter called the 'Board,' and (Name and Social Security Number of Employee), of (Mailing Address), hereinafter called the 'Employee.'

WITNESSETH, that whereas, at a lawful meeting of the Board of Education of the County of \_\_\_\_\_ held at the offices of said Board, in the City of \_\_\_\_\_, \_\_\_\_\_ County, West Virginia, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 20 \_\_\_\_, the Employee was duly hired and appointed for employment as a (Job Classification) at (Place of Assignment) for the school year commencing \_\_\_\_\_ for the employment term and at the salary and upon the terms hereinafter set out.

NOW, THEREFORE, pursuant to said employment, Board and Employee mutually agree as follows:

(1) The Employee is employed by the Board as a (Job Classification) at (Place of Assignment) for the school year or remaining part thereof commencing \_\_\_\_\_, 19-20 \_\_\_\_\_. The period of employment is \_\_\_\_\_ days at an annual salary of \$\_\_\_\_\_ at the rate of \$\_\_\_\_\_ per month.

(2) The Board hereby certifies that the Employee's employment has been duly approved by the Board and will be a matter of the Board's minute records.

(3) The services to be performed by the Employee shall be such services as are prescribed for the job classification set out above in paragraph (1) and as defined in §18A-4-8 of this code.

(4) The Employee may be dismissed at any time for immorality, incompetency, cruelty, insubordination, intemperance or willful neglect of duty pursuant to §18A-2-8 of this code.

(5) The Superintendent of the \_\_\_\_\_ County Board of Education, subject to the approval of the Board, may transfer and assign the Employee in the manner provided by §18A-7-2 of this code.

(6) This contract shall at all times be subject to any and all existing laws, or such laws as may hereafter be lawfully enacted, and such laws shall be a part of this contract.

(7) This contract may be terminated or modified at any time by the mutual consent of the Board and the Employee.

(8) This contract shall be automatically terminated if the Employee is convicted under §61-8D-3 or §61-8D-5 of this code or comparable statute in any other state, of any criminal offense that requires the Employee to register as a sex offender, or of any criminal offense which has as an element delivery or distribution of a controlled substance: *Provided*, That if the conviction resulting in automatic revocation pursuant to this section is overturned by any Court of this state or the United States, the Employee's contract shall be reinstated unless otherwise prohibited by law.

(9) This contract shall be signed and returned to the Board at its address of \_\_\_\_\_ within 30 days after being received by the Employee.

(10) By signing this contract the Employee accepts employment upon the terms herein set out.

WITNESS the following signatures as of the day, month and year first above written:

\_\_\_\_\_, (President, \_\_\_\_\_ County Board of Education) \_\_\_\_\_,  
(Secretary, \_\_\_\_\_ County Board of Education) \_\_\_\_\_, (Employee)" \_\_\_\_\_

The use of this form may not be interpreted to authorize boards to discontinue any employee's contract status with the board or rescind any rights, privileges, or benefits held under contract or otherwise by any employee prior to the effective date of this section.

Each contract of employment shall be designated as a probationary or continuing contract. The employment of service personnel shall be made a matter of minute record. The employee shall return the contract of employment to the county board of education within 30 days after receipt or otherwise he or she shall forfeit his or her right to employment.

Under such regulation and policy as may be established by the county board, service personnel selected and trained for teacher-aide classifications, such as monitor aide, clerical aide, classroom aide, and general aide, shall work under the direction of the principal and teachers to whom assigned.

**Com. Sub. for S. B. 282**, Modifying provisions for employment of retired teachers as substitutes in areas of critical need and shortage; on second reading, coming up in regular order, was read a second time,

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

An amendment was recommended by the Committee on Education, on page 1, after the enacting clause by striking out the remainder of the bill and inserting, in lieu thereof the following:

## **ARTICLE 2. SCHOOL PERSONNEL.**

### **§18A-2-3. Employment of substitute teachers; and employment of retired teachers as substitutes in areas of critical need and shortage.**

(a) The county superintendent, subject to approval of the county board, may employ and assign substitute teachers to any of the following duties:

(1) Fill the temporary absence of any teacher or an unexpired school term made vacant by resignation, death, suspension, or dismissal;

(2) Fill a teaching position of a regular teacher on leave of absence; and

(3) Perform the instructional services of any teacher who is authorized by law to be absent from class without loss of pay, providing the absence is approved by the board of education in accordance with the law.

The substitute shall be a duly certified teacher.

(b) Notwithstanding any other provision of this code to the contrary, a substitute teacher who has been assigned as a classroom teacher in the same classroom continuously for more than one half of a grading period and whose assignment remains in effect two weeks prior to the end of the grading period, shall remain in the assignment until the grading period has ended, unless the principal of the school certifies that the regularly employed teacher has communicated with and assisted the substitute with the preparation of lesson plans and monitoring student progress or has been approved to return to work by his or her physician. For the purposes of this section, teacher and substitute teacher, in the singular or plural, mean professional educator as defined in §18A-1-1 of this code.

(c) Persons who are hired as long-term substitute teachers shall be provided information by the county board relating to an IEP plan and 504 plan, detailing their uses and what those long-term substitute teachers should do to implement these plans upon their hiring.

(d) (1) The Legislature hereby finds and declares that due to a shortage of qualified substitute teachers, a compelling state interest exists in expanding the use of retired teachers to provide service as substitute teachers in areas of critical need and shortage. The Legislature further finds that diverse circumstances exist among the counties for the expanded use of retired teachers as substitutes.

(2) For the purposes of this subsection:

(A) "Area of critical need and shortage for substitute teachers" means an area of certification and training in which the number of available substitute teachers in the county who hold certification and training in that area and who are not retired is insufficient to meet the projected need for substitute teachers; and

(B) "Teacher or substitute teacher" includes speech pathologists, school nurses, and school counselors.



(3) A person receiving retirement benefits under §18-7A-1 *et seq.* of this code or who is entitled to retirement benefits during the fiscal year in which that person retired may accept employment as a critical needs substitute teacher for an unlimited number of days each fiscal year without affecting the monthly retirement benefit to which the retirant is otherwise entitled if the following conditions are satisfied:

(A) The county board adopts a policy recommended by the superintendent to address areas of critical need and shortage for substitute teachers;

(B) The policy sets forth the areas of critical need and shortage for substitute teachers in the county in accordance with the definition of area of critical need and shortage for substitute teachers set forth in subdivision (2) of this subsection;

(C) The policy provides for the employment of retired teachers as critical needs substitute teachers during the school year on an expanded basis in areas of critical need and shortage for substitute teachers as provided in this subsection;

(D) The policy provides that a retired teacher may be employed as a substitute teacher in an area of critical need and shortage for substitute teachers on an expanded basis as provided in this subsection only when no other teacher who holds certification and training in the area and who is not retired is available and accepts the substitute assignment;

(E) The policy is effective for one school year only and is subject to annual renewal by the county board;

(F) The state board approves the policy and the use of retired teachers as substitute teachers on an expanded basis in areas of critical need and shortage for substitute teachers as provided in this subsection; and

(G) Prior to employment of a retired teacher as a critical needs substitute teacher beyond the post-retirement employment limitations established by the Consolidated Public Retirement Board, the superintendent of the affected county submits to the state board in a form approved by the Consolidated Public Retirement Board and the state board, an affidavit signed by the superintendent stating the name of the county, the fact that the county has adopted a policy to employ retired teachers as substitutes to address areas of critical need and shortage, the name or names of the person or persons to be employed as a critical needs substitute pursuant to the policy, the critical need and shortage area position filled by each person, the date that the person gave notice to the county board of the person's intent to retire, and the effective date of the person's retirement. Upon verification of compliance with this section and the eligibility of the critical needs substitute teacher for employment beyond the post-retirement limit, the state board shall submit the affidavit to the Consolidated Public Retirement Board.

(4) Any person who retires and begins work as a critical needs substitute teacher within the same fiscal year in which that person retired shall lose those retirement benefits attributed to the annuity reserve, effective from the first day of employment as a retiree critical needs substitute teacher in that fiscal year and ending with the month following the date the retiree ceases to perform service as a critical needs substitute teacher.

(5) Retired teachers employed to perform expanded substitute service pursuant to this subsection are considered day-to-day, temporary, part-time employees. The substitutes are not

eligible for additional pension or other benefits paid to regularly employed employees and may not accrue seniority.

(6) A retired teacher is eligible to be employed as a critical needs substitute teacher to fill a vacant position without any loss of retirement benefits attributed to the annuity reserve only if the retired teacher's retirement became effective before the first day of July preceding at least the fiscal year during which he or she is employed as a critical needs substitute teacher.

(7) When a retired teacher is employed as a critical needs substitute to fill a vacant position, the county board shall continue to post the vacant position until it is filled with a regularly employed teacher who is fully certified or permitted for the position-: Provided, That:

(A) The posting is only required to occur once at the beginning of the year and once mid-year;

(B) This subdivision does not apply when filling a teaching position of a regular teacher on leave of absence; and

(C) This subdivision does not apply when a position is filled with a regularly employed teacher who is fully certified or permitted for the position but the teacher is not available at the time he or she accepts the position.

(8) When a retired teacher is employed as a critical needs substitute to fill a vacant position, the position vacancy shall be posted electronically and easily accessible to prospective employees as determined by the state board-: Provided, That:

(A) The posting is only required to occur once at the beginning of the year and once mid-year;

(B) This subdivision does not apply when filling a teaching position of a regular teacher on leave of absence; and

(C) This subdivision does not apply when a position is filled with a regularly employed teacher who is fully certified or permitted for the position but the teacher is not available at the time he or she accepts the position.

(9) Until this subsection is expired pursuant to subdivision (10) of this subsection, the state board shall report to the Joint Committee on Government and Finance, prior to February 1 of each year, information indicating the effectiveness of the provisions of this subsection on reducing the critical need and shortage of substitute teachers including, but not limited to, the number of retired teachers, by critical need and shortage area position filled and by county, employed beyond the post-retirement employment limit established by the Consolidated Public Retirement Board, the date that each person gave notice to the county board of the person's intent to retire, and the effective date of the person's retirement. A copy of the report shall also be provided to the Legislative Oversight Commission on Education Accountability.

(10) The provisions of this subsection shall expire on ~~June 30, 2025~~ June 30, 2030.

#### **ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.**

**§18A-4-15a. Employment of retired bus operators as substitutes in areas of critical need and shortage.**

(a) The Legislature hereby finds and declares that due to a shortage of qualified substitute bus operators a compelling state interest exists in expanding the use of retired bus operators to provide service as substitute bus operators in an area of critical need and shortage.

(b) The Legislature further finds and declares that this shortage is significant and overarching, and in order to comply with §18-5-13(f)(1) of this code, this need supersedes any preclusion of modification of rights codified in §18-7A-28e of this code.

(1) For the purposes of this subsection: "Area of critical need and shortage for substitute bus operators" means that the number of available qualified substitute bus operators in the county who are not retired and are available and willing to accept substitute bus operator assignments is insufficient to meet the projected need for qualified substitute bus operators.

(2) A person receiving retirement benefits under §18-7A-1 *et seq.* of this code, or who is entitled to retirement benefits during the fiscal year in which that person retired, may accept employment as a critical need substitute bus operator for an unlimited number of days each fiscal year without affecting the monthly retirement benefit to which the retirant is otherwise entitled, subject to satisfaction of the following conditions:

(A) The county board adopts a policy recommended by the superintendent to address a critical need and shortage for substitute bus operators;

(B) The superintendent of the county board submits the policy to the State Board of Education for approval in the first year of its utilization. After initial approval by the State Board of Education, the county board must annually renew the policy at the local level and provide confirmation to the State Board of Education of its intent to utilize the policy in the subsequent year;

(C) The policy sets forth the critical need and shortage for substitute bus operators in the county in accordance with the definition of area of critical need and shortage for substitute bus operators as provided in subdivision (1) of this subsection;

(D) The policy provides for the employment of retired bus operators as critical need substitute bus operators during the school year on an expanded basis in areas of critical need and shortage for substitute bus operators as provided in this subsection;

(E) The policy provides that a retired bus operator may be employed as a substitute bus operator in an area of critical need and shortage for substitute bus operators on an expanded basis as provided in this subsection only when no other qualified bus operator who is not retired is available and accepts the substitute assignment; and

(F) Prior to employment of a retired bus operator as a critical need substitute bus operator beyond the post-retirement employment limitations established by the Consolidated Public Retirement Board, the superintendent of the affected county submits to the state board in a form approved by the Consolidated Public Retirement Board and the state board, an affidavit signed by the superintendent stating the name of the county, the fact that the county has adopted a policy to employ retired bus operators as substitutes to address its critical need and shortage, the name or names of the person or persons to be employed as a critical need substitute pursuant to the policy, the date that the person gave notice to the county board of the person's intent to retire, and the effective date of the person's retirement. Upon verification of compliance with this section and the eligibility of the critical need substitute bus operator for employment beyond the post-

retirement limit, the state board shall submit the affidavit to the Consolidated Public Retirement Board.

(3) Any person who retires and begins work as a critical need substitute bus operator within the same fiscal year in which that person retired shall lose those retirement benefits attributed to the annuity reserve, effective from the first day of employment as a retiree critical need substitute bus operator in that fiscal year and ending with the month following the date the retiree ceases to perform service as a critical need substitute bus operator.

(4) Retired bus operators employed to perform expanded substitute service pursuant to this subsection are considered day-to-day, temporary, part-time employees. The substitutes are not eligible for additional pension or other benefits paid to regularly employed employees and may not accrue seniority.

(5) A retired bus operator is eligible to be employed as a critical need substitute bus operator to fill a vacant position without any loss of retirement benefits attributed to the annuity reserve only if the retired bus operator's retirement became effective before the first day of July preceding at least the fiscal year during which he or she is employed as a critical need substitute bus operator.

(6) When a retired bus operator is employed as a critical need substitute to fill a vacant position, the county board shall continue to post the vacant position until it is filled with a regularly employed bus operator who is fully qualified for the position-: Provided, That:

(A) The posting is only required to occur once at the beginning of the year and once mid-year;

(B) This subdivision does not apply when filling a bus operator position of a regular bus operator on leave of absence; and

(C) This subdivision does not apply when a position is filled with a certified bus operator but the bus operator is not available at the time the bus operator accepts the position.

(7) When a retired bus operator is employed as a critical need substitute to fill a vacant position, the position vacancy shall be posted electronically and easily accessible to prospective employees as determined by the state board-: Provided, That:

(A) The posting is only required to occur once at the beginning of the year and once mid-year;

(B) This subdivision does not apply when filling a bus operator position of a regular bus operator on leave of absence; and

(C) This subdivision does not apply when a position is filled with a certified bus operator but the bus operator is not available at the time the bus operator accepts the position.

(8) The provisions of this subsection shall expire on ~~June 30, 2028~~ June 30, 2030.

**S. B. 650**, Relating to full-time interventionists; on second reading, coming up in regular order, was read a second time,

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

An amendment was recommended by the Committee on Education, on page 2, section (b), line 24, after “classrooms” by striking out the semi-colon and adding in lieu thereof “:Provided, That kindergarten and first grade classrooms may not use an interventionist in place of a full time classroom aide.”

**Com. Sub. for H. B. 2014**, Certified Microgrid Program; on second reading, coming up in regular order, was read a second time,

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

Delegate Anderson moved to amend the committee substitute bill on page 27, section 1d, on line 57, after the word “their” and before the word “generating” by inserting the words “thermal baseload”.

**On motion of Delegate Anders, the amendment was withdrawn.**

Delegate Anders moved to amend the committee substitute on page 16, immediately following line 120, by inserting the following new section:

“§5B-2-21c. Protection of electric ratepayers from cost burdens. Nothing in this article shall be construed to authorize or permit any costs associated with the development, construction, maintenance, or operation of microgrids, datacenters, or associated power sources to be passed along, either directly or indirectly, to electric utility customers in West Virginia through rates, fees, surcharges, or any other mechanism.”

An amendment offered by Delegate Anders was reported by the Clerk.

Whereupon,

Delegate Anders asked and obtained unanimous consent to withdraw the amendment.

**On motion of Delegate Funkhouser, the amendment was withdrawn.**

Delegate Funkhouser moved to amend the committee substitute on page 16, in §5B-2-21b immediately following line 120, by inserting the following new subsection:

“(h) In counties with karst hydrogeology, any water, utilized by data centers or any developments in a Microgrid District or high impact data center project, for any use other than domestic use, shall originate from surface water whether obtained from a utility or directly by the development. Originate from surface water here means that the intake when the water is first drawn from its natural origin that it be drawn from a surface water course not a subsurface well.”

An amendment offered by Delegate Funkhouser was reported by the Clerk.

Whereupon,

Delegate Funkhouser asked and obtained unanimous consent to withdraw the amendment.

**On motion of Delegate Funkhouser, the amendment was withdrawn.**

Delegate Funkhouser moved to amend the committee substitute on page 13, in §5B-2-21b on line 53, by deleting subsections §5B-2-21b(c) and §5B-2-21b(d) in their entirety AND Renumbering the remaining subsections.

An amendment offered by Delegate Funkhouser was reported by the Clerk.

Whereupon,

Delegate Funkhouser asked and obtained unanimous consent to withdraw the amendment.

**On motion of Delegate Fehrenbacher, the amendment was withdrawn.**

Delegate Fehrenbacher moves to amend the committee substitute bill on page 2, section 21, after line 29, by inserting a new subdivision (8) to read as follows:

“(8) The amendments to §5B-2-21(c)(6), (d), (e), (g), and (j) of this code enacted during the regular session of the Legislature, 2025, shall not impact any microgrid district that was previously certified on or before January 1, 2024, or any special contract entered into and approved by the Public Service Commission on or before January 1, 2025. No amendments to this section enacted during the regular session of the Legislature, 2025, shall be interpreted to remove an existing microgrid district certification.”

An amendment offered by Delegate Fehrenbacher was reported by the Clerk.

Whereupon,

Delegate Fehrenbacher asked and obtained unanimous consent to withdraw the amendment.

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

Delegate Fehrenbacher moves to amend the committee substitute bill on page 2, section 21, after line 29, by inserting a new subdivision (8) to read as follows:

“(8) The amendments to §5B-2-21(b)(6), (d), (e), (g), and (j) of this code enacted during the regular session of the Legislature, 2025, shall not impact any microgrid district that was previously certified on or before January 1, 2024, or any special contract entered into and approved by the Public Service Commission on or before January 1, 2025. No amendments to this section enacted during the regular session of the Legislature, 2025, shall be interpreted to remove an existing microgrid district certification.”

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

Delegates Hansen and Young move to amend the com sub for HB2014 on pages 13-15, Section 21b, beginning on line 53 of page 13 through page 15, line 80, by deleting subsections (c) and (d) in their entirety

AND,

Re-lettering the remaining subsections accordingly.

**On motion of Delegate Dillon, the amendment was ruled not germane to the bill.**

Delegate Riley arose to inquire of the Chair regarding the germaneness of the amendment.

The Speaker ruled that the amendment was not germane to the bill.

The bill was then ordered to engrossment and third reading.

**Com. Sub. for H. B. 2015**, Relating to liability or other insurance coverage provided by the Board of Risk and Insurance Management to any entity for which such coverage is permission under state code; on second reading, coming up in regular order, was read a second time,

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

Delegate Williams moves to amend the committee substitute bill on page 1, section 15, lines 5 and 6 by striking out the words “but not limited to, a political subdivision, charitable or public service organization,” and inserting in lieu thereof the words “charitable or public service organization or other non-governmental entity, but does not include a political subdivision”.

The bill was then ordered to engrossment and 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 read a second time,

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

Delegate Burkhammer moved to amend the bill on page 33, section 60-7-3, line 9, by 1 Striking subsection (b) in its entirety.

The bill was then ordered to engrossment and third reading.

**Com. Sub. for H. B. 2152**, Prompt Payment Act of 2025; 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. 2491**, Relating to conditions on holding online raffles; 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. 2576**, NIL Protection Act; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

**Com. Sub. for H. B. 2595**, Non Profit Athletics Act; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading with general right to amend,

**Com. Sub. for Com. Sub. for H. B. 2777**, Relating to removing requirements to submit certain evidence on behalf of home-schooled children; on second reading, coming up in regular order, was read a second time,

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

Delegate Dillon moved to amend the committee substitute for House Bill 2777 on page 1, following the enacting clause, by striking everything thereafter and inserting in lieu thereof the following:

**ARTICLE 8. COMPULSORY SCHOOL ATTENDANCE. STATE ENCOURAGEMENT OF LEARNING DURING CHILDHOOD.**

**§18-8-1. Compulsory school attendance; exemptions. Parents of minor children strongly encouraged to provide educational opportunity.**

~~(a) Exemption from the requirements of compulsory public school attendance established in §18-8-1a of this code shall be made on behalf of any child for the causes or conditions set forth in this section. Each cause or condition set forth in this section is subject to confirmation by the attendance authority of the county or state. A child who is exempt from compulsory school attendance under this section is not subject to prosecution under §18-8-2 of this code, nor is such a child a status offender as defined by §49-1-202 of this code.~~

~~(b) A child is exempt from the compulsory school attendance requirement set forth in §18-8-1a of this code if the requirements of this subsection, relating to instruction in a private, parochial, or other approved school, are met. The instruction shall be in a school approved by the county board and for a time equal to the instructional term set forth in §18-5-45 of this code. In all private, parochial, or other schools approved pursuant to this subsection, it is the duty of the principal or other person in control, upon the request of the county superintendent, to furnish to the county board such information and records as may be required with respect to attendance, instruction, and progress of students enrolled.~~

~~(c) A child is exempt from the compulsory school attendance requirement set forth in §18-8-1a of this code if the requirements of either subdivision (1) or subdivision (2) of this subsection, both relating to home instruction, are met.~~

~~(1) The instruction shall be in the home of the child or children or at some other place approved by the county board and for a time equal to the instructional term set forth in §18-5-45 of this code. If the request for home instruction is denied by the county or state board, good and reasonable justification for the denial shall be furnished in writing to the applicant by the county or state board. The instruction shall be conducted by a person or persons who, in the judgment of the county or state superintendent and county or state board, are qualified to give instruction in subjects required to be taught in public elementary schools in the state. The person or persons providing the instruction, upon request of the county or state superintendent, shall furnish to the county or state board information and records as may be required periodically with respect to attendance, instruction, and progress of students receiving the instruction. The state board shall develop guidelines for the home schooling of special education students including alternative assessment measures to assure that satisfactory academic progress is achieved. ; *Provided*, That the county or state board may not approve a request for home instruction under this section until it shall have reviewed any pending child abuse or neglect investigation under §49-2-801 et seq. against a custodial parent or person providing home instruction. The county or state board shall have 10 days to determine whether approval for home instruction is warranted if such an investigation is active. A county or state board may grant provisional approval for home instruction for any child who is withdrawing from a school pending review of the investigation if the circumstances, in the discretion of the county or state board, warrant provisional approval. An active investigation under this section is one that was initiated prior to and not as a result of a parent seeking approval to homeschool.~~



~~(2) The child meets the requirements set forth in this subdivision: *Provided*, That the county or state superintendent may, after a showing of probable cause, seek from the circuit court of the county an order denying home instruction of the child. The order may be granted upon a showing of clear and convincing evidence that the child will suffer neglect in his or her education or that there are other compelling reasons to deny home instruction.~~

~~(A) Upon commencing home instruction under this section the parent of a child receiving home instruction shall present to the county state superintendent or county state board a notice of intent to provide home instruction that includes the name, address, and age of any child of compulsory school age to be instructed and assurance that the child shall receive instruction in reading, language, mathematics, science, and social studies, and that the child shall be assessed annually in accordance with this subdivision. The person providing home instruction shall notify the county state superintendent upon termination of home instruction for a child who is of compulsory attendance age. Upon establishing residence in a new county, the person providing home instruction shall notify the previous county state superintendent and submit a new notice of intent to the superintendent of the new county of residence: *Provided*, That if a child is enrolled in a public school, notice of intent to provide home instruction shall be given on or before the date home instruction is to begin.~~

~~(B) All required paperwork or forms may be submitted in one of the following ways:~~

~~(i) In Person~~

~~(ii) Email: By August 1, 2025 The State Board of Education shall implement a school choice email address that all parents may use to submit required paperwork.~~

~~(iii) Mail: The State Board of Education must accept required paperwork by mail from those unable or unwilling to utilize the School Choice Portal or Email address.~~

~~(iv) A School Choice Portal: By August 1, 2025, the State Board of Education shall deploy an internet based reporting portal, which shall be called the "School Choice Portal." This portal shall be maintained as an option for those required to file a notice of intent, notice of termination, and any additional paperwork required by law.~~

~~(C) The School Choice Portal must meet the following minimum requirements:~~

~~(i) It shall be secure, have role-based user access, and provide information privacy;~~

~~(ii) It shall be designed and tested prior to deployment;~~

~~(iii) It shall be deployed and operational for use by the 2025–2026 school year;~~

~~(iv) It shall provide a way for families that choose not to publicly school their children to:~~

~~(v) Identify children that will participate in a school choice option through a Notice of Intent~~

~~(vi) Submit and archive all required reports: *Provided*, That the Board may request, but not require, parents to provide any information that they are not legally required to provide: *Provided further*, That information the Board requests that is not legally required shall be clearly labeled "optional" or "not required";~~

~~(vii) It shall include "dashboards" for both family and school board use;~~

~~(viii) It shall have an acknowledgement capability for families and school boards to be notified that their submissions have been received, and as appropriate, acted upon. This information shall be easily found on the user's dashboard, and it shall permit users to opt into push notifications to users to alert them of actions they need to take.~~

~~(ix) It shall be designed in a manner that fulfills the needs of all 55 counties with a single, common solution.~~

~~(x) In developing the School Choice Portal, the Board shall include and consult with key stakeholders, including, at a minimum, at least one representative each from the Board, the homeschool community, Microschools, and Hope Scholarship. The implementation and continued use shall be overseen by LOCEA and/or the Joint Committee on Education.~~

~~(xi) The State Board shall report back to the county where the Board has the child listed in the School Choice Portal.~~

~~(B) The person or persons providing home instruction shall submit satisfactory evidence of a high school diploma or equivalent, or a post-secondary degree or certificate from a regionally accredited institution, or from an institution of higher education that has been authorized to confer a post-secondary degree or certificate in West Virginia by the West Virginia Council for Community and Technical College Education or by the West Virginia Higher Education Policy Commission~~

~~(C) (D) Annually, the person or persons providing home instruction shall obtain an academic assessment of the child for the previous school year in one of the following ways:~~

~~(i) The child receiving home instruction takes a nationally normed standardized achievement test published or normed not more than 10 years from the date of administration and administered under the conditions as set forth by the published instructions of the selected test and by a person qualified in accordance with the test's published guidelines. in the subjects of reading, language, mathematics, science, and social studies. The child is considered to have made acceptable progress when the mean of the child's test results in the required subject areas for any single year is within or above the fourth stanine or, if below the fourth stanine, shows improvement from the previous year's results;~~

~~(ii) The child participates in the testing program currently in use in the state's public schools. The test shall be administered to the child at a public school in the county of residence. Determination of acceptable progress shall be based on current guidelines of the state testing program;~~

~~(iii) A portfolio of samples of the child's work is reviewed by a certified teacher who determines whether the child's academic progress for the year is in accordance with the child's abilities. The teacher shall provide a written narrative about the child's progress in the areas of reading, language arts, mathematics, science, and social studies and shall note any areas which, in the professional opinion of the reviewer, show need for improvement or remediation. If the narrative indicates that the child's academic progress for the year is in accordance with the child's abilities, the child is considered to have made acceptable progress; or~~

~~(iv) The child completes an alternative academic assessment of proficiency that is mutually agreed upon by the parent or legal guardian and the county state superintendent.~~

~~(D) (E) A parent or legal guardian shall maintain copies of each student's Academic Assessment for three years. When the annual assessment fails to show acceptable progress, the person or persons providing home instruction shall initiate a remedial program to foster acceptable progress. The county state board upon request shall notify the parents or legal guardian of the child, in writing, of the services available to assist in the assessment of the child's eligibility for special education services. Identification of a disability does not preclude the continuation of home schooling. In the event that the child does not achieve acceptable progress for a second consecutive year, the person or persons providing instruction shall document submit to the county superintendent additional evidence that appropriate instruction is being provided.~~

~~(E) (F) The parent or legal guardian shall submit to the county or state superintendent the results of the academic assessment of the child at grade levels three, five, eight, and 11, as applicable, by June 30 of the year in which the assessment was administered~~

~~(3) This subdivision applies to both home instruction exemptions set forth in subdivisions (1) and (2) of this subsection. The county or state superintendent or a designee shall offer such assistance, including textbooks, other teaching materials and available resources, all subject to availability, as may assist the person or persons providing home instruction. Any child receiving home instruction may upon approval of notice to the county or state board exercise the option to attend any class offered by the county board as the person or persons providing home instruction may consider appropriate subject to normal registration and attendance requirements.~~

~~(d) A child is exempt from the compulsory school attendance requirement set forth in §18-8-1a of this code if the requirements of this subsection, relating to physical or mental incapacity, are met. Physical or mental incapacity consists of incapacity for school attendance and the performance of school work. In all cases of prolonged absence from school due to incapacity of the child to attend, the written statement of a licensed physician or authorized school nurse is required. Incapacity shall be narrowly defined and in any case the provisions of this article may not allow for the exclusion of the mentally, physically, emotionally, or behaviorally handicapped child otherwise entitled to a free appropriate education.~~

~~(e) A child is exempt from the compulsory school attendance requirement set forth in §18-8-1a of this code if conditions rendering school attendance impossible or hazardous to the life, health, or safety of the child exist.~~

~~(f) A child is exempt from the compulsory school attendance requirement set forth in §18-8-1a of this code upon regular graduation from a standard senior high school or alternate secondary program completion as determined by the state board.~~

~~(g) A child is exempt from the compulsory school attendance requirement set forth in §18-8-1a of this code if the child is granted a work permit pursuant to the subsection. After due investigation the county superintendent may grant work permits to youths under the termination age designated in §18-8-1a of this code, subject to state and federal labor laws and regulations. A work permit may not be granted on behalf of any youth who has not completed the eighth grade of school.~~

~~(h) A child is exempt from the compulsory school attendance requirement set forth in §18-8-1a of this code if a serious illness or death in the immediate family of the child has occurred. It is~~

~~expected that the county attendance director will ascertain the facts in all cases of such absences about which information is inadequate and report the facts to the county superintendent.~~

~~(i) A child is exempt from the compulsory school attendance requirement set forth in §18-8-1a of this code if the requirements of this subsection, relating to destitution in the home, are met. Exemption based on a condition of extreme destitution in the home may be granted only upon the written recommendation of the county attendance director to the county superintendent following careful investigation of the case. A copy of the report confirming the condition and school exemption shall be placed with the county director of public assistance. This enactment contemplates every reasonable effort that may properly be taken on the part of both school and public assistance authorities for the relief of home conditions officially recognized as being so destitute as to deprive children of the privilege of school attendance. Exemption for this cause is not allowed when the destitution is relieved through public or private means.~~

~~(j) A child is exempt from the compulsory school attendance requirement set forth in §18-8-1a of this code if the requirements of this subsection, relating to church ordinances and observances of regular church ordinances, are met. The county board may approve exemption for religious instruction upon written request of the person having legal or actual charge of a child or children. This exemption is subject to the rules prescribed by the county superintendent and approved by the county board.~~

~~(k) A child is exempt from the compulsory school attendance requirement set forth in §18-8-1a of this code if the requirements of this subsection, relating to alternative private, parochial, church, or religious school instruction, are met. Exemption shall be made for any child attending any private school, parochial school, church school, school operated by a religious order, or other nonpublic school which elects to comply with the provisions of §18-28-1 et seq. of this code.~~

~~(l) Completion of the eighth grade does not exempt any child under the termination age designated in §18-8-1a of this code from the compulsory attendance provision of this article.~~

~~(m) A child is exempt from the compulsory school attendance requirements set forth in §18-8-1a of this code if the child is an eligible recipient participating in the Hope Scholarship Program, as provided for in §18-31-1 et seq. of this code and provides a notice of intent to participate in the Hope Scholarship Program to the county state superintendent. The county state superintendent shall enter the following into the West Virginia Education Information System (WVEIS):~~

~~(1) The filing of the notice of intent pursuant to this subsection; submitted according to §18-8-1(c)(2)(B)~~

~~(2) In the case of a Hope Scholarship recipient who chooses an individualized instructional program, annually, the child's test results or determination that a student is making academic progress commensurate with his or her age and ability, as applicable, pursuant to §18-31-8(a)(4) of this code; and~~

~~(3) In the case of an eligible recipient enrolling in a participating school, annually, the filing of a notice of enrollment pursuant to §18-31-11(a)(6) of this code.~~

~~(n) A child is exempt from the compulsory school attendance requirement set forth in §18-8-1a of this code if the child participates in a learning pod or microschool pursuant to this subsection.~~

~~(1) For the purposes of this subsection:~~

~~(A) "Learning pod" means a voluntary association of parents choosing to group their children together to participate in their elementary or secondary academic studies as an alternative to enrolling in a public school, private school, homeschool, or microschool, including participation in an activity or service provided to the children in exchange for payment; and~~

~~(B) "Microschool" means a school initiated by one or more teachers or an entity created to operate a school that charges tuition for the students who enroll and is an alternative to enrolling in a public school, private school a school covered under exemptions (b) or (k) of this section, homeschool, or learning pod.~~

~~(2) Upon beginning participation in a learning pod or microschool pursuant to this subsection, the parent or legal guardian of the child participating shall present to the county state superintendent or county state board a notice of intent to participate in a learning pod or microschool that includes the name, address, and age of any child of compulsory school age participating; the name, address, and contact information of the microschool or learning pod; and assurance that the child shall receive instruction in reading, language arts, mathematics, science, and social studies, and that the child shall be assessed annually in accordance with this subsection. The person providing instruction shall notify the county state superintendent upon termination of participation in a learning pod or microschool for a child who is of compulsory attendance age. Upon establishing residence in a new county, the person providing instruction shall notify the previous county state superintendent and submit a new notice of intent to the superintendent of the new county of residence: *Provided*, That if a child is enrolled in a public school, notice of intent to participate in a learning pod or microschool shall be given on or before the date participation is to begin.~~

~~(A) NOI and all required paperwork or forms may be submitted according to §18-8-1(c)(2)(B).~~

~~(B) Upon receiving an NOI indicating that a child is participating in a learning pod or microschool, the state superintendent or state board must notify the learning pod or microschool listed on the NOI that a student has declared enrollment in their program.~~

~~(3) The person or persons providing instruction shall submit satisfactory evidence of a high school diploma or equivalent, or a post-secondary degree or certificate from a regionally accredited institution, or from an institution of higher education that has been authorized to confer a post-secondary degree or certificate in West Virginia by the West Virginia Council for Community and Technical College Education or by the West Virginia Higher Education Policy Commission.~~

~~(4) Annually, the person or persons providing instruction shall obtain an academic assessment of the child for the previous school year in one of the following ways:~~

~~(A) The child participating in a learning pod or microschool takes a nationally normed standardized achievement test published or normed not more than 10 years from the date of administration and administered under the conditions as set forth by the published instructions of the selected test and by a person qualified in accordance with the test's published guidelines, in the subjects of reading, language, mathematics, science, and social studies. The child is considered to have made acceptable progress when the mean of the child's test results in the required subject areas for any single year is within or above the fourth stanine or, if below the fourth stanine, shows improvement from the previous year's results;~~

~~(B) The child participates in the testing program currently in use in the state's public schools. The test shall be administered to the child at a public school in the county of residence. Determination of acceptable progress shall be based on current guidelines of the state testing program;~~

~~(C) A portfolio of samples of the child's work is reviewed by a certified teacher who determines whether the child's academic progress for the year is in accordance with the child's abilities. The teacher shall provide a written narrative about the child's progress in the areas of reading, language, mathematics, science, and social studies and shall note any areas which, in the professional opinion of the reviewer, show need for improvement or remediation. If the narrative indicates that the child's academic progress for the year is in accordance with the child's abilities, the child is considered to have made acceptable progress; or~~

~~(D) The child completes an alternative academic assessment of proficiency that is mutually agreed upon by the parent or legal guardian and the county state superintendent.~~

~~(5) A parent or legal guardian, learning pod, or microschool shall maintain copies of each student's Academic Assessment for three years. When the annual assessment fails to show acceptable progress, the person or persons providing instruction shall initiate a remedial program to foster acceptable progress. The county state board upon request shall notify the parents, or legal guardian, learning pod, or microschool of the child, in writing, of the services available to assist in the assessment of the child's eligibility for special education services. Identification of a disability does not preclude the continuation of participation in a learning pod or microschool. In the event that the child does not achieve acceptable progress for a second consecutive year, the person or persons providing instruction shall document submit to the county superintendent additional evidence that appropriate instruction is being provided.~~

~~(6) The parent, legal guardian, learning pod, or microschool shall submit to the county superintendent the results of the academic assessment of the child with the same frequency prescribed in §18-8-1(c)(2)(F)(E) of this code: *Provided*, That instead of the academic assessment results being submitted individually, the learning pod or microschool may submit the school composite results.~~

~~(7) The county or state superintendent or a designee shall offer such assistance, including textbooks, other teaching materials and available resources, all subject to availability, as may assist the person or persons providing instruction. Any child participating in a learning pod or microschool may upon approval of notice to the county or state board exercise the option to attend any class offered by the county board as the person or persons providing instruction may consider appropriate subject to normal registration and attendance requirements.~~

~~(8) No learning pod or microschool which meets the requirements of this subsection is subject to any other provision of law relating to education: *Provided*, That any learning pod or microschool which has a student requiring special education instruction must comply with the provisions of §18-20-11 of this code, including, but not limited to, placement of video cameras for the protection of that exceptional student.~~

~~(9) Making learning pods and microschools subject to the home instruction provisions and requirements does not make learning pods and microschools the same as homeschooling.~~

(a) It shall be the policy of the state to strongly encourage parents to ensure that their children who are minors receive a thorough education as necessary preparation to participate in civil society. Such education may or may not include enrollment in the system of free public schools.

(b) No parent shall be compelled to enroll a student in any school, or report the educational status or learning progress of a student to a local or state government representative, unless by court order arising from civil or criminal proceedings in which the parent is a defendant.

(c) Nothing in this section shall be construed as to alter any statutory protections in other sections of code to ensure child welfare and prevent abuse, neglect, and endangerment of children.

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

Delegate Dillon moved to amend

Delegate Worrell moved to amend the bill on page 6, line 126, by striking new subdivision (F) in its entirety, “(E) (F) The parent or legal guardian shall submit to the county or state superintendent the results of the academic assessment of the child at grade levels three, five, eight, and 11, as applicable, by June 30 of the year in which the assessment was administered”

The bill was then ordered to engrossment and third reading.

**Com. Sub. for H. B. 2892**, Relating to pedestrians standing in or near the right of way; 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. 3013**, Relating to open captioning for motion pictures; 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. 3154**, Relating to advertising by licensed limited video lottery retailers and licensed limited video lottery operations; 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. 3294**, Enacting the Bank Protections for Eligible Adults from Financial Exploitation Act; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

**H. B. 3358**, Supplemental Appropriation - FBGR - DHHR; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

**H. B. 3365**, Supplemental Appropriation - HLTH - Birth to Three; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

**H. B. 3366**, Supplemental Appropriation - FEDA - HLTH - OIG; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

**H. B. 3367**, Supplemental Appropriation - SAPR - DNR; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

**H. B. 3370**, Supplemental Appropriation - FEDA - HMSV - Summer EBT; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

**H. B. 3372**, Supplemental Appropriation - FEDA - Veterans; 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. 3377**, Non-State Owned Roads Improvement Act; on second reading, coming up in regular order, was read a second time,

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

Delegate Linville moved to amend the bill by striking out everything after the enacting clause and inserting in lieu thereof the following:

*Be it enacted by the Legislature of West Virginia:*

## **CHAPTER 17. ROADS AND HIGHWAYS.**

### **ARTICLE 2F. COUNTY AND MUNICIPAL ORPHAN ROAD AND BRIDGE ACQUISITION PROGRAM**

#### **§17-2F-1. Establishment of a county and municipal orphan road and bridge acquisition and maintenance program in all counties; criteria for designation as an orphan road or bridge.**

Authority is hereby granted to the West Virginia Division of Highways to establish a program by which counties and municipalities may acquire and/or maintain roads and bridges which meet the following three criteria:

(a) Are in existence as of January 1, 2025;

(b) are roads or bridges which the public has a right to use; and

(c) are roads or bridges not maintained by any governmental agency. These roads and bridges are herein designated as orphan roads and bridges.

#### **§17-2F-2. Development of program.**

The West Virginia Division of Highways shall develop a county and municipal orphan roads and bridges identification program which shall include all counties and municipalities. At the discretion of the Commissioner of the Division of Highways, a report may be provided to counties and municipalities identifying roads and bridges within their jurisdiction that are not on the state road system, or the Commissioner may publish an online Geospatial Information Systems map allowing counties to identify which roads or bridges within their jurisdiction are not on the state road system. The Commissioner may further implement procedures to assist counties and municipalities in coordinating with the West Virginia Local Technical Assistance Program ("LTAP") for technical assistance related to any roads or bridges that a county or municipality may want to acquire.



**§17-2F-3. Duties of commission or council with respect to orphan roads and bridges; criteria for inclusion; acquisition of rights-of-way.**

(a) After reviewing the reports made or information provided under the provisions of §17-2F-2, the county commission or city council may determine whether a specific road or bridge should be added to the county or city maintenance system. They shall consider the following criteria in reaching their determination:

- (1) the availability of resources for maintaining the road or bridge;
- (2) the number of persons served by the road or bridge;
- (3) the current and anticipated use of the road or bridge;
- (4) the condition of the road or bridge;
- (5) the availability and suitability of alternate routes;
- (6) the suitability for maintenance equipment to access and maintain the road or bridge;
- (7) the existing design and layout of the road or bridge; and
- (8) the number of roads and bridges accepted into the maintenance system.

(b) In order for a road or bridge to qualify for inclusion into the county or city system, all necessary rights-of-way shall be either dedicated or donated to the relevant entity.

(c) In the event that all property owners do not agree to dedicate or donate the necessary rights-of-way, then any individual, group, business or governmental entity can donate to the county or city a sum sufficient to cover the expense of acquiring the right-of-way that has not been dedicated or donated. The Commissioner of the Division of Highways may also use any moneys donated to the state road fund specifically for the purposes of aiding a county or municipality acquiring a right-of-way which has not been dedicated or donated.

**§17-2F-4. Public notification and transparency.**

(a) Prior to undertaking any acquisition of an orphan road or bridge, counties and municipalities shall provide public notification of proposed improvements, which shall include:

- (1) Posting a notice at municipal offices;
- (2) Utilizing local media; or
- (3) Engaging in community meetings.

(b) Participating counties and municipalities shall maintain transparency by publishing project details, timelines, and funding sources on their official websites.

**§17-2F-5. Funding.**

Participating counties and municipalities may fund acquisition, repair and maintenance of orphan roads and bridges by:

- (1) Existing funds authorized for infrastructure development;
- (2) State and federal grants dedicated to infrastructure development; and
- (3) Partnerships with private entities.

#### **ARTICLE 4. STATE ROAD SYSTEM.**

##### **§17-4-1. Online map of state roads.**

By July 1, 2026, the Division of Highways shall create and publish an online Geospatial Information Systems map with address search functionality displaying all roads in the control of and under the responsibility of the Division. This shall be updated on at least an annual basis.

#### **CHAPTER 36C. INFRASTRUCTURE ONLY COMMON OWNERSHIP ASSOCIATIONS.**

##### **ARTICLE 1. INFRASTRUCTURE ONLY COMMON OWNERSHIP ASSOCIATIONS.**

##### **§36C-1-1. Uniformity of application and construction.**

Any Infrastructure Only Common Ownership Associations created by this Chapter are, in the absence of any other law to the contrary, governed by the provisions of Chapter 36B of this Code, the Uniform Common Interest Ownership Act.

##### **§36C-1-2. Creation.**

A group of homeowners may create an Infrastructure Only Common Ownership Association by recording a declaration executed in the same manner as a deed. The declaration must be recorded in every county in which any portion of the common interest community is located and must be indexed in the grantee's index in the name of the common interest community and the association and in the grantor's index in the name of each person executing the declaration.

##### **§36C-1-3. Construction and validity of declaration and bylaws.**

- (a) All provisions of the declaration and bylaws are severable.
- (b) The rule against perpetuities does not apply to defeat any provision of the declaration, bylaws, rules or regulations adopted pursuant to the provisions of this Chapter.
- (c) In the event of a conflict between the provisions of the declaration and the bylaws, the declaration prevails except to the extent the declaration is inconsistent with this chapter.
- (d) A declaration or the bylaws may not change or alter a restrictive covenant in a deed or other instrument to any real estate that is or that becomes subject to the provisions of this chapter. The restrictive covenants that are in effect at the time real estate is purchased that is or that becomes subject to the provisions of this chapter may not be changed or altered as to the purchaser of that real estate or as to any assign, heir or beneficiary of the original purchaser unless that original purchaser, assign, heir or beneficiary agrees in writing to a change of a restrictive covenant. The provisions of this section have no application to restrictive covenants which contain provisions authorizing amendment when those provisions for amendment are duly followed.

**§36C-1-4. Contents of declaration.**

(a) The declaration must contain:

(1) The names of the common interest community and the association and a statement that the common interest community is an Infrastructure Only Common Ownership Association;

(2) The name of every county in which any part of the common interest community is situated;

(3) A legally sufficient description of the real estate included in the common interest community;

(4) A statement of infrastructure the common interest community seeks to administer or develop.

(5) Plats and plans of the relevant property, as specified in §36C-1-5.

(b) The declaration may contain any other matters the declarant considers appropriate.

**§36C-1-5. Plats and plans.**

(a) Plats and plans are a part of the declaration and are required for all Infrastructure Only Common Ownership Associations. Separate plats and plans are not required by this chapter if all the information required by this section is contained in either a plat or plan. Each plat and plan must be clear and legible and contain a certification that the plat or plan contains all information required by this section.

(b) Each plat must show:

(1) The name and a survey or general schematic map of the entire Infrastructure Only Common Ownership Association;

(2) The location and dimensions of all real estate not subject to development rights as further specified in §36B-1-1, et. seq. of this Code, or subject only to the development right to withdraw and the location and dimensions of all existing improvements within that real estate;

(3) A legally sufficient description of any real estate subject to development rights, labeled to identify the rights applicable to each parcel;

(4) The extent of any encroachments by or upon any portion of the common interest community;

(5) To the extent feasible, a legally sufficient description of all infrastructure planned to be administered by the Infrastructure Only Common Ownership Association and serving or burdening any portion of the common interest community;

(6) The distance between noncontiguous parcels of real estate comprising the common interest community;

(c) A plat may also show the intended location and dimensions of any contemplated improvement to be constructed anywhere within the common interest community. Any

contemplated improvement shown must be labeled either "MUST BE BUILT" or "NEED NOT BE BUILT."

(d) Upon exercising any development right, the declarant shall record either new plats and plans necessary to conform to the requirements of subsections (a), (b) and (d) or new certifications of plats and plans previously recorded if those plats and plans otherwise conform to the requirements of those subsections.

(e) Any certification of a plat or plan required by this Chapter must be made by an independent (registered) surveyor, architect or engineer.

#### **§36C-1-6. Management of an Infrastructure Only Common Ownership Association.**

Management of an Infrastructure Only Common Ownership Association shall be conducted in accordance with the relevant provisions of Chapter 36B of this Code, the Uniform Common Interest Ownership Act

#### **§36C-1-7. Termination of an Infrastructure Only Common Ownership Association.**

(a) Except in the case of a taking of all the units by eminent domain, an Infrastructure Only Common Ownership Association may be terminated only by agreement of the owners of properties to which at least eighty percent of the votes in the association are allocated, or any larger percentage the bylaws may specify. The bylaws may specify a smaller percentage only if all of the units are restricted exclusively to nonresidential uses.

(b) An agreement to terminate must be evidenced by the execution of a termination agreement, or ratifications thereof, in the same manner as a deed, by the requisite number of unit owners. The termination agreement must specify a date after which the agreement will be void unless it is recorded before that date. A termination agreement and all ratifications thereof must be recorded in every county in which a portion of the common interest community is situated and is effective only upon recordation.

(c) The association, on behalf of the unit owners, may contract for the sale of real estate in an Infrastructure Only Common Ownership Associations, but the contract is not binding on the unit owners until approved pursuant to subsections (a) and (b) of this section. Thereafter, the association has all powers necessary and appropriate to effect the sale. Until the sale has been concluded and the proceeds thereof distributed, the association continues in existence with all powers it had before termination. Proceeds of the sale must be distributed to unit owners and lien holders as their interests may appear.

(d) Following termination of the common interest community, the proceeds of any sale of real estate, together with the assets of the association, are held by the association as trustee for unit owners and holders of liens on the units as their interests may appear.

#### **§36C-1-8. Scope of an Infrastructure Only Common Ownership Associations**

An Infrastructure Only Common Ownership Association created by this Chapter may administer the following items only:

(a) Common roadways serving the properties constituting the Association.

(b) Access to regulated public utilities; for purposes of this section, this includes all electricity, gas, and other utilities, even when these are not obtained from a private company, but are obtained or produced by cooperative action of the Infrastructure Only Common Ownership Association

(c) Telecommunications infrastructure, including all cable, satellite and broadband infrastructure.

(d) Water control and drainage, including storm sewers; and

(e) Sanitary Sewers

**Com. Sub. for H. B. 3411**, Relating to commissions; removing the legislative members; and eliminating expired commissions; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

**H. B. 3412**, Relating to exemptions from disclosure of certain records; and exempting the legislative branch if it adopts its own rules; 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. 3422**, Relating to requiring the State Board of Education to design, test, and deploy an internet-based reporting system to be known as the School Choice Portal; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

And,

**Com. Sub. for H. B. 3444**, Relating to inflammation of the eyes of newborns.; 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 H. B. 2011**, To supplement, amend, and increase an existing item of appropriation in the aforesaid accounts for the designated spending unit for expenditure during the fiscal year 2025,

**Com. Sub. for Com. Sub. for H. B. 2410**, Safeguard the Right-To-Try Cutting-Edge Medicine Act,

**Com. Sub. for H. B. 2551**, Increase criminal penalties for trespassing livestock,

**Com. Sub. for H. B. 2961**, To amend the law concerning ownership and possession of real property,

**Com. Sub. for Com. Sub. for H. B. 2973**, Regarding venue for legal actions against the West Virginia Secondary School Activities Commission,

**Com. Sub. for H. B. 3014**, Relating generally to liability of hospital police,

**H. B. 3189**, Creating crime of attempting to smuggle contraband into federal correctional institutions within the state,

**Com. Sub. for H. B. 3350**, Supplemental Appropriation - DCR - Corrections - 0608,

**H. B. 3361**, Supplemental Appropriation - Health, Birth to Three,

**H. B. 3425**, Clarifying that any person employed by the Division of Corrections and Rehabilitation pursuant to a contract includes contracted staff that work for vendors,

**H. B. 3513**, Relating to standards of liability and insurance requirements in certain civil actions,

**H. B. 3514**, Relating to persons convicted of a crime,

And,

**H. B. 3515**, Relating to appointment of officers of the West Virginia State Police.

### **Committee Reports**

On motion for leave, a resolution was introduced (Originating in the Committee on Rules and reported with the recommendation that it be adopted), which was read by its title, as follows:

**By Delegates Kelly, G. Howell, Hornby, Hornbuckle, Hanshaw (Mr. Speaker) and Akers:**  
**H. C. R. 97** - "Creating the West Virginia Justice Reinvestment Taskforce."

Mr. Speaker (Mr. Hanshaw), Chair of the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration:

**Com. Sub. for H. C. R. 17**, To place Purple Heart Signs at the entrances to the state,

**Com. Sub. for H. C. R. 76**, PFC Charles Henry Moore Memorial Bridge,

And,

**Com. Sub. for H. C. R. 90**, Name road Dragon Highway,

And reports the same back with the recommendation that they each be adopted.

### **Leaves of Absence**

At the request of Delegate McGeehan, and by unanimous consent, a leave of absence for the day was granted Delegate Green.

### **Miscellaneous Business**

Pursuant to House Rule 132, consent was obtained to print the following in the Appendix to the Journal:

- Vote explanation by Delegate Drennan regarding Roll Nos. 205, 206, 207, 208, 209, 210, 211, 212, 213, 215, 214, 216, 217, 218, 219, 220, 221, 222, 223, and 298.

Delegate Drennan noted to the Clerk, that she was absent when the vote was taken on Com. Sub for H. B. 2052, Com. Sub for H. B. 2121, Com. Sub for H. B. 2145, Com. Sub for H. B. 2205, Com. Sub for H. B. 2377, Com. Sub for H. B. 2399, Com. Sub for H. B. 2456, H. B. 2484, H. B. 2736, H. B. 2963, Com. Sub for H. B. 2889, H. B. 3001, Com. Sub. for H. B. 3012, H. B. 3080, Com. Sub. for H. B. 3150, Com. Sub. for H. B. 3174, H. B. 3269, H. B. 3434, H. B. 3456, and H. B. 3503, and had she been present he would have voted "Yea" thereon.

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. 3516:** Delegate Akers.

At 5:32 p.m., the House of Delegates adjourned until 11:00 a.m., Tuesday, April 01, 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**

**Tuesday, April 1, 2025**

**49th Day**

**11:00 A.M.**

### **UNFINISHED BUSINESS**

- Com. Sub. for H. C. R. 17 - To place Purple Heart Signs at the entrances to the state
- Com. Sub. for H. C. R. 76 - PFC Charles Henry Moore Memorial Bridge
- Com. Sub. for H. C. R. 90 - Dragon Highway
- H. C. R. 97 - Creating the West Virginia Justice Reinvestment Taskforce

### **THIRD READING**

- Com. Sub. for S. B. 275 - Removing requirement school cooks or custodians have high school diploma or equivalent
- Com. Sub. for S. B. 282 - Modifying provisions for employment of retired teachers as substitutes in areas of critical need and shortage
- S. B. 650 - Relating to full-time interventionists
- Com. Sub. for H. B. 2014 - Certified Microgrid Program
- Com. Sub. for H. B. 2015 - Relating to liability or other insurance coverage provided by the Board of Risk and Insurance Management to any entity for which such coverage is permissive under state code
- Com. Sub. for H. B. 2054 - Relating to liability of vendors in private farmers markets
- Com. Sub. for H. B. 2152 - Prompt Payment Act of 2025
- Com. Sub. for H. B. 2491 - Relating to conditions on holding online raffles
- Com. Sub. for H. B. 2576 - NIL Protection Act
- Com. Sub. for H. B. 2595 - Non Profit Athletics Act [Right to Amend]
- Com. Sub. for Com. Sub. for H. B. 2777 - Relating to removing requirements to submit certain evidence on behalf of home-schooled children
- Com. Sub. for H. B. 2787 - To permit the county commission of each county to lease, rent or to permit the use of a county owned wireless tower or any portion thereof, with exceptions

Com. Sub. for H. B. 2892 -	Relating to pedestrians standing in or near the right of way
Com. Sub. for H. B. 3013 -	Relating to open captioning for motion pictures
Com. Sub. for H. B. 3154 -	Relating to advertising by licensed limited video lottery retailers and licensed limited video lottery operators
Com. Sub. for H. B. 3294 -	Enacting the Bank Protections for Eligible Adults from Financial Exploitation Act
H. B. 3358 -	Supplemental Appropriation - FBGR - DHHR
H. B. 3365 -	Supplemental Appropriation - HLTH - Birth to Three
H. B. 3366 -	Supplemental Appropriation - FEDA - HLTH - OIG
H. B. 3367 -	Supplemental Appropriation - SAPR - DNR
H. B. 3370 -	Supplemental Appropriation - FEDA - HMSV - Summer EBT
H. B. 3372 -	Supplemental Appropriation - FEDA - Veterans
Com. Sub. for H. B. 3377 -	Non-State Owned Roads Improvement Act
Com. Sub. for H. B. 3411 -	Relating to commissions; removing the legislative members; and eliminating expired commissions
H. B. 3412 -	Relating to exemptions from disclosure of certain records; and exempting the legislative branch if it adopts its own rules.
Com. Sub. for H. B. 3422 -	Relating to requiring the State Board of Education to design, test, and deploy an internet-based reporting system to be known as the School Choice Portal
Com. Sub. for H. B. 3444 -	Relating to inflammation of the eyes of newborns.

## **SECOND READING**

Com. Sub. for H. B. 2011 -	To supplement, amend, and increase an existing item of appropriation in the aforesaid accounts for the designated spending unit for expenditure during the fiscal year 2025.
Com. Sub. for Com. Sub. for H. B. 2410 -	Safeguard the Right-To-Try Cutting-Edge Medicine Act
Com. Sub. for H. B. 2551 -	Increase criminal penalties for trespassing livestock
H. B. 2566 -	Relating generally to allowing the Supreme Court of Appeals discretion to create uniform pay scales for all levels of judicial support staff.
Com. Sub. for H. B. 2720 -	To create the Southern Coalfield Resiliency and Revitalization Program

Com. Sub. for H. B. 2866 -	Relating to fees and charges for municipality provided fire services
Com. Sub. for H. B. 2961 -	To amend the law concerning ownership and possession of real property
Com. Sub. for Com. Sub. for H. B. 2973 -	Regarding venue for legal actions against the West Virginia Secondary School Activities Commission
Com. Sub. for H. B. 3014 -	Relating generally to liability of hospital police
Com. Sub. for H. B. 3145 -	Relating to duties of licensees under the West Virginia Real Estate License Act
H. B. 3189 -	Creating crime of attempting to smuggle contraband into federal correctional institutions within the state
Com. Sub. for H. B. 3350 -	Supplemental Appropriation - DCR - Corrections - 0608
H. B. 3361 -	Supplemental Appropriation - Health, Birth to Three
H. B. 3425 -	Clarifying that any person employed by the Division of Corrections and Rehabilitation pursuant to a contract includes contracted staff that work for vendors
H. B. 3513 -	Relating to standards of liability and insurance requirements in certain civil actions
H. B. 3514 -	Relating to persons convicted of a crime
H. B. 3515 -	Relating to appointment of officers of the West Virginia State Police
H. B. 3516 -	Relating to limit of liability through Board of Risk Management
H. B. 3517 -	Relating generally to fiscal emergencies of local governments

### **FIRST READING**

Com. Sub. for S. B. 459 -	Requiring county planning commission members be state residents
Com. Sub. for S. B. 538 -	Allowing certain entities to purchase qualifying tax-delinquent properties before they are offered at public auction

## **HOUSE CALENDAR**

**Tuesday, April 1, 2025**

**49th Day**

**11:00 A.M.**

### **THIRD READING**

- |                           |  |
|---------------------------|--|
| Com. Sub. for S. B. 22 -  | Applying penalties for nonpayment of royalties under terms of oil and natural gas leases                 |
| Com. Sub. for S. B. 522 - | Clarifying procedure for administrative dissolution of limited liability companies by Secretary of State |
| Com. Sub. for S. B. 525 - | Clarifying procedure for administrative dissolution of nonprofit corporations by Secretary of State      |
| H. B. 2060 -              | Creating tax exemption for agricultural cooperative associations   |

### **SECOND READING**

- |                            |   |
|----------------------------|---|
| Com. Sub. for S. B. 10 -   | Exempting certain meat processes from consumers sales and service tax   |
| Com. Sub. for H. B. 2006 - | Defining Men and Women  |
| Com. Sub. for H. B. 2146 - | Exempting the processing of beef, pork or lamb by a slaughterhouse for an individual owner of the product processed from the Consumer Sales and Service Tax |
| Com. Sub. for H. B. 2355 - | Permitting middle or high school students to participate in travel sports teams without repercussion.   |
| 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             |
| Com. Sub. for H. B. 2409 - | Updating cooperative agreements   |
| H. B. 2683 -               | To prohibit rank choice voting  |
| Com. Sub. for H. B. 3072 - | Creating Super two highways in West Virginia  |
| H. B. 3271 -               | Authorizing digital court records   |
| Com. Sub. for H. B. 3387 - | Relating to the creation of a regional school district pilot program  |
| Com. Sub. for H. B. 3432 - | Revising the statutes to clarify and separate duties identified in the code between the Division of Emergency Management and the                            |

West Virginia Department of Environmental Protection

H. B. 3446 -

Permitting public high school students submit FAFSA prior to graduation

**FIRST READING**

Com. Sub. for H. B. 3452 -

Transferring administration of Advanced Career Education (ACE) classes and programs from county boards of education to community and technical colleges.

H. B. 3518 -

Relating to the Medicaid Waiver expansion program

# **WEST VIRGINIA HOUSE OF DELEGATES**

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**TUESDAY, APRIL 1, 2025**

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

**COMMITTEE ON RULES  
10:45 A.M. – SPEAKERS CONFERENCE ROOM 218M**

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

**COMMITTEE ON FINANCE  
9:30 A.M. – FINANCE COMMITTEE ROOM 460M**



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