

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE
REGULAR SESSION, 2025
THIRTY-FIRST DAY

Charleston, West Virginia, Friday, March 14, 2025

The Senate met at 10:10 a.m.

(Senator Smith, Mr. President, in the Chair.)

Prayer was offered by the Dr. Bill J. Bartlett, Pastor Emeritus, Maranatha Baptist Church, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Michael A. Oliverio II, a senator from the thirteenth district.

Pending the reading of the Journal of Thursday, March 13, 2025,

At the request of Senator Queen, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Clerk presented the following communication from a state agency as required by the provisions of law:

Health, Department of (Office of Emergency Medical Services) (§16-4C-6b)

The Senate proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 138, Enhancing penalties for fleeing officer.

On motion of Senator Martin, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking everything after the enacting clause and inserting in lieu thereof the following:

"CHAPTER 17C. TRAFFIC REGULATIONS AND LAWS OF THE ROAD.**ARTICLE 5. SERIOUS TRAFFIC OFFENSES.****§17C-5-2. Driving under influence of alcohol, controlled substances, or drugs; penalties.**

(a) Definitions. —

(1) "Impaired state" means a person:

(A) Is under the influence of alcohol;

(B) Is under the influence of any controlled substance;

(C) Is under the influence of any other drug or inhalant substance;

(D) Is under the combined influence of alcohol and any controlled substance or any other drug; or

(E) Has an alcohol concentration in his or her blood of eight hundredths of one percent or more, by weight.

(2) "Bodily injury" means injury that causes substantial physical pain, illness, or any impairment of physical condition.

(3) "Controlled substance" has the meaning provided in §60A-1-101 of this code.

(4) "Serious bodily injury" means bodily injury that creates a substantial risk of death, that causes serious or prolonged disfigurement, prolonged impairment of health, or prolonged loss or impairment of the function of any bodily organ.

(5) "Test and lock program" means the Motor Vehicle Test and Lock Program, established in §17C-5A-3a and administered by the Division of Motor Vehicles.

(b) Any person who drives a vehicle in this state while he or she is in an impaired state, and such impaired state proximately causes the death of any person, including an embryo or fetus as defined in §61-2-30 of this code, is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for not less than three nor more than 15 years and shall be fined not less than \$1,000 nor more than \$3,000, and shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for a period of 10 years or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code: *Provided*, That any death charged under this subsection must occur within one year of the offense: *Provided, however*, That if the person has previously been convicted under this section, the person shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for life or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code.

(c) Any person who drives a vehicle in this state while he or she is in an impaired state, and such impaired state proximately causes serious bodily injury to any person, including an embryo or fetus as defined in §61-2-30 of this code, other than himself or herself, is guilty of a felony and,

upon conviction thereof, shall be imprisoned in a state correctional facility for not less than two nor more than 10 years and shall be fined not less than \$1,000 nor more than \$3,000, and shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for a period of five years or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code: *Provided*, That if the person has previously been convicted under this section, the person shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for life or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code.

(d) Any person who drives a vehicle in this state while he or she is in an impaired state, and such impaired state proximately causes a bodily injury to any person other than himself or herself, is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not less than one day nor more than one year and shall be fined not less than \$200 nor more than \$1,000, and shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for a period of two years or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code: *Provided*, That if the person has previously been convicted under this section, the person shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for life or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code. Any jail term imposed pursuant to this subsection shall include actual confinement of not less than 24 hours: *Provided, however*, That a person sentenced pursuant to this subsection shall receive credit for any period of actual confinement he or she served upon arrest for the subject offense.

(e) Any person who drives a vehicle on any public highway or private road in this state: (1) while he or she is in an impaired state; or (2) while he or she is in an impaired state but has an alcohol concentration in his or her blood of less than fifteen hundredths of one percent, by weight, is guilty of a misdemeanor and, upon conviction thereof, may be confined in jail for up to six months and shall be fined not less than \$100 nor more than \$500, and shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for a period of six months or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code: *Provided*, That a person sentenced pursuant to this subsection shall receive credit for any period of actual confinement he or she served upon arrest for the subject offense.

(f) Any person who drives a vehicle on any public highway or private road in this state while he or she has an alcohol concentration in his or her blood of fifteen hundredths of one percent or more, by weight, is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not less than two days nor more than six months, which jail term is to include actual confinement of not less than 24 hours, and shall be fined not less than \$200 nor more than \$1,000, and shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for a period of one year or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code. A person sentenced pursuant to this subsection shall receive credit for any period of actual confinement he or she served upon arrest for the subject offense.

(g) Any person who, being a habitual user of narcotic drugs or amphetamines, or any derivative thereof, drives a vehicle on any public highway or private road in this state is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not less than one day nor more than six months, which jail term is to include actual confinement of not less than 24

hours, and shall be fined not less than \$100 nor more than \$500, and shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for a period of six months. A person sentenced pursuant to this subsection shall receive credit for any period of actual confinement he or she served upon arrest for the subject offense.

(h) Any person who knowingly permits his or her vehicle to be driven on any public highway or private road in this state by any other person who is in an impaired state is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not more than six months and shall be fined not less than \$100 nor more than \$500, and shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for a period of six months or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code.

(i) Any person who knowingly permits his or her vehicle to be driven on any public highway or private road in this state by any other person who is a habitual user of narcotic drugs or amphetamines, or any derivative thereof, is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not more than six months and shall be fined not less than \$100 nor more than \$500, and shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for a period of six months.

(j) (1) Any person under the age of 21 years who drives a vehicle on any public highway or private road in this state while he or she has an alcohol concentration in his or her blood of two hundredths of one percent or more, by weight, but less than eight hundredths of one percent, by weight, for a first offense under this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$25 nor more than \$100, and have his or her license to operate a motor vehicle suspended by the Commissioner of the Division of Motor Vehicles for a period of 60 days or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code. For a second or subsequent offense under this subsection, the person is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for 24 hours and shall be fined not less than \$100 nor more than \$500, and shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for a period of one year or until the person's 21st birthday, whichever period is longer, or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code. A person who is charged with a first offense under the provisions of this subsection may move for a continuance of the proceedings, from time to time, to allow the person to participate in the test and lock program as provided in §17C-5A-3a of this code. Upon successful completion of the program, the court shall dismiss the charge against the person and expunge the person's record as it relates to the alleged offense. In the event the person fails to successfully complete the program, the court shall proceed to an adjudication of the alleged offense. A motion for a continuance under this subsection may not be construed as an admission or be used as evidence.

(2) (A) Notwithstanding subdivision (1) of this subsection, a person shall have his or her license to operate a motor vehicle suspended or revoked for a minimum period of one year or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code, if the person:

(i) Has previously been convicted under this subsection and is subsequently convicted of an offense under another subsection of this section; or

(ii) Is convicted under this subsection and has previously been convicted of an offense under another subsection of this section.

(B) Nothing in this subdivision permits a shorter period of license revocation, license suspension, or participation in the test and lock program than is mandatory for the specific offense for which the person is convicted.

(3) A person arrested and charged with an offense under the provisions of this subsection or subsection (b), (c), (d), (e), (f), (g), (h), or (i) of this section may not also be charged with an offense under this subsection arising out of the same transaction or occurrence.

(k) Any person who drives a vehicle on any public highway or private road in this state while he or she is in an impaired state and has within the vehicle one or more other persons who are unemancipated minors who have not yet reached their 16th birthday is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not less than two days nor more than 12 months, and shall be fined not less than \$200 nor more than \$1,000, and shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for a period of one year or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code: *Provided*, That such jail term shall include actual confinement of not less than 48 hours: *Provided, however*, That a person sentenced pursuant to this subsection shall receive credit for any period of actual confinement he or she served upon arrest for the subject offense.

(l) A person convicted of an offense under this section, who has previously been convicted of any offense under this section on one occasion, is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not less than six months nor more than one year, may be fined not less than \$1,000 nor more than \$3,000, and shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for 10 years or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code: *Provided*, That if the second conviction is for an offense as described in subsections (b), (c), or (d) of this section and the subsection creating the offense requires a period of incarceration, period of license revocation, or fine that is greater than what is required for a conviction under this subsection, the greater period of incarceration, period of revocation, or fine shall be imposed: *Provided, however*, That this section does not apply to a second conviction that is subject to a period of license revocation under subsection (j) of this section.

(m) A person convicted of an offense under this section, who has previously been convicted of any offense under this section on two or more occasions, is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for not less than two nor more than five years, shall have his or her license to operate a motor vehicle revoked by the Commissioner of the Division of Motor Vehicles for life or for a period of time conditioned on participation in the test and lock program in accordance with §17C-5A-3a of this code, and the court may, in its discretion, impose a fine of not less than \$3,000 nor more than \$5,000: *Provided*, That if the third or subsequent conviction is for an offense as described in subsections (b), (c), or (d) of this section and the subsection creating the offense requires a period of incarceration, period of license revocation, or fine that is greater than what is required for a conviction under this subsection, the greater period of incarceration, period of revocation, and fine shall be imposed: *Provided, however*, That this section does not apply to a third or subsequent conviction that is subject to a period of license revocation under subsection (j) of this section.

(n) For purposes of subsections (l) and (m) of this section relating to second, third, and subsequent offenses, the following events shall be regarded as offenses and convictions under this section:

(1) Any conviction under the provisions of subsection (b), (c), (d), (e), (f), (g), (h), or (i) of this section, or under a prior enactment of this section, for an offense which occurred within the 10-year period immediately preceding the date of arrest in the current proceeding;

(2) Any conviction under a municipal ordinance of this state or any other state or a statute of the United States or of any other state of an offense which has the same elements as an offense described in subsection (b), (c), (d), (e), (f), (g), (h), or (i) of this section, which offense occurred within the 10-year period immediately preceding the date of arrest in the current proceeding; ~~and~~

(3) Any period of conditional probation imposed pursuant to §17C-5-2b of this code for violation of subsection (e) of this section, which violation occurred within the 10-year period immediately preceding the date of arrest in the current proceeding; and

(4) Any conviction under the provisions of §61-5-17(j) of this code or under a prior enactment of that subsection, for an offense which occurred within the 15-year period immediately preceding the date of arrest in the current proceeding.

(o) A person may be charged in a warrant, indictment, or information for a second or subsequent offense, as described in subsection (j), (l), or (m) of this section, if the person has been previously arrested for, or charged with, a violation of this section which is alleged to have occurred within the applicable time period for prior offenses, notwithstanding the fact that there has not been a final adjudication of the charges for the alleged previous offense. In that case, the warrant or indictment or information must set forth the date, location, and particulars of the previous offense or offenses. No person may be convicted of a second or subsequent offense under this section unless the conviction for the previous offense has become final, or the person has previously had a period of conditional probation imposed pursuant to §17C-5-2b of this code.

(p) The fact that any person charged with a violation of subsection (b), (c), (d), (e), (f), or (g) of this section, or any person permitted to drive as described under subsection (h) or (i) of this section, is or has been legally entitled to use alcohol, a controlled substance, or a drug does not constitute a defense against any charge of violating subsection (b), (c), (d), (e), (f), (g), (h), or (i) of this section.

(q) The sentences provided in this section upon conviction for a violation of this article are mandatory and are not subject to suspension or probation: *Provided*, That the court may apply the provisions of §62-11A-1 *et seq.* of this code to a person sentenced or committed to a term of one year or less for a first offense under this section: *Provided, however*, That the court may impose a term of conditional probation pursuant to §17C-5-2b of this code to persons adjudicated thereunder. An order for home detention by the court pursuant to the provisions of §62-11B-1 *et seq.* of this code may be used as an alternative sentence to any period of incarceration required by this section for a first or subsequent offense: *Provided further*, That for any period of home incarceration ordered for a person convicted of a second offense under this section, electronic monitoring shall be required for no fewer than five days of the total period of home confinement ordered and the offender may not leave home for those five days notwithstanding the provisions of §62-11B-5 of this code: *And provided further*, That for any period of home incarceration ordered for a person convicted of a third or subsequent violation of this section, electronic monitoring shall

be included for no fewer than 10 days of the total period of home confinement ordered and the offender may not leave home for those 10 days notwithstanding §62-11B-5 of this code.

(r) A person whose license to operate a motor vehicle has been revoked or suspended by the Commissioner of the Division of Motor Vehicles pursuant to this section must complete a comprehensive safety and treatment program as set forth in §17C-5A-3 of this code before his or her license to operate a motor vehicle can be reinstated and his or her driving privileges restored.

(s) For any offense for which an alternative revocation period is permitted conditioned upon participation in the test and lock program, an alternative sentence may not be imposed without the consent of the driver.

(t) Upon entering the order of conviction for an offense under this section, or the imposition of conditional probation as provided in §17C-5-2b of this code, the clerk of the court shall immediately transmit the order to the Commissioner of the Division of Motor Vehicles.

(u) The amendments made to this section during the 2020 regular session of the Legislature shall become effective on July 1, 2020.

CHAPTER 61. CRIMES AND THEIR PUNISHMENT.

ARTICLE 5. CRIMES AGAINST PUBLIC JUSTICE.

§61-5-17. Obstructing officer; fleeing from officer; making false statements to officer; interfering with emergency communications; penalties; definitions.

(a) A person who by threats, menaces, acts, or otherwise forcibly or illegally hinders, ~~or obstructs,~~ or attempts to hinder or obstruct a law-enforcement officer, probation officer, parole officer, courthouse security officer, correctional officer, the State Fire Marshal, or a full-time deputy or assistant fire marshal acting in his or her official capacity is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$50 nor more than \$500 or confined in jail not more than one year, or both fined and confined.

(b) A person who intentionally disarms or attempts to disarm a law-enforcement officer, correctional officer, probation officer, parole officer, courthouse security officer, the State Fire Marshal, or a full-time deputy or assistant fire marshal acting in his or her official capacity is guilty of a felony and, upon conviction thereof, shall be ~~imprisoned~~ confined in a state correctional facility not less than one nor more than five years.

(c) A person who, with intent to impede or obstruct a law-enforcement officer, the State Fire Marshal, or a full-time deputy or assistant fire marshal in the conduct of an investigation of a misdemeanor or felony offense, knowingly and willfully makes a materially false statement is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$25 nor more than \$200, or confined in jail for five days, or both fined and confined. The provisions of this section do not apply to statements made by a spouse, parent, stepparent, grandparent, sibling, half-sibling, child, stepchild, or grandchild, whether related by blood or marriage, of the person under investigation. Statements made by the person under investigation may not be used as the basis for prosecution under this subsection. For purposes of this subsection, "law-enforcement officer" does not include a watchman, a member of the West Virginia State Police, or college security personnel who is not a certified law-enforcement officer. A criminal charge under this subsection

relating to the investigation of a misdemeanor offense may not be used to seek or support a secured bond or pre-trial incarceration.

(d) A person who intentionally flees or attempts to flee by any means other than the use of a vehicle from a law-enforcement officer, probation officer, parole officer, courthouse security officer, correctional officer, the State Fire Marshal, or a full-time deputy or assistant fire marshal acting in his or her official capacity who is attempting to make a lawful arrest of or to lawfully detain the person, and who knows or reasonably believes that the officer is attempting to arrest or lawfully detain him or her, is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$50 nor more than \$500 ~~or confined in jail not more than one year, or both fined and confined and confined in jail for 10 days.~~ A person convicted of a second offense violation of this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$250 nor more than \$1,000 and confined in jail for 30 days. A person who is convicted of a third or subsequent offense in violation of this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$2,000 and confined in jail not less than 60 days nor more than one year.

(e) A person who intentionally flees or attempts to flee in a vehicle from a law-enforcement officer, probation officer, or parole officer acting in his or her official capacity after the officer has given a clear visual or audible signal directing the person to stop is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$500 nor more than \$1,000 and shall be confined in jail not more than one year. A person who is convicted of a second offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$2,000 or shall be confined in a state correctional facility for not less than one year nor more than three years, or both fined and confined. A person who is convicted of a third or subsequent offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be fined not less than \$2,000, nor more than \$5,000 and shall be confined in a state correctional facility not less than two nor more than five years, or both fined and confined.

(f) A person who intentionally flees or attempts to flee in a vehicle from a law-enforcement officer, probation officer, or parole officer acting in his or her official capacity after the officer has given a clear visual or audible signal directing the person to stop, and who operates the vehicle in a manner showing a reckless indifference to the safety of others, is guilty of a felony and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$2,000 and shall be ~~imprisoned~~ confined in a state correctional facility not less than one nor more than five years. A person who is convicted of a second offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$2,000 or shall be confined in a state correctional facility for not less than two nor more than 10 years, or both fined and confined. A person who is convicted of a third or subsequent offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be fined not less than \$2,000 nor more than \$5,000 and shall be confined in a state correctional facility not less than three nor more than 15 years, or both fined and confined.

(g) A person who intentionally flees or attempts to flee in a vehicle from a law-enforcement officer, probation officer, or parole officer acting in his or her official capacity after the officer has given a clear visual or audible signal directing the person to stop, and who causes damage to the real or personal property of a person during or resulting from his or her flight, is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$3,000 and shall be confined in jail for not less than six months nor more than one year. A person who is convicted of a second offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be fined not less than \$3,000 nor more than \$5,000 or shall be confined

in a state correctional facility for not less than one year nor more than three years, or both fined and confined. A person who is convicted of a third or subsequent offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be fined not less than \$5,000 nor more than \$8,000 and shall be confined in a state correctional facility not less than two nor more than five years, or both fined and confined.

(h) A person who intentionally flees or attempts to flee in a vehicle from a law-enforcement officer, probation officer, or parole officer acting in his or her official capacity after the officer has given a clear visual or audible signal directing the person to stop, and who causes bodily injury to a person during or resulting from his or her flight, is guilty of a felony and, upon conviction thereof, shall be ~~imprisoned~~ confined in a state correctional facility not less than three nor more than 10 years. A person who is convicted of a second offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be confined in a state correctional facility for not less than five years nor more than 10 years. A person who is convicted of a third or subsequent offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be confined in a state correctional facility not less than five nor more than 15 years.

(i) A person who intentionally flees or attempts to flee in a vehicle from a law-enforcement officer, probation officer, or parole officer acting in his or her official capacity after the officer has given a clear visual or audible signal directing the person to stop, and who causes death to a person during or resulting from his or her flight, is guilty of a felony and, upon conviction thereof, shall be ~~imprisoned~~ confined in a state correctional facility for not less than five nor more than 15 years. A person who is convicted of a second offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be confined in a state correctional facility for not less than 15 years nor more than life. A person who is convicted of a third or subsequent offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be confined in a state correctional facility for life. A person ~~imprisoned~~ confined pursuant to this subsection is not eligible for parole prior to having served a minimum of three years of his or her sentence or the minimum period required by §62-12-13 of this code, whichever is greater.

(j) A person who intentionally flees or attempts to flee in a vehicle from a law-enforcement officer, probation officer, or parole officer acting in his or her official capacity after the officer has given a clear visual or audible signal directing the person to stop, and who is under the influence of alcohol, controlled substances, or drugs, is guilty of a felony and, upon conviction thereof, shall be ~~imprisoned~~ confined in a state correctional facility not less than three nor more than 10 years. A person who is convicted of a second offense of violation of this subsection is guilty of a felony and shall be confined in a state correctional facility for not less than five years nor more than 15 years. A person who is convicted of a third or subsequent offense of violation of this subsection is guilty of a felony and, upon conviction thereof, shall be confined in a state correctional facility not less than 10 nor more than 20 years. A conviction for a violation of this subsection may be used as a predicate offense for driving under the influence, second offense driving under the influence, or third offense driving under the influence, and it shall be treated as a driving under the influence conviction for licensure purposes by the Division of Motor Vehicles.

(k) For purposes of this section, the term "vehicle" includes any motor vehicle, motorcycle, motorboat, all-terrain vehicle, or snowmobile, as those terms are defined in §17A-1-1 of this code, whether or not it is being operated on a public highway at the time and whether or not it is licensed by the state.

(l) For purposes of this section, the terms "flee", "fleeing", and "flight" do not include a person's reasonable attempt to travel to a safe place, allowing the pursuing law-enforcement officer to maintain appropriate surveillance, for the purpose of complying with the officer's direction to stop.

(m) The revisions to subsections (e), (f), (g), and (h) of this section enacted during the 2010 regular legislative session shall be known as the Jerry Alan Jones Act.

(n) (1) ~~No~~ A person, with the intent to purposefully deprive another person of emergency services, may not interfere with or prevent another person from making an emergency communication, which a reasonable person would consider necessary under the circumstances, to law-enforcement, fire, or emergency medical services personnel.

(2) For the purpose of this subsection, the term "interfere with or prevent" includes, but is not limited to, seizing, concealing, obstructing access to, or disabling or disconnecting a telephone, telephone line, or equipment or other communication device.

(3) For the purpose of this subsection, the term "emergency communication" means communication to transmit warnings or other information pertaining to a crime, fire, accident, power outage, disaster, or risk of injury or damage to a person or property.

(4) A person who violates this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for a period of not less than one day nor more than one year, or shall be fined not less than \$250 nor more than \$2,000, or both fined and confined.

(5) A person who is convicted of a second offense under this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not less than three months nor more than one year, or fined not less than \$500 nor more than \$3,000, or both fined and confined.

(6) A person who is convicted of a third or subsequent offense under this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail not less than six months nor more than one year or fined not less than \$500 nor more than \$4,000, or both fined and confined.

~~(7) In determining the number of prior convictions for purposes of imposing punishment under this subsection, the court shall disregard all such prior convictions occurring more than 10 years prior to the offense in question.~~

(o) A person is guilty of filing a false complaint against a law-enforcement officer when, knowing the information reported is false or baseless, he or she:

(1) Initiates a false complaint of improper action of a law-enforcement officer relating to an incident or other circumstance; ~~or~~

(2) Reports, by word or action, to any official or quasi-official agency, or organization having the function of dealing with conduct of law-enforcement officers which did not occur, does not in fact exist; or

(3) Reports to a law-enforcement officer or agency the alleged occurrence of any offense or incident which did not in fact occur.

Any person who violates this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000 or confined in jail not more than six months, or both fined and confined.

(p) In determining the number of prior convictions for purposes of imposing punishment under this section, the court shall disregard all such prior convictions occurring more than 15 years prior to the offense in question.

ARTICLE 11. GENERAL PROVISIONS CONCERNING CRIMES.

§61-11-18. Punishment for second or third offense of felony.

(a) For purposes of this section, "qualifying offense" means any offense or an attempt or conspiracy to commit any of the offenses in the following provisions of this code:

- (1) §60A-4-401(a)(i) and §60A-4-401(a)(ii);
- (2) §60A-4-406;
- (3) §60A-4-409(b)(1) and §60A-4-409 (b)(2);
- (4) §60A-4-411;
- (5) §60A-4-414;
- (6) §60A-4-415;
- (7) §60A-4-416(a);
- (8) §61-2-1;
- (9) §61-2-4;
- (10) §61-2-7;
- (11) §61-2-9(a);
- (12) §61-2-9a(d) and §61-2-9a(e);
- (13) §61-2-9b;
- (14) §61-2-9c;
- (15) §61-2-9d;
- (16) §61-2-10;
- (17) §61-2-10b(b) and §61-2-10b(c);
- (18) Felony provisions of §61-2-10b(d);
- (19) §61-2-12;

- (20) Felony provisions of §61-2-13;
- (21) §61-2-14;
- (22) §61-2-14a(a) and §61-2-14a(d);
- (23) §61-2-14c;
- (24) §61-2-14d(a) and §61-2-14d(b);
- (25) §61-2-14f;
- (26) §61-2-14h(a), §61-2-14h(b), and §61-2-14h(c);
- (27) §61-2-16a(a) and §61-2-16a(b);
- (28) Felony provisions of §61-2-16a(c);
- (29) §61-2-28(d);
- (30) §61-2-29(d) and §61-2-29(e);
- (31) §61-2-29a;
- (32) §61-3-1;
- (33) §61-3-2;
- (34) §61-3-3;
- (35) §61-3-4;
- (36) §61-3-5;
- (37) §61-3-6;
- (38) §61-3-7;
- (39) §61-3-11;
- (40) Felony violation of 61-3-12;
- (41) §61-3-13(a);
- (42) Felony violation of §61-3-18;
- (43) Felony violation of §61-3-19;
- (44) Felony violation of §61-3-20;
- (45) Felony violation of §61-3-20a;

- (46) Felony violation of §61-3-21;
- (47) §61-3-22;
- (48) Felony violation of §61-3-24;
- (49) Felony violation of §61-3-24a;
- (50) §61-3-27;
- (51) §61-3-54;
- (52) §61-3C-14b;
- (53) §61-3E-5;
- (54) Felony violation of §61-5-10;
- (55) ~~§61-5-17(b), §61-5-17(f), §61-5-17(h), and §61-5-17(i);~~ Felony violations of §61-5-17;
- (56) §61-5-27;
- (57) §61-6-24;
- (58) Felony provisions of §61-7-7;
- (59) §61-7-12;
- (60) §61-7-15;
- (61) §61-7-15a;
- (62) §61-8-12;
- (63) §61-8-19(b);
- (64) §61-8A-2;
- (65) §61-8A-4;
- (66) §61-8A-5;
- (67) §61-8B-3;
- (68) §61-8B-4;
- (69) §61-8B-5;
- (70) §61-8B-7;
- (71) §61-8B-10;

- (72) §61-8B-11b;
- (73) §61-8C-2;
- (74) §61-8C-3;
- (75) §61-8C-3a;
- (76) §61-8D-2;
- (77) §61-8D-2a;
- (78) §61-8D-3;
- (79) §61-8D-3a;
- (80) §61-8D-4;
- (81) §61-8D-4a;
- (82) §61-8D-5;
- (83) §61-8D-6;
- (84) §61-10-31;
- (85) §61-11-8;
- (86) §61-11-8a;
- (87) §61-14-2; and
- (88) §17C-5-2(b), driving under the influence causing death.

(b) Except as provided by subsection (c) of this section, when any person is convicted of a qualifying offense and is subject to imprisonment in a state correctional facility for the qualifying offender and it is determined, as provided in §61-11-19 of this code, that the person had been previously convicted in the United States of a crime punishable by imprisonment in a state or federal correctional facility, the court shall, if the sentence to be imposed is for a definite term of years, add five years to the time for which the person is or would be otherwise sentenced. Whenever in that case the court imposes an indeterminate sentence, the minimum term shall be twice the term of years otherwise provided for under the sentence.

(c) Notwithstanding any provision of this code to the contrary, when any person is convicted of first degree murder or second degree murder or a violation of §61-8B-3 of this code and it is determined, as provided in §61-11-19 of this code, that the person had been previously convicted in this state of first degree murder, second degree murder, or a violation of §61-8B-3 of this code, or has been so convicted under any law of the United States or any other state for an offense which has the same or substantially similar elements as any offense described in this subsection, the person shall be punished by imprisonment in a state correctional facility for life and is not eligible for parole.

(d) When it is determined, as provided in §61-11-19 of this code, that the person has been twice previously convicted in the United States of a crime punishable by imprisonment in a state or federal correctional facility which has the same or substantially similar elements as a qualifying offense, the person shall be sentenced to imprisonment in a state correctional facility for life: *Provided*, That prior convictions arising from the same transaction or series of transactions shall be considered a single offense for purposes of this section: *Provided, however*, That the most recent previous qualifying offense which would otherwise constitute a qualifying offense for purposes of this subsection may not be considered if more than 20 years have elapsed between: (1) The release of the person from his or her term of imprisonment or period of supervision resulting from the most recent qualifying offense or the expiration of a period of supervised release resulting from the offense; and (2) the conduct underlying the current charge.";

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 138—A Bill to amend and reenact §17C-5-2, §61-5-17, and §61-11-18 of the Code of West Virginia, 1931, as amended, relating to creating offenses for second, and third or subsequent offenses of fleeing from an officer; establishing criminal penalties for the new offenses; extending the period for which prior convictions may be used; specifying that the new offenses are qualifying offenses for recidivist sentencing enhancement purposes; clarifying that a conviction for fleeing in a vehicle while under the influence of alcohol, controlled substance, or drugs is treated as a driving under the influence offense for criminal enhancement purposes; clarifying that a conviction for fleeing in vehicle while under the influence of alcohol, controlled substances, or drugs is treated as a driving under the influence for licensure purposes; and creating criminal penalties.

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 138, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Helton, Jeffries, and Thorne—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 138) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 240, Updating crime of sexual extortion.

On motion of Senator Martin, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, section 13, line 3, by striking "spouse or child" and inserting the following language in lieu thereof:

"spouse, child, or family or household member, as defined in §48-27-204 of this code, residing in the household at the time of the offense";

On page 3, section 6, line 23, by inserting the following language after the word "victim,":

"any member of the victim's family or household, as defined in §48-27-204 of this code, residing in the household at the time of the offense,";

and

On page 3, section 6, line 39, by inserting the following language after the word "victim,":

"any member of the victim's family or household, as defined in §48-27-204 of this code, residing in the household at the time of the offense,".

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 240, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Helton, Jeffries, and Thorne—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 240) passed with its title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body to the title of the bill, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 291, Extending time frame for pharmacies to register from annually to biennially.

On motion of Senator Martin, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the title of the bill was reported by the Clerk:

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 291—A Bill to amend and reenact §30-5-22 of the Code of West Virginia, 1931, as amended, relating to registration of pharmacies; and extending time frame for pharmacies to register from annually to biennially.

On motion of Senator Martin, the Senate concurred in the House of Delegates amendment to the title of the bill.

Engrossed Senate Bill 291, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Helton, Jeffries, and Thorne—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 291) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 443, Authorizing Speech-Language Pathology and Audiology Board of Examiners to conduct criminal background checks for licensing.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 462, Permitting Board of Occupational Therapy to require criminal history record checks.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendment, as to

Eng. Com. Sub. for House Bill 2354, Banning certain products from food in West Virginia.

On motion of Senator Martin, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendment to the bill were reported by the Clerk:

By striking the period inserting a semicolon and the following:

"And, On page 3, line 52, after the period by inserting:

'§16-7-4. Penalty for adulterating food or drugs, or for manufacturing or selling adulterated food or drugs.

(a) Whoever, by himself or herself or his or her agents, knowingly adulterates or causes to be adulterated any article of food or drug, or knowingly manufactures for sale, offers for sale, or sells, within this state, any article of food or drug which is adulterated within the meaning of this article, without making the same known to the buyer, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not exceeding \$500, or confined in jail not more than one year, or both, in the discretion of the court; and in addition to the penalties hereinbefore provided, he or she shall be adjudged to pay the cost and expense of analyzing such adulterated food or drug, as set forth in the certificate of the person making the analysis, not exceeding \$25 in any one case, which shall be included in the costs of such prosecution and taxed in favor of the state department of health or the West Virginia Board of Pharmacy, as the case may be; and if he or she be a registered pharmacist or assistant pharmacist, his or her name shall be stricken from the register. The adulterated article shall be forfeited and destroyed.

(b) This section does not apply to any person who offers for sale, or sells, within this state, less than \$5,000, in aggregate, of adulterated food, per month, when the food is adulterated by including of butylated hydroxyanisole, propylparaben, FD&C Blue No. 1, FD&C Blue No. 2, FD&C Green No. 3, FD&C Red No. 3, FD&C Red No. 40, FD&C Yellow No. 5, or FD&C Yellow No. 6."

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for House Bill 2354—A Bill to amend and reenact §16-7-2 and §16-7-4 of the Code of West Virginia, 1931, as amended, and to amend the code by adding a new section, designated §18-5D-3A, relating to prohibiting certain products that are injurious to health; setting forth criteria considered adulterated; prohibiting certain unsafe food additives in school nutrition programs; providing exceptions; exempting criminal penalties; and setting effective dates.

On motion of Senator Martin, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendment to the bill.

Engrossed Committee Substitute for House Bill 2354, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Taylor, Weld, Willis, and Smith (Mr. President)—26.

The nays were: Takubo, Tarr, Woelfel, and Woodrum—4.

Absent: Helton, Jeffries, Stuart, and Thorne—4.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2354) passed with its House of Delegates amended title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Taylor, Weld, Willis, and Smith (Mr. President)—26.

The nays were: Takubo, Tarr, Woelfel, and Woodrum—4.

Absent: Helton, Jeffries, Stuart, and Thorne—4.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2354) takes effect from passage.

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

The Senate proceeded to the fourth order of business.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 37 (originating in the Committee on Education), Allowing certain Teachers Retirement System members to exchange unused leave for monetary compensation.

And reports back a committee substitute for same with the following title:

Com. Sub. for Com. Sub. for Senate Bill 37 (originating in the Committee on Finance)—A Bill to amend and reenact §18A-4-10a of the Code of West Virginia, 1931, as amended, relating to providing classroom teachers who first became a member of the Teachers Retirement System on or after July 1, 2015, the opportunity to sell up to 10 of his or her unused days of personal leave back to the county board in exchange for monetary compensation paid on or before June 30; and providing that once the days are forfeited they are no longer available to the classroom teacher.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 83, Allowing Foster Care Ombudsman access to child protective records.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 83 (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §49-5-101 of the Code of West Virginia, 1931, as amended, relating to adding the Foster Care Ombudsman, or his or her designee, as a person to have access to confidential records concerning a child or juvenile in cases involving child abuse or neglect, or both, and in cases where there is a child fatality, or near fatality when the Foster Care Ombudsman, or his or her designee, are acting in the course of their official duties.

And,

Senate Bill 719, Relating to age at which minor can consent to certain medical decisions and services.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 719 (originating in the Committee on Health and Human Resources)—A Bill to amend and reenact §16-4-10, §16-30-3, §16-30C-6, §60-6-23, and §60A-5-504 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §16-30-26, relating to the age at which a minor can consent to certain medical decisions and services; changing the age a minor can consent to sexually transmitted disease care with notice; removing the definition of "mature minor" from the code; adding when a minor can consent to general health services for himself or herself with notice; detailing when notice is not required; removing the ability of a mature minor to consent to a do-not-resuscitate order by himself or herself; changing the age a minor can consent to alcohol addiction care with notice; and changing the age a minor can consent to controlled substance addiction care with notice.

With the recommendation that the two committee substitutes do pass.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 450, Establishing WV Guardian Program.

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

Respectfully submitted,

Jason Barrett,
Chair.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 477, Requiring ambulance at middle school or high school football game.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 477 (originating in the Committee on Education)—A Bill to amend and reenact §18-2-25c of the Code of West Virginia, 1931, as amended, relating to requiring an ambulance, if available, at any middle school or high school football game under the control, supervision, and regulation of the West Virginia Secondary School Activities Commission; and providing that if the ambulance is required to leave due to being called away on an emergency, the game can continue.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill (Com. Sub. for S. B. 477), under the original double committee reference, was then referred to the Committee on Finance.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 516, Providing extra state aid to school districts for students enrolled in extremely remote schools.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 516 (originating in the Committee on Education)—A Bill to amend and reenact §18-9A-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-9A-13, relating to providing extra state aid to school districts for students enrolled in extremely remote schools; defining "extremely remote school"; stating purpose; prohibiting a county board from closing an extremely remote school during any fiscal year it is accepting the additional aid for that school; requiring county board submission of certain documentation; establishing reporting requirements; and allowing a waiver from any requirement to be submitted.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill (Com. Sub. for S. B. 516), under the original double committee reference, was then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 538, Allowing certain entities to purchase qualifying tax-delinquent properties before they are offered at public auction.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 538 (originating in the Committee on Government Organization)—A Bill to amend and reenact §31-18E-9 of the Code of West Virginia, 1931, as amended, relating to removing the sunset date on the provision granting the right of first refusal to land reuse agencies and municipal land banks for acquiring certain tax-delinquent properties that permits these entities to purchase qualifying tax-delinquent properties before they are offered at public auction; modifying criteria that allow land bank or land reuse agency to refuse to sell property to adjacent property owner; revising reporting requirements; and allowing Joint Committee on Government and Finance to subpoena land bank or land reuse agency for purposes of conducting audit.

Senate Bill 731, Repealing article creating Design Build Procurement Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 731 (originating in the Committee on Government Organization)—A Bill to amend and reenact §5-22A-2, §5-22A-3, §5-22A-4, §5-22A-9a, and §5-22A-12 of the Code of West Virginia, 1931, as amended; and to repeal §5-22A-5, relating to termination of the Design-Build Board; and making technical and conforming amendments to allow the continued use of the Design-Build project delivery method.

And,

Senate Bill 736, Relating to publication of registered lobbyist information.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 736 (originating in the Committee on Government Organization)—A Bill to amend and reenact §6B-3-3 of the Code of West Virginia, 1931, as amended, relating to the publication of registered lobbyist information.

With the recommendation that the three committee substitutes do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Barrett, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 547, Creating Charter Schools Startup Fund.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 547 (originating in the Committee on Finance)—A Bill to amend and reenact §18-5G-17 of the Code of West Virginia, 1931, as amended, relating to modifying the Charter Schools Startup Fund; changing the name of the fund; requiring submission of application to the West Virginia Professional Charter School Board in order to receive funds from the Charter Schools Startup Fund; requiring notice to potential applicants; requiring certain contents be included in application; expanding the uses for the funds; requiring distribution of money to qualifying charter school applicants and charter schools, subject to availability of funding; allowing the West Virginia Professional Charter School Board to establish competitive process when the number of applicants exceed funding; eliminating criteria an applicant must demonstrate as a condition of receiving funds; modifying time frame for distribution of funds; requiring repayment in certain circumstances; and specifying manner of distribution.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 594, Relating to right to try individualized treatments.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Stuart, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bill 598, Permitting judges to refer parents to prosecuting attorney for making certain false allegations in child custody proceedings.

And,

Senate Bill 621, Authorizing digital court records.

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

Respectfully submitted,

Mike Stuart,
Chair.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Senate Bill 631, Relating to eligibility for WV Invests Grant Program.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Amy N. Grady,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance.

Senator Jeffries, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Senate Bill 639, Creating WV Small Business Appreciation and Acknowledgement Act.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 639 (originating in the Committee on Economic Development)—
A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-13NN-1, relating to taxes: providing a title; providing findings and purpose; providing definitions; creating a tax credit against personal income tax or corporation net income tax; establishing gross receipts threshold requirements for tax credit; tying dollar figures to inflation; and providing for July 1, 2025, effective date.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Glenn D. Jeffries,
Chair.

The bill (Com. Sub. for S. B. 639), under the original double committee reference, was then referred to the Committee on Finance.

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

Senate Bill 666, Updating definition of disabled veteran taxpayer.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Ryan W. Weld,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance.

Senator Rucker, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Senate Bill 734, Repealing section creating A. James Manchin Rehabilitation Environmental Action Plan.

And,

Senate Bill 738, Terminating Employee Suggestion Award Board.

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

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Senate Concurrent Resolution 18, Recognizing intent to create WV Coal Renaissance Act.

And reports the same back with the recommendation that it be adopted.

Respectfully submitted,

Christopher A. Rose,
Chair.

The Senate proceeded to the fifth order of business.

Senator Helton, from the Select Committee on Substance Use Disorder and Mental Health, submitted the following report, which was received:

Your Select Committee on Substance Use Disorder and Mental Health has had under consideration

Senate Bill 726, Relating to office-based, medication-assisted treatment programs and opioid treatment programs.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 726 (originating in the Select Committee on Substance Use Disorder and Mental Health)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16B-13-14, relating to medication-assisted treatment programs; requiring these facilities to provide an integrated-care model; requiring these facilities to expand their offering of medical services; requiring informed consent by trained professional; requiring rulemaking; and requiring reporting.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Brian Helton,
Chair.

The bill (Com. Sub. for S. B. 726), under the original double committee reference, was then referred to the Committee on Finance.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senators Fuller, Deeds, Hamilton, and Morris:

Senate Bill 755—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §30-20B-1, §30-20B-2, §30-20B-3, §30-20B-4, §30-20B-5, §30-20B-6, and §30-20B-7, relating to the creation of the West Virginia Secondary School Athletic Trainer and Career Technical Education Program Act; providing for a short title; providing for findings and a purpose; providing for establishment of the five-year program; providing for career and technical education programs; ensuring compliance with West Virginia Secondary School Activities Commission regulations; providing for workforce recruitment and financial incentives; and providing for a timeline and effective date.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senators Smith (Mr. President) and Woelfel [By Request of the Executive]:

Senate Bill 756—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2025, to the Department of Commerce, Division of Natural Resources – License Fund –

Wildlife Resources, fund 3200, fiscal year 2025, organization 0310, by increasing and decreasing appropriations for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

By Senators Garcia, Helton, Rose, Rucker, Taylor, and Woelfel:

Senate Bill 757—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §55-7-33, relating to actions for injuries; creating a private cause of action for the deprivation of a right granted by the state Constitution or by state law; creating penalties; and providing for court costs and certain fees.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senators Taylor and Stuart:

Senate Bill 758—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-9H-1, §16-9H-2, §16-9H-3, §16-9H-4, §16-9H-5, §16-9H-6, §16-9H-7, §16-9H-8, §16-9H-9, and §16-9H-10, relating to regulating locations, operating requirements, and property standards for smoke shops and vape shops; establishing safe advertising that does not appeal to minors; and setting standards for inspections, fines for violations, and appeals.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 759—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §49-2-106A, relating to having no requirement for immunization; providing various types of persons not be required to be immunized to be considered for child placement; requiring that no immunization records be provided in specified circumstances; and requiring that the immunization status of specified individuals not preclude them from child placement.

Referred to the Committee on Health and Human Resources.

By Senator Chapman:

Senate Bill 760—A Bill to amend and reenact §29-22C-26 of the Code of West Virginia, 1931, as amended, relating to modifying the rate of tax due on a licensee's adjusted gross receipts.

Referred to the Committee on Finance.

By Senator Stuart:

Senate Bill 761—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §27-5A-1, §27-5A-2, §27-5A-3, §27-5A-4, §27-5A-5, and §27-5A-6, relating to establishing the Joel Archer Substance Abuse Intervention Act; providing for involuntary treatment of a dependent or spouse for substance use disorder; setting forth criteria for treatment; setting forth process for initiation of proceedings; setting forth who may file a petition; setting forth contents of petition; setting forth court proceedings; setting forth time frames; requiring examination; permitting emergency involuntary treatment; permitting summons to be issued if individual fails to attend examination; addressing transportation; and addressing payment for transportation.

Referred to the Select Committee on Substance Use Disorder and Mental Health; and then to the Committee on the Judiciary.

At the request of Senator Phillips, unanimous consent being granted, the provisions of Joint Rule 31 were suspended in order to permit the introduction of a timely requested naming resolution after the twenty-fifth day.

Senators Phillips and Stuart offered the following resolution:

Senate Concurrent Resolution 19—Requesting the Division of Highways name bridge number 23-016/83-000.02 (23A157) (37.75836, -81.84628) locally known as BULL HOLLOW BEAM SPAN, crossing BUFFALO CREEK, the "U.S. Army ST4 Gregory K. Stephens Memorial Bridge".

Which, under the rules, lies over one day.

By Senator Smith (Mr. President) offered the following resolution:

Senate Concurrent Resolution 20—Recognizing and commending the National Conference of State Legislatures on its 50th anniversary in 2025.

Which, under the rules, lies over one day.

Senator Weld offered the following resolution:

Senate Resolution 32—designating March 17, 2025, as Domestic Violence Awareness Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Resolution 28, Designating March 14, 2025, as West Virginia State University Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Bartlett, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Senate Resolution 29, Designating March 14, 2025, as WV American Academy of Pediatrics Child Health Advocacy Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Senate Resolution 30, Recognizing 80th anniversary of Claude Worthington Benedum Foundation.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Queen, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Senate Resolution 31, Designating March 14, 2025, as Suicide Prevention Awareness Day.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Weld, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 592, Relating generally to aboveground storage tanks.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 592 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Charnock, Clements, Fuller, Grady, Hart, Helton, Martin, Maynard, Morris, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, and Smith (Mr. President)—25.

The nays were: Bartlett, Deeds, Garcia, Hamilton, Oliverio, Woelfel, and Woodrum—7.

Absent: Jeffries and Thorne—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 592) passed with its title.

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

Eng. Senate Bill 712, Relating to retirement provisions of systems managed by CPRB.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Having previously granted Senator Charnock's request to be excused from voting under Rule 43 of the Rules of the Senate,

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Jeffries and Thorne—2.

Excused from voting: Charnock—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 712) passed.

On motion of Senator Oliverio, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Senate Bill 712—A Bill to amend and reenact §5-10-2, §5-10-19, §5-10-27b, §5-10-48, §5-10C-4, §5-10D-6a, §7-14D-2, §7-14D-9b, §7-14D-24a, §8-22A-2, §8-22A-11, §8-22A-34, §15-2-45, §15-2A-2, §15-2A-6b, §16-5V-2, §16-5V-13, §16-5V-35, §18-7A-3, §18-7A-13a, §18-7A-28b, §18-7B-2, §18-7B-12a, §20-18-2, §20-18-14, §20-18-30, §51-9-1a, §51-9-10, and §51-9-12b of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §15-2A-6e, relating to retirement provisions of the West Virginia Public Employees Retirement System, the Deputy Sheriffs' Retirement System, the Municipal Police and Firefighters Retirement System, the West Virginia State Police Death, Disability, and Retirement System, the State Police Retirement System, the Emergency Medical Services Retirement System, the Teachers Retirement System, the Teachers' Defined Contribution Retirement System, the Natural Resources Police Officers Retirement System, and the Judges' Retirement System; defining the terms "bona fide separation from service upon retirement", "participating public employer", and "retirant"; amending the definition of "active military duty" to include the United States Space Force in certain retirement systems; amending the definition of "required beginning date" to be consistent with federal law; clarifying notification by employer of retirant who returns to work by a participating public employer; adding the Emergency Medical Services Retirement System to the pick-up provisions of members' contributions by participating public employers; amending retired public safety officers provision to pay for qualified health insurance premiums from eligible retirement plans; clarifying recall provisions for retired members of the Judges' Retirement System; and providing technical clean-up of provisions.

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

Eng. Com. Sub. for Senate Bill 715, Relating to personally identifiable information of member, retirant, beneficiary, or alternate payee of retirement system.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Thorne—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 715) passed with its title.

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

Eng. Senate Bill 716, Relating to failure to pay required contributions and interest payments for certain retirees who transfer between retirement systems.

On third reading, coming up in regular order, was read a third time and put upon its passage.

At the request of Senator Charnock, and by unanimous consent, Senator Charnock was excused from voting on any matter pertaining to the bill under Rule 43 of the Rules of the Senate, as she is a hearing examiner contracted by the Consolidated Public Retirement Board.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: None.

Absent: Jeffries and Thorne—2.

Excused from voting: Charnock—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 716) passed with its title.

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

Eng. Com. Sub. for House Bill 2042, Relating to allowing a guardian ad litem to request the appointment of a court appointed special advocate.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Thorne—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2042) passed.

The following amendment to the title of the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 2042—A Bill to amend §49-4-601 of the Code of West Virginia, 1931, as amended, relating to procedures in cases of child neglect or abuse; allowing a prosecuting attorney on behalf of the Department of Human Services, attorneys for a parent, or a guardian ad litem to file a petition requesting the appointment of a court appointed special advocate if that circuit court is serviced by a court appointed special advocate.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 102, Modifying form of certain deeds.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 220, Authorizing child sexual abuse and sexual violence prevention program and in-service training in child sexual abuse prevention.

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

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 449, Permitting compressed air and rimfire shooting teams in public schools.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for Senate Bill 526, Creating Pharmacist Prescribing Authority Act.

On second reading, coming up in regular order, was read a second time.

On motions of Senators Takubo, Tarr, and Weld, the following amendment to the bill was reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 5A. PHARMACIST PRESCRIBING AUTHORITY ACT.

§30-5A-1. Short title.

This act shall be known and may be cited as the Pharmacist Prescribing Authority Act.

§30-5A-2. Purpose.

The purpose of this act is to authorize pharmacists to practice the full extent of their education and training to prescribe low-risk medications to patients.

§30-5A-3. Practice of pharmacy.

(a) The scope of the practice of pharmacy includes all of §30-5-1 et seq. of this code, as well as the prescribing of drugs or devices, excluding controlled substances, that are prescribed in accordance with the product's federal Food and Drug Administration-approved labeling, provided that all of the following requirements have been met:

(1) The pharmacist administers a test of a self-limiting condition that is used to guide diagnosis or clinical decision-making and that has been waived under the federal Clinical Laboratory Improvement Amendments of 1988;

(2) That test is positive for a self-limiting condition;

(3) The pharmacist completes a comprehensive medication and medical history review prior to prescribing a permissible drug or device; and

(4) The pharmacist notifies the patient's primary care provider of record of the positive test and any permissible drug and/or device prescribed within seventy-two hours;

(5) Further, the same condition shall not be subsequently treated by a pharmacist within ninety days of a prescription issued pursuant to this act.

(b) A pharmacist may refill an expired prescription for an epinephrine injection device without meeting the requirements of subsection (a) of this section provided that the pharmacist notifies the patient's primary care provider of record within seventy-two hours of that prescription.

Following discussion,

(Senator Barrett in the Chair.)

Following discussion,

(Senator Smith, Mr. President, in the Chair.)

Following discussion,

The question being on the adoption of the amendment offered by Senators Takubo, Tarr, and Weld to the bill (Com. Sub. for S. B. 526), and on this question, Senator Woelfel demanded the yeas and nays.

Senator Oliverio arose to a point of order stating the demand for the yeas and nays was not in order because it was untimely made.

Which point of order, the President ruled not well taken, pursuant to Article VI, Section 41 of the Constitution of West Virginia, which states in part " . . . the yeas and nays on any question, if called for by one tenth of those present shall be entered on the journal."

The roll being taken, the yeas were: Boley, Clements, Deeds, Garcia, Hamilton, Morris, Oliverio, Phillips, Queen, Takubo, Tarr, Weld, Woelfel, and Woodrum—14.

The nays were: Azinger, Barrett, Bartlett, Chapman, Charnock, Fuller, Grady, Hart, Helton, Martin, Maynard, Roberts, Rose, Rucker, Taylor, Willis, and Smith (Mr. President)—17.

Absent: Jeffries, Stuart, and Thorne—3.

So, a majority of those present and voting not having voted in the affirmative, the President declared the amendment offered by Senators Takubo, Tarr, and Weld to the bill rejected.

The bill (Com. Sub. for S. B. 526) was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 548, Creating Safety and Violence Education for Students Act.

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

At the request of Senator Martin, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

The Senate proceeded to the tenth order of business.

Com. Sub. for Com. Sub. for Senate Bill 586, Relating to requirements for filling vacancies in certain elected federal, state, and county offices.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for Senate Bill 686, Relating to WV commercial feed law.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Eng. Com. Sub. for House Bill 2222, Relating to authorizing certain agencies of the Department of Administration to promulgate legislative rules.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senators Takubo and Rucker.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, leaves of absence for the day were granted Senators Jeffries and Thorne.

The following communication was reported by the Clerk:

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 14, 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. 358, Authorizing Department of Transportation to promulgate legislative rules.

This bill is presented to you on this day, March 14, 2025.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lee Cassis", is written over a horizontal line.

Lee Cassis
Clerk of the Senate

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

LEE.CASSIS@WVSENATE.GOV

Under the provisions of Rule 15 of the Rules of the Senate, the following senator was removed as a co-sponsor of the following bill on March 13, 2025:

Senate Bill 513: Senator Chapman.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on March 13, 2025:

Com. Sub. for Senate Bill 37: Senator Barrett;

Senate Bill 43: Senator Maynard;

Senate Bill 77: Senator Hart;

Senate Bill 83: Senators Deeds and Garcia;

Senate Bill 505: Senators Hart and Willis;

Senate Bill 516: Senators Deeds, Taylor, and Hart;

Senate Bill 531: Senators Oliverio and Hamilton;

Senate Bill 547: Senator Rose;

Senate Bill 594: Senator Willis;

Senate Bill 598: Senators Deeds and Willis;

Senate Bill 651: Senator Hamilton;

Senate Bill 659: Senator Hart;

Senate Bill 731: Senator Willis;

Senate Bill 750: Senator Garcia;

Senate Concurrent Resolution 18: Senators Hart and Willis;

Senate Resolution 28: Senators Thorne, Jeffries, Grady, and Rucker;

Senate Resolution 30: Senators Morris and Jeffries;

And,

Senate Resolution 31: Senators Jeffries, Grady, and Rucker.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 12:14 p.m., the Senate adjourned until Monday, March 17, 2025, at 11 a.m.

SENATE CALENDAR

Monday, March 17, 2025
11:00 AM

SPECIAL ORDER OF BUSINESS

Saturday, April 12, 2025 – 11:30 AM

Consideration of executive nominations

UNFINISHED BUSINESS

- S. C. R. 18 - Recognizing intent to create WV Coal Renaissance Act
- S. C. R. 19 - US Army ST4 Gregory Kent Stephens Memorial Bridge
- S. C. R. 20 - Recognizing and commending NCSL on its 50th anniversary
- S. R. 32 - Designating March 17, 2025, as Domestic Violence Awareness Day

THIRD READING

- Eng. Com. Sub. for S. B. 102 - Modifying form of certain deeds
- Eng. Com. Sub. for S. B. 449 - Permitting compressed air and rimfire shooting teams in public schools
- Eng. Com. Sub. for S. B. 526 - Creating Pharmacist Prescribing Authority Act

SECOND READING

- Com. Sub. for S. B. 220 - Authorizing child sexual abuse and sexual violence prevention program and in-service training in child sexual abuse prevention
- Com. Sub. for S. B. 548 - Creating Safety and Violence Education for Students Act
- Com. Sub. for Com. Sub. for S. B. 586 - Relating to requirements for filling vacancies in certain elected federal, state, and county offices
- Com. Sub. for S. B. 686 - Relating to WV commercial feed law
- Eng. Com. Sub. for H. B. 2222 - Relating to authorizing certain agencies of the Department of Administration to promulgate legislative rules

FIRST READING

- Com. Sub. for Com. Sub. for S. B. 37 - Allowing certain Teachers Retirement System members to exchange unused leave for monetary compensation

Com. Sub. for S. B. 83 - Allowing Foster Care Ombudsman access to child protective records

Com. Sub. for S. B. 450 - Establishing WV Guardian Program

Com. Sub. for S. B. 538 - Allowing certain entities to purchase qualifying tax-delinquent properties before they are offered at public auction (original similar to HB3332)

Com. Sub. for S. B. 547 - Creating Charter Schools Startup Fund

S. B. 598 - Permitting judges to refer parents to prosecuting attorney for making certain false allegations in child custody proceedings

S. B. 621 - Authorizing digital court records (original similar to HB3271)

Com. Sub. for S. B. 719 - Relating to age at which minor can consent to certain medical decisions and services

Com. Sub. for S. B. 731 - Terminating Design Build Board

S. B. 734 - Repealing section creating A. James Manchin Rehabilitation Environmental Action Plan

Com. Sub. for S. B. 736 - Relating to publication of registered lobbyist information

S. B. 738 - Terminating Employee Suggestion Award Board

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2025

Monday, March 17, 2025

9:30 a.m.	Government Organization	(Room 208W)
1 p.m.	Transportation & Infrastructure	(Room 451M)