

WEST VIRGINIA LEGISLATURE

# SENATE JOURNAL

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

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Charleston, West Virginia, Wednesday, March 19, 2025

The Senate met at 11:05 a.m.

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

Prayer was offered by the Reverend Rick Perrine, Ripley Baptist Temple, Ripley, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Amy N. Grady, a senator from the fourth district.

Pending the reading of the Journal of Tuesday, March 18, 2025,

At the request of Senator Azinger, 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 Senate then 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 8**, Providing additional sites and devices for newborn safe surrender.

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

**ARTICLE 4. COURT ACTIONS.****§49-4-201. Accepting possession of certain relinquished children.**

(a) A hospital or health care facility operating in this state, or a fire department, emergency medical service facility, police department, 911 call center, or sheriff's detachment that has been designated a safe-surrender site under §49-4-206 of this code, shall, without a court order, take possession of a child if the child is voluntarily delivered to the hospital, health care facility, ~~or~~ fire department, emergency medical service facility, police department, 911 call center, or sheriff's detachment by the child's parent within 30 days of the child's birth, and the parent did not express an intent to return for the child.

(b) A hospital, health care facility, ~~or~~ fire department, emergency medical service facility, police department, 911 call center, or sheriff's detachment that takes possession of a child under this article shall perform any act necessary to protect the physical health or safety of the child. In accepting possession of the child, the hospital, health care facility, ~~or~~ fire department, emergency medical service facility, police department, 911 call center, or sheriff's detachment may not require the person to identify himself or herself and shall otherwise respect the person's desire to remain anonymous.

(c) Hospitals, health care facilities, ~~and~~ fire departments, emergency medical service facilities, police departments, 911 call center, and sheriff's detachments designated as safe-surrender sites under §49-4-206 of this code may install and operate newborn safety devices as defined in this section.

(d) "Newborn safety device" means a device:

(1) Designed to permit a person to anonymously place a child under 30 days of age in the device with the intent to leave the child, and for a licensed emergency medical services provider to remove the child from the device and take custody of him or her;

(2) Equipped with an adequate dual alarm system connected to the physical location where the device is physically installed. The dual alarm system shall:

(A) Be tested at least one time per week to ensure the alarm system is in working order; ~~and~~

(B) Be visually checked at least two times per day to ensure the alarm system is in working order;

(C) Notify a centralized location in the facility within 30 seconds of a child being placed in the device; and

(D) Trigger a 911 call if staff at the facility do not respond within 15 minutes after a child is placed in the device.

(3) Be approved by and physically located, with outside access, at a participating hospital or medical facility, or a fire department, emergency medical service facility, police department, 911 call center, or sheriff's detachment that has been designated a safe-surrender site under §49-4-206 of this code that:

(A) Is licensed or otherwise legally operating in this state; and

(B) Is staffed continuously on a 24-hour basis every day by a licensed emergency medical services provider; and

(4) Is located in an area that is conspicuous and visible to a hospital, a medical facility, or a fire department, emergency medical service facility, police department, 911 call center, or sheriff's detachment.

~~(d)~~ (e) A person who relinquishes a child in a newborn safety device may remain anonymous and shall not be pursued, and the relinquishment of a child pursuant to the provisions of this section shall not, in and of itself, be considered child abuse and neglect as that term is defined in §49-1-201 of this code.

~~(e)~~ (f) Any emergency medical services provider who physically retrieves a child from a newborn safety device shall immediately arrange for the child to be taken to the nearest hospital emergency room and shall have implied consent to any and all appropriate medical treatment.

~~(f)~~ (g) By placing a child in a newborn safety device, the person:

(1) Waives the right to notification required by subsequent court proceedings; and

(2) Waives legal standing to make a claim of action against any person who accepts physical custody of the child.

~~(g)~~ (h) An emergency medical services provider with the duty granted in this article whose actions are taken in good faith is immune from criminal or civil liability, unless his or her actions were the result of gross negligence or willful misconduct. The grant of immunity in this section extends to all employees and administrators of the emergency medical services provider.

~~(h)~~ (i) The provisions of subsection ~~(d)~~ (e) of this section shall not apply when indicators of child physical abuse or child neglect are present.

**§49-4-206. Designation of local fire department, emergency medical service facility, police department, 911 call center, or sheriff's detachment as a safe-surrender site; posting requirement.**

The governing entity of a local fire department, emergency medical service facility, police department, 911 call center, or sheriff's detachment that is staffed 24 hours a day, seven days a week, may designate the premises of its fire department, emergency medical service facility, police department, 911 call center, or sheriff's detachment as a safe-surrender site to accept physical custody of a child who is 30 days old or younger from a parent of the child and who surrenders the child pursuant to §49-4-201 of this code. A local fire department, emergency medical service facility, police department, 911 call center, or sheriff's detachment that is designated a safe-surrender site shall post a sign that notifies the public that it is a location where a child 30 days old or younger may be safely surrendered pursuant to this article.;

And,

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

**Eng. Com. Sub. for Senate Bill 8**—A Bill to amend and reenact §49-4-201 and §49-4-206 of the Code of West Virginia, 1931, as amended, relating to expanding the places that can be

designated a safe surrender site to include emergency medical service facilities, police departments, 911 call centers, or sheriff's detachments, relating to allowing emergency medical service facilities, police departments, 911 call centers, or sheriff's detachments that take possession of a child to perform any act necessary to protect the physical health or safety of the child, relating to permitting the installation of newborn safety devices at emergency medical service facilities, police departments, 911 call centers, or sheriff's detachments that have been designated as safe-surrender sites; and providing conditions for the same.

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

Engrossed Committee Substitute for Senate Bill 8, 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, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

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. 8) 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 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 486**, Clarifying eligibility requirements to vote in WV elections.

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

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

## **ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.**

### **§3-1-3. Persons entitled to vote.**

~~Citizens of the state shall be entitled to vote at all elections held within the precincts of the counties and municipalities in which they respectively reside. But no person who has not been registered as a voter as required by law, or who is a minor, or who has been declared mentally incompetent by a court of competent jurisdiction, or who is under conviction of treason, felony or~~

~~bribery in an election, or who is not a bona fide resident of the state, county or municipality in which he or she offers to vote, shall be permitted to vote at such election while such disability continues, unless otherwise specifically provided by federal or state code. Subject to the qualifications otherwise prescribed in this section, however, a minor shall be permitted to vote only in a primary election if he or she will have reached the age of eighteen years on the date of the general election next to be held after such primary election~~

(a) Citizens of the state may vote at all elections held within the precincts of the counties and municipalities in which they respectively reside, but a person may not vote in a federal, state, county, municipal, or special election unless the person:

(1) Is registered to vote as required by law;

(2) Is 18 years of age, except that a person may vote in a primary election if he or she will reach the age of 18 years on or before the date of the next general election held after the primary election;

(3) Has not been determined by a final judgment of a circuit court exercising jurisdiction pursuant to §44A-1-2(c) of this code to be totally mentally incompetent.

(4) Has not been convicted of treason, a felony, or bribery in an election or, if convicted, has:

(A) Had his or her sentence fully discharged, including any term of incarceration, parole, supervision, or period of probation ordered by any court; or

(B) Been pardoned or otherwise formally released from the resulting disability to vote;

(5) Is a United States citizen; and

(6) Is a bona fide resident of the state, county, or municipality in which he or she offers to vote.

(b) For purposes of §3-1-3 (a)(3), a person is requalified to vote upon certification in writing by the clerk of the circuit court of an order or other official determination filed with his or her office that the person is no longer totally mentally incompetent: *Provided*, That a copy of the order or other official determination shall not be provided without further order by a court of competent jurisdiction or written permission signed by the person to whom the order or official determination pertains.

(c) For purposes of §3-1-3 (a)(4):

(1) A person convicted of a disqualifying crime may not vote from the date of adjudication of that crime, notwithstanding any pending sentencing order, post-trial motions, direct appeals, or other post-conviction requests for relief; and

(2) A person is not considered to have been convicted of a disqualifying crime where the criminal proceedings are deferred and there is no adjudication of guilt as to the disqualifying crime.;

And,

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

**Eng. Com. Sub. for Senate Bill 486**—A Bill to amend and reenact §3-1-3 of the Code of West Virginia, 1931, as amended, relating to eligibility requirements to vote in West Virginia elections; describing eligibility requirements for persons to vote, including citizenship, age, and residency requirements; providing guidance on persons deemed ineligible to vote; providing for restoration of voting rights in certain circumstances; and clarifying when a person convicted of a disqualifying crime is not permitted to vote.

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

Engrossed Committee Substitute for Senate Bill 486, 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, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

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. 486) 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 adoption of

**Senate Concurrent Resolution 20**, Recognizing and commending NCSL on its 50th anniversary.

A message from the Clerk of the House of Delegates announced the adoption by that body and requested the concurrence of the Senate in the adoption of the following resolutions:

**Com. Sub. for House Concurrent Resolution 5**—Requesting the Division of Highways name Bridge Number: 21-050/00-003.14 () (21A107), (38.78083, -80.43667) locally known as GLADY CREEK BOX BEAM, carrying CR 050 over GLADY CREEK in Lewis County, the "U.S. Army PFC William Harrison Lowther Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 6**—Requesting the Division of Highways name bridge number 23-016/18-000.01(23A183), at Lat./Long. 37.76296, -81.84196, locally known as Low Ash Concrete Box BM, carrying County Route 16/18 over Buffalo Creek in Logan County, the "U.S. Army Warrant Officer Sidney Washington Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 7**—Requesting the Division of Highways name bridge number ACNS-0035(166), 10799, beginning at Latitude 38.770528, Longitude -82.049710, ending at Latitude 38.770995, Longitude -82.047531, carrying US Route 35 over

Lower Nine Mile Road, WV Route 38, in Mason County, the "U.S. Army PFC John Wesley Meadows Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 8**—Requesting the Division of Highways name Bridge Number: 23-009/01-000.12 () (23A027), (37.83239, -82.03453) locally known as WHITMAN CREEK BOX BEAM, carrying CR 009/01 over COPPERAS MINE FORK in Logan County the "U.S. Army PFC Lester E. Maynard Memorial Bridge."

**Com. Sub. for House Concurrent Resolution 9**—Requesting the Division of Highways name Bridge Number: 20-079/03-017.16 () (20A954), (38.18214, -81.46837) locally known as Dry Branch Bridge, carrying CR 079/03 over Cabin Creek at Dry Branch in Kanawha County, the "U.S. Army Private Robert S. Pomeroy Memorial Bridge."

**Com. Sub. for House Concurrent Resolution 10**—Requesting the Division of Highways name a portion of Knobley Road, specifically beginning where U.S. Route 50 meets W.V. Route 9 (39.34980, -78.99220) and ending where W.V. Route 9 meets W.V. Route 18 (39.36571, -78.98110), in Mineral County, the "U.S. Marine Corps PFC Robert Thomas Taylor Memorial Road".

**Com. Sub. for House Concurrent Resolution 11**—Requesting the Division of Highways name Bridge Number: 54-014/00-013.22 () (54A037), (39.26028, -81.55637) locally known as Fifth Street Bridge (SSTT), carrying WV 014 over Little Kanawha River in Wood County, the "Delegate Thomas A. Azinger Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 12**—Requesting the Division of Highways name Bridge Number: 52-013/00-004.64 () (52A039), (39.67254, -80.45228) locally known as Hundred Covered Bridge, carrying CR 013 over WV Fork Fish Creek in Wetzel County, the "PFC Charles 'Charlie' Goff Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 13**—Requesting the Division of Highways name a bridge bearing the Bridge Number: 26-023/00-007.19 () (26A034), (39.82576, -80.57174) locally known as CAMERON RIDGE BRIDGE, carrying CR 023 over GRAVE CREEK in Marshall County as the "U.S. Army Corporal James E. Jackley Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 15**—Requesting the Division of Highways name Bridge Number: 41-077/00-028.93 (NB) (41A210), (37.61525, -81.11937) locally known as I-77 NB OVER RAL 48, carrying IS 077 over CR 48 in Raleigh County, the "USMC PFC Delbert Carles Roles Memorial Bridge."

**Com. Sub. for House Concurrent Resolution 18**—Requesting the Division of Highways change the name of Bridge Number: 02-009/00-002.54 () (02A176), (39.57445, -78.03742) locally known as Johnstontown Bridge, carrying WV 009 over Tilhance Creek in Berkeley County, to the "U.S. Army Private Paul J. Hofe Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 20**—Requesting the Division of Highways name bridge number 52-250/00-003.88 (5A139) at Lat/Long: 39.68333, -80.45983, locally known as Stewart Street Bridge, carrying CR 250/12 over West Virginia Fork of Fish Creek in Wetzel County, the "U.S. Army Tustin Brothers Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 21**—Requesting the Division of Highways name bridge number 52-250/12-000.02 (5A102), at Lat./Long. (39.68344, -80.45906), locally

known as Church Fork Bridge, carrying US 250 over Church Fork Creek in Wetzel County, the "U.S. Army Private Terry F. Tustin Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 22**—Requesting the Division of Highways name a portion of Greentown Loop Road, in Oak Hill, Fayette County, beginning at the intersection of US 19 and WV 16, Latitude 37.959594, Longitude -81.148356, ending at the intersection of Meadow Fork Road, Latitude 37.964227, Longitude -81.125199, the "Delegate James Monroe Ellis Memorial Road."

**Com. Sub. for House Concurrent Resolution 23**—Requesting the Division of Highways name bridge number [10-025/00-000.06] ([10A113]), locally known as Dunloup Creek Bridge #2, carrying Thurmond Road/CR 25 over Dunloup Creek in Fayette County, the "U.S. Army PFC Calvin Esco Spade Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 24**—Requesting the Division of Highways name bridge number 52-250/00-009.13 (52A141), at Lat/Long: 39.70457, -80.52336, locally known as Littleton Bridge, carrying US 250 over West Virginia Fork of Fish Creek in Wetzel County, the "Postlethwait Brothers Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 25**—Requesting the Division of Highways rename the section of road located on U.S. Route 250 just North of the Moundsville city limits to just North of the intersection of W.V. Route 891 to the "Waynesburg Pike Road" and have an additional sign placed at the intersection of W.V. Route 88 and U.S. Route 250.

**Com. Sub. for House Concurrent Resolution 26**—Requesting the Division of Highways name bridge number 45-012/00-001.21(45A024), locally known as Bradshaw Creek Bridge at Latitude 37.54774, Longitude -80.80074, carrying County Route 12 over Bradshaw Creek in Summers County, the "U.S. Army Air Force Staff Sergeant Jimmie M. Hutchison Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 27**—Requesting the Division of Highways name a portion of Laurel Dale Road, WV 93 beginning at the southern edge of the James Gilbert Bosley Memorial Bridge, Latitude 39.339076, Longitude -79.067612, ending at the Laurel Dale Community Church, Latitude 39.312443, -Longitude 79.088201, in Mineral County, the "U.S. Army Brigadier General Edmund Francis Roleff Memorial Road".

**Com. Sub. for House Concurrent Resolution 28**—Requesting the Division of Highways name a portion of War Ridge Road, beginning at the intersection of War Ridge Road and Ballengee Road in Summers County, to the intersection of War Ridge Road and Little Stoney Creek Road in Monroe County, the "U.S. Army PFC Frank Maddy Memorial Road".

**Com. Sub. for House Concurrent Resolution 29**—Requesting the Division of Highways name 2.9 miles of County Route 9, also known as Knobley Road, from its intersection with County Route 16 (Headsville Road) at 39.418688664987286, -78.93751402501096, southward to its intersection with County Route 14 (Limestone Road) at 39.385668954129194, -78.9686697566939, be officially designated as the "Sheriff Jeremy Taylor Memorial Road".

**Com. Sub. for House Concurrent Resolution 31**—Requesting the Division of Highways name bridge number 20-025/47-00.10 (20A-337), locally known as Dunbar Toll Bridge, carrying 10th Street over Kanawha River in Kanawha County, the "U.S. Army LTC Quewanncoii "Que" C. Stephens, Sr. Memorial Bridge".



**Com. Sub. for House Concurrent Resolution 32**—Requesting the Division of Highways name Bridge Number: 41-001/04-000.02 () (41A010), (37.95138, -81.43833) locally known as Colcord Bridge, carrying CR 01/04 over Clear Fork in Raleigh County, the "U.S. Army Private Leon 'Deacon' Stover Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 34**—Requesting the Division of Highways name bridge number 36-28-24.07(36A082), locally known as Mouth of Seneca Bridge, carrying WV 28 and WV 55 over Seneca Creek in Pendleton County, the "U.S. Merchant Marine J. Ward Teter Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 35**—Requesting the Division of Highways name a portion of Main Street East, in Fayette County, beginning at the intersection with Patterson Avenue, Latitude 37.983998, Longitude -81.137400, ending at the intersection with Lochgelly Road, Latitude 38.005804, Longitude -81.131043, the "U.S. Air Force Sergeant Thomas Madison Oxley Memorial Road".

**Com. Sub. for House Concurrent Resolution 36**—Requesting the Division of Highways name a bridge bearing the Bridge Number: 10-016/00-008.68 () (10A097) Lat/Long: 37.97642, -81.14059, Original Name: MAIN STREET BRIDGE, Feature Intersected: US 19 NBL & SBL, as the "U.S. Marine Corps PFC Darrell Lee Burgess Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 37**—Requesting the Division of Highways name bridge number 50-064/00-001.75 carrying Interstate 64 over Broad Hollow Road in Wayne County, the "U.S. Army Captain Ray Leslie Memorial Bridge."

**Com. Sub. for House Concurrent Resolution 39**—Requesting the Division of Highways name a portion of Route 2 bearing the coordinates 40°01'41"N 80° 43'38"W and 40°00'07"N 80°43'57"W in Benwood, Marshall County, as the "Gold Star Mother Catherine Blake Highway", with two gold stars after her name.

**Com. Sub. for House Concurrent Resolution 42**—Requesting the Division of Highways name bridge number 00-005.51(20A561), locally known as Rocky Fork Bridge, carrying County Route 622 over Rocky Fork Creek in Kanawha County, the "U.S. Army Corporal Kenneth H. Tinsley Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 44**—Requesting the Division of Highways name bridge number 16-05S/20-005.47 () (16A123), (39.08844, -78.89069) locally known as ASHTON WOODS BRIDGE, carrying CR 055/20 over US 48X in Hardy County, the "U.S. Army Corporal Charles W. Wolfe Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 45**—Requesting the Division of Highways name bridge number 16-013/00-000.60(16A081), at Lat/Long: 39.05032, -78.99304, locally known as New Buzzard Ford Bridge carrying CR 013 over South Branch Potomac River in Hardy County, the "Charlotte Denise Seymour Hill Memorial Bridge".

**Com. Sub. for House Concurrent Resolution 78**—"Requesting the Division of Highways to make the completion of I-73, the King Coal Highway, in its entirety a high priority project."

The preceding resolutions were referred to the Committee on Transportation and Infrastructure.

**Executive Communications**

The Clerk presented the following communication from His Excellency, the Governor, regarding bills approved by him:



Patrick Morrisey  
Governor of West Virginia

March 18, 2025

The Honorable Lee Cassis, Clerk  
West Virginia Senate  
State Capitol  
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, is the following bill:

Senate Bill No. Four Hundred Ninety (490), which was presented to me on March 12, 2025.

You will note that I have approved this bill on March 18, 2025.

Sincerely,

A handwritten signature in blue ink, reading "Patrick Morrisey".

Patrick Morrisey  
Governor

PM/an

cc: The Honorable Jeff Pack, Clerk

The Senate proceeded to the fourth order of business.

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

Your Committee on Government Organization has had under consideration

**Com. Sub. for Senate Bill 1**, Requiring utility work and road paving coordination.

And reports the same back with the recommendation that it 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 100**, Allowing members of State Police retirement system to use accrued leave as credit toward retirement.

And,

**Senate Bill 105**, Updating retirement eligibility for certain sheriffs.

And reports the same back with the recommendation that they each 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 472**, Requiring transparency from Department of Human Services.

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

Your Committee on Education has had under consideration

**Senate Bill 506**, Relating to enhanced pay for teachers.

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

**Com. Sub. for Senate Bill 506** (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18A-4-2d, relating to enhanced pay for certain teachers; setting out legislative findings; defining terms; requiring use of the highest of two multipliers to be used to set the amount of the market pay enhancement; providing for certification to State Auditor; requiring the State Auditor to issue a lump sum distribution to all certified teachers in any county requiring a market pay enhancement; requiring market pay enhancement to be adjusted every five years; making lump sum subject to personal income tax; declaring there is no right to a grievance for any pay disparity that exists due to a market pay enhancement distribution; providing payments are in excess of certain other amounts; requiring West Virginia Board of Education report to the Joint Committee on Government and Finance in any year a market pay enhancement calculation is required; and allowing West Virginia Board of Education rules to explain and implement this new section.

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. 506), 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 531**, Defining assault and battery on sports officials.

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

**Com. Sub. for Senate Bill 531** (originating in the Committee on Education)—A Bill to amend and reenact §61-2-15a of the Code of West Virginia, 1931, as amended, relating to the offenses of assault and battery on athletic officials; modifying criminal penalties for assault and battery on athletic officials; and redefining "athletic official".

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

Respectfully submitted,

Amy N. Grady,  
*Chair.*

The bill (Com. Sub. for S. B. 531), under the original double committee reference, was then referred to the Committee on the Judiciary.

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

Your Committee on Finance has had under consideration

**Senate Bill 578**, Relating to pet food packages.

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

**Com. Sub. for Senate Bill 578** (originating in the Committee on Finance)—A Bill to amend and reenact §19-14-5 of the Code of West Virginia, 1931, as amended, relating to removing the sunset provisions on requiring an additional registration fee for a permit to sell or market commercial pet food, set to expire June 1, 2027, and June 30, 2027.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Jason Barrett,  
*Chair.*

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 579**, Relating to Home Rule Reform.

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

Respectfully submitted,

Mike Stuart,  
*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 697**, Creating Caregiver Tax Credit Act.

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

**Com. Sub. for Senate Bill 697** (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-29-1, §11-29-2, §11-29-3, and §11-29-4, relating to creating the Caregiver Tax Credit Act; defining the terms used throughout the article; listing the guidelines for implementation; authorizing rulemaking for the Department of Revenue; and providing an effective date of January 1, 2027.

And,

**Senate Bill 702**, Relating to payment rates for child care services.

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

**Com. Sub. for Senate Bill 702** (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §49-2-120a, relating to payment rates for child care services; requiring the Bureau for Family Assistance to annually adjust the base rate for each type of care based upon the Consumer Price Index; requiring the Bureau for Family Assistance to study the implementation of performance-based contracting's outcome on quality; and requiring reporting.

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

Respectfully submitted,

Laura Wakim Chapman,  
*Chair.*

The bills (Com. Sub. for S. B. 697 and 702), under the original double committee references, were 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 743**, Adjusting percentage of tax retained by clerk of county commission for certain purposes.

And,

**Senate Bill 747**, Relating to Real Estate License Act.

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

Respectfully submitted,

Patricia Puertas Rucker,  
*Chair.*

At the request of Senator Barrett, as chair of the Committee on Finance, unanimous consent was granted to dispense with the second committee references of the bills contained in the foregoing report from the Committee on Government Organization.

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

Your Committee on the Judiciary has had under consideration

**Eng. Com. Sub. for House Bill 2331**, Relating to authorizing certain agencies of the Department of Commerce to promulgate legislative rules.

And has amended same.

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

Respectfully submitted,

Mike Stuart,  
*Chair.*

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 Phillips, Hart, and Rose:**

**Senate Bill 803**—A Bill to amend and reenact §24-1-7 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §24-9-1, relating to rules and data centers; making the rules and regulations of the Public Service Commission subject to legislative rule-making review procedures; providing definitions; providing legislative findings; and requiring oversight from the Legislative Rule-Making Review Committee on data centers.

Referred to the Committee on Economic Development.

**By Senators Taylor, Smith (Mr. President), Azinger, Bartlett, Chapman, Charnock, Deeds, Fuller, Grady, Hart, Helton, Jeffries, Martin, Maynard, Morris, Roberts, Rose, Rucker, Stuart, Thorne, Weld, and Willis:**

**Senate Bill 804**—A Bill to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Secondary School Activities Commission Reform Act; giving public charter schools control, supervision, and regulation of all extracurricular activities of the students in their schools; allowing public charter schools to delegate control, supervision, and regulation of interscholastic athletic events and band activities to the West Virginia Secondary School Activities Commission; providing that the commission is composed of the athletic directors, or their representatives, of certain secondary schools; modifying commission rule-making procedures; requiring rules to include a school classification system based on a competitive balance formula which includes the number of transfers a school has received and other factors; providing that the commission is to become a state agency; providing that commission funds from dues paid and from any event sponsored by the commission are public funds; requiring that executive director of the commission be appointed by the Governor, by and with the advice and consent of the Senate; requiring commission rules to provide for executive director to investigate

and make decisions on all violations of rules and questions of dispute regarding any sports activities governed by the commission and to include provisions ensuring adequate due process; providing that any disagreement with the executive director's decision can only be brought before the Intermediate Court of Appeals; providing for organized groups of certain nonpublic school students to participate in the extracurricular activities under commission control, supervision, and regulation; removing one of the requirements for homeschool students, Hope Scholarship Program participants, microschool students, and learning pod students to be eligible for extracurricular activities of secondary schools and modifying fees that can be charged to these students; and providing for certain existing commission rules to continue in effect.

Referred to the Committee on Education.

**By Senators Rucker and Deeds:**

**Senate Bill 805**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §36-4-20, relating to promoting personal agriculture by making unenforceable a housing association covenant or restriction that prohibits home gardens and ownership of chickens; defining terms; and providing exceptions.

Referred to the Committee on Agriculture; and then to the Committee on Government Organization.

**By Senators Deeds, Azinger, Bartlett, Fuller, Hamilton, and Thorne:**

**Senate Bill 806**—A Bill to amend and reenact §62-1C-1, §62-1C-1a, §62-1C-2, and §62-1C-17b of the Code of West Virginia, 1931, as amended; and to repeal §62-1C-3 and §62-1C-4, relating to bail; defining bail; providing factors to be applied by judicial officer for certain bail determinations; providing for judicial review of bail determinations; providing for mandatory or discretionary pretrial release by category of charged offense; providing for discretionary pretrial release pending appeal from conviction; requiring hearing for defendant who remains incarcerated after initial appearance relating to misdemeanor; authorizing defendant to select form of bail unless restricted by judicial officer; providing for cash bail, recognizance, use of bail bondsman, and other forms of bail pursuant to rules promulgated by Supreme Court of Appeals; setting maximum cash bail for misdemeanors; requiring release on recognizance for certain misdemeanors except for good cause shown; specifying misdemeanors not eligible for recognizance; requiring certain information be provided to court with respect to recognizance; providing signature requirements for recognizance; authorizing judicial officer to require justification of surety; providing for minimum assessed value of real property; providing for pretrial release of indigent defendants; providing requirements for unapproved surety; providing net worth requirements of surety; prohibiting judicial officer from recommending relative as surety; authorizing bail to cover multiple charges; providing for receipts; authorizing additional conditions of pretrial release; authorizing judicial officer to modify conditions of release; requiring presence of prosecuting attorney and defense counsel at certain hearings; repealing provisions regarding fixing amount of bail and bail covering two or more charges; repealing provisions regarding recognizance, requirements for signers or surety company, release upon own recognizance, and indigent persons; and making technical corrections.

Referred to the Committee on the Judiciary.

**By Senators Oliverio, Azinger, Charnock, Garcia, and Phillips:**

**Senate Bill 807**—A Bill to amend and reenact §11-3-9 of the Code of West Virginia, 1931, as amended, relating to exempting from personal property taxation private passenger automobiles that are 25 years old or older.



Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

**By Senator Weld:**

**Senate Bill 808**—A Bill amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15A-2-4a, relating to the creation of the West Virginia Justice Reinvestment Task Force; setting forth the membership of the task force; providing for appointment of members; delineating responsibilities of the task force; providing task force complete a report and specifying contents of same; and providing a date for termination of the task force.

Referred to the Committee on Government Organization.

**By Senator Morris:**

**Senate Bill 809**—A Bill to amend and reenact §11-1C-10 and §11-1C-11 of the Code of West Virginia, 1931, as amended, relating to changing the managed timberland certification requirements to every five years for tax assessment purposes; and granting rule-making authority to the Division of Forestry.

Referred to the Committee on Natural Resources.

**By Senator Rucker:**

**Senate Bill 810**—A Bill to amend and reenact §30-7-15 of the Code of West Virginia, 1931, as amended, relating to clarifying the qualifications required for the administration of anesthesia.

Referred to the Committee on Government Organization.

**By Senator Chapman:**

**Senate Bill 811**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding six new sections, designated §49-2-1101, §49-2-1102, §49-2-1103, §49-2-1104, §49-2-1105, and §49-2-1106, relating to creating the Child Care Subsidy Pilot Program; setting forth the purpose; setting forth the duration of the pilot program; setting forth the reporting and evaluation requirements; setting forth definitions; authorizing rulemaking; providing for funding; and setting forth implementation requirements.

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

**By Senator Willis:**

**Senate Bill 812**—A Bill to amend and reenact §61-6-24 of the Code of West Virginia, 1931, as amended, relating to clarifying definitions of terroristic acts and groups; creating mandatory sentencing and requiring the Attorney General to identify terrorist groups; requiring restitution to be paid to victims of terrorism; increasing penalties upon conviction of the felony offenses of threatening to commit a terrorist act, conveying false information knowing the information to be false concerning an attempt or alleged attempt being made or to be made of a terrorist act, and for use of a hoax substance or device with the specific intent to commit a terrorist act; creating the felony offenses of committing a terrorist act or being a member of a terrorist group, actively participating in violent actions as part of a terrorist act in which another person is killed as a result of the terrorist act; providing criminal penalties; providing for restitution for economic harm to victims for such acts; establishing certain acts as acts of terrorism and providing for criminal penalties for committing such acts; providing that sentences for terrorism are mandatory and are

not subject to suspension, alternative sentencing, or probation; and providing that the Attorney General identify terrorist entities and that any member or associate of these groups shall be deemed to be engaged in terrorism, will be identified as a terrorist, and will be punished in accordance with this section.

Referred to the Committee on the Judiciary.

**By Senator Chapman:**

**Senate Bill 813**—A Bill to amend and reenact §49-4-601a of the Code of West Virginia, 1931, as amended, relating to extending the time frame for the Department of Human Services to identify relatives and fictive kin of the child.

Referred to the Committee on the Judiciary.

**By Senator Martin:**

**Senate Bill 814**—A Bill to amend and reenact §7-17-12 and §8-13-13 of the Code of West Virginia, 1931, as amended, relating to fees and charges for municipality-provided fire services; allowing county commissions to establish fees for fire services by ordinance; and requiring county commission approval before fees established on or after January 1, 2024, are imposed on individuals or businesses located outside the municipality.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

**By Senator Phillips:**

**Senate Bill 815**—A Bill to amend and reenact §22-36-1, §22-36-5, §22C-1-2, §22C-1-3, §22C-1-5, §22C-1-6, §22C-1-17, §22C-1-22, §22C-2-1, §22C-2-5, §24-1-1, §24-2H-8, §31-15A-4, §31-15A-9 and §31-15A-17c of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §22C-1-7a, relating to permitting access to funding for public water utilities subject to the Public Service Commission's jurisdiction; defining "public utility"; setting forth legislative findings; defining "non-governmental public utility"; modifying definitions of "local entity", "project", and "water development project"; permitting Water Development Authority to make loans and grants to public utilities, including non-governmental public utilities, pursuant to loan agreements; establishing rights and remedies with respect to enforcing loan agreement with public utilities; establishing powers of Water Development Authority with respect to non-governmental public utilities; authorizing rulemaking with respect to Water Development Authority; requiring maintenance of public utilities; permitting public utilities to lease, grant, or convey to the Water Development Authority any real property or interests; establishing procedures related to collection of money due to the Water Pollution Control Revolving Fund; establishing requirements to ensure adequate cash and working capital related to funding; authorizing rulemaking with respect to the West Virginia Infrastructure and Jobs Development Council; directing funding consideration for certain for-profit project sponsors under certain circumstances; permitting access to Distressed Utilities Account for public utilities under certain circumstances; and directing the Water Development Authority to make loans or grants from the Critical Needs and Failing Systems Sub Account to a project sponsor under certain circumstances.

Referred to the Committee on Finance.

**By Senator Stuart:**

**Senate Bill 816**—A Bill to amend and reenact §16-9A-2, §16-9A-3, and §16-9A-7 of the Code of West Virginia, 1931, as amended; and to amend the code by adding five new sections, designated §16-9A-12, §16-9A-13, §16-9A-14, §16-9A-15, and §16-9A-16, relating to prohibiting sales of unauthorized electronic smoking devices and any other products intended for inhaling or ingesting; setting penalties for the sale of unauthorized electronic smoking devices; setting penalties for the sale of authorized electronic smoking devices to individuals under 21 years of age; setting definitions; requiring reporting of citations to the Alcohol Beverage Control Commission; requiring the Secretary of State to develop a list of retailers that sell electronic smoking devices and provide the list to the Alcohol Beverage Control Commission; requiring the Alcohol Beverage Control Commission to develop and maintain a list of retailers of authorized electronic smoking devices and a tobacco noncompliance database and reporting system; permitting existing enforcement entities to enforce new provisions; requiring manufacturers of electronic smoking devices to provide authorizing documentation to wholesalers and retailers; setting forth fines and penalties for a manufacturer's provision of false or misleading information; requiring wholesalers of electronic smoking devices to sell only authorized devices; requiring wholesalers to verify that retailers are not in the tobacco noncompliance database before selling them electronic smoking devices; setting forth fines and penalties for a wholesaler of electronic smoking devices to an unauthorized retailer; and requiring the Commissioner of the Alcohol Beverage Control Commission to promulgate rules.

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

**By Senator Chapman:**

**Senate Bill 817**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16B-22-1, §16B-22-2, §16B-22-3, §16B-22-4, §16B-22-5, and §16B-22-6, relating to regulating private alternative adolescent residential or outdoor programs.

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

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

**Senate Bill 818**—A Bill to amend and reenact §5B-2-21, §24-2-1d, §24-2-1q, §24-2-15, and §24-2-19 of the Code of West Virginia, 1931, as amended; to amend the code by adding four new sections, designated §5B-2-21a, §5B-2-21b, §5B-2N-2a, and §11B-2-33, and to amend the code by adding a new article, designated §11-6N-1, §11-6N-2, §11-6N-3, §11-6N-4, and §11-6N-5, relating to the certified microgrid program administered by the Division of Economic Development; renaming business expansion development program administered by the department; renaming high impact business development districts certified by the department; providing that any plant or facility may participate in the business expansion development program; removing requirement that high impact business development districts be located on certain lands; eliminating requirement that electrical service to business development districts be generated from renewable sources; providing for certification of high-impact data centers; prohibiting payment in lieu of taxes and tax increment financing under certain circumstances; providing for special valuation by the Board of Public Works of a high-impact data center property; applying a specialized reapportionment formula for the property tax proceeds of a high impact data center; defining terms; specifying dates; and creating the Power Generation and Consumption Act of 2025.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

**By Senator Rucker:**

**Senate Bill 819**—A Bill to amend and reenact §18-2-7a and §18-2-9 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-2-7h, relating to public school student health; requiring a heart health program whereby each child enrolled in the public schools in grades three through six is to actively participate in nutrition and aerobic exercise classes for 12 weeks straight at any point during the instructional term; specifying what the program is to include; requiring program to be aligned with state health standards; addressing selection of the program; allowing the nutrition and aerobic exercise education to be in the form of a book, DVD, CD, online, or another form of technology; requiring each school that includes any of grades three through six to ensure time is allowed during the school day to meet certain aerobic exercise, education, and information tracking requirements; requiring each school that includes any of grades three through six ensure certain accountability measure data; allowing school districts to issue a request for proposals to contract with qualified service providers on a per-student rate to provide certain nutrition and aerobic exercise programs and/or products; and specifying accountability measures the programs must include.

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

**By Senator Helton:**

**Senate Bill 820**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article designated §16B-22-1, §16B-22-2, §16B-22-3, §16B-22-4, §16B-22-5, §16B-22-6, and §16B-22-7, relating to creating the Whistleblower Protection Fund Act; providing the short title; establishing its findings and purpose; establishing the fund; providing the fund's sources of funding; requiring the Office of the Inspector General to administer the fund; setting forth reporting requirements; and establishing an effective date.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

Senators Phillips, Barrett, Charnock, Hart, Queen, Rose, Stuart, and Woodrum offered the following resolution:

**Senate Resolution 37**—Recognizing the Energy Council on the occasion of its 50th anniversary.

Which, under the rules, lies over one day.

Senator Maynard offered the following resolution:

**Senate Resolution 38**—Designating March 20, 2025, as Mingo County Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

**Com. Sub. for Senate Concurrent Resolution 3**, US Army Warrant Officer Joseph Rose III Memorial Bridge.

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

The question being on the adoption of the resolution, the same was put and prevailed.

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

**Senate Resolution 35**, Recognizing WV Mothers and Babies Support Program for its outstanding achievements.

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

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

The question being on the adoption of the resolution, and on this question, Senator Rucker demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 35) adopted.

**Senate Resolution 36**, Recognizing 100th anniversary of WV State Fair.

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

At the request of Senator Deeds, 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 Com. Sub. for Senate Bill 37**, Allowing certain Teachers Retirement System members to exchange unused leave for monetary compensation.

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 Committee Substitute for Senate Bill 37 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 37) passed with its title.

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

Thereafter, at the request of Senator Garcia, and by unanimous consent, the remarks by Senators Barrett, Grady, and Oliverio as to the passage of Engrossed Committee Substitute for Committee Substitute for Senate Bill 37 were ordered printed in the Appendix to the Journal.

**Eng. Com. Sub. for Senate Bill 83**, Allowing Foster Care Ombudsman access to child protective records.

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, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

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

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 538 pass?"

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

The nays were: Hart and Stuart—2.

Absent: Willis—1.

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. 538) 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 Senate Bill 547, Creating Charter Schools Startup Fund.**

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, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woodrum, and Smith (Mr. President)—31.

The nays were: Garcia and Woelfel—2.

Absent: Willis—1.

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. 547) passed with its title.

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

At the request of Senator Martin, and by unanimous consent, the Senate returned to the second order of business and the introduction of guests.

The Senate again proceeded to the eighth order of business, the next bill coming up in numerical sequence being

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

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, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 598) 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 621**, Authorizing digital court records.

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, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: None.

Absent: Willis—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 621) 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 Senate Bill 719**, Relating to age at which minor can consent to certain medical decisions and services.

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 719 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Deeds, Fuller, Grady, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Tarr, Taylor, Thorne, Woodrum, and Smith (Mr. President)—27.

The nays were: Clements, Garcia, Hamilton, Takubo, Weld, and Woelfel—6.

Absent: Willis—1.

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. 719) passed with its title.

*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 450**, Establishing WV Guardian Program.



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 731**, Terminating Design Build Board.

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

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

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 736**, Relating to publication of registered lobbyist information.

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

**Senate Bill 738**, Terminating Employee Suggestion Award Board.

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

The Senate proceeded to the tenth order of business.

**Senate Bill 75**, Changing distribution of income from excess lottery fund.

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

**Com. Sub. for Senate Bill 76**, Increasing WV Natural Resources Police Officer Retirement System accrued benefit for certain members.

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

**Com. Sub. for Senate Bill 601**, Relating to fees and charges for municipality-provided fire services.

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

**Senate Bill 615**, Eliminating accelerated tax payment requirements.

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

**Com. Sub. for Senate Bill 683**, Relating to land sales by Auditor.

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

**Com. Sub. for Senate Bill 710**, Relating to the practice of teledentistry.

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

**Senate Bill 733**, Relating to membership composition of Legislative Oversight Commission on Department of Transportation Accountability.

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

**Com. Sub. for Senate Bill 746**, Allowing State Board of Education to delegate its Medicaid provider status to public charter schools.

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

**Eng. Com. Sub. for House Bill 2129**, Creating the Parents Bill of Rights..

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

**Eng. Com. Sub. for Com. Sub. for House Bill 2441**, To make those who fail drug test ineligible for unemployment.

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 Senator Phillips.

The Senate then proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, a leave of absence for the day was granted Senator Willis.

The following communications were 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 18, 2025

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

Dear Governor Morrisey,

The following bills, 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, have been examined and found truly enrolled:

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

**Com. Sub. for S. B. 240**, Updating crime of sexual extortion;

**S. B. 291**, Extending time frame for pharmacies to register from annually to biennially;

**Com. Sub. for S. B. 443**, Authorizing Speech-Language Pathology and Audiology Board of Examiners to conduct criminal background checks for licensing;

**And,**

**Com. Sub. for S. B. 462**, Permitting Board of Occupational Therapy to require criminal history record checks.

These bills are presented to you on this day, March 18, 2025.

Respectfully submitted,

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

Lee Cassis  
Clerk of the Senate

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

[LEE.CASSIS@WVSENATE.GOV](mailto:LEE.CASSIS@WVSENATE.GOV)



**HOUSE OF DELEGATES**  
**WEST VIRGINIA LEGISLATURE**

BUILDING 1, ROOM M-212  
1900 KANAWHA BLVD., EAST  
CHARLESTON, WV 25305-0470  
PHONE (304) 340-3200

March 18, 2025

The Honorable Patrick Morrisey  
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 Speaker of the House of Delegates and the President of the Senate, has been examined and found truly enrolled:

**Com. Sub. for H. B. 2354**, Banning certain products from food in West Virginia.

This bill is presented to you on this day, March 18, 2025.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jeffrey Pack".

Jeffrey Pack  
Clerk of the House of Delegates

cc: The Honorable Lee Cassis  
Clerk of the Senate

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 19, 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. 487**, Removing ineligible voters from active voter rolls.

This bill is presented to you on this day, March 19, 2025.

Respectfully submitted,

  
Lee Cassis  
Clerk of the Senate

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

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 18, 2025:

**Com. Sub. for Senate Bill 1:** Senator Rucker;

**Senate Bill 54:** Senators Bartlett and Deeds;

**Senate Bill 100:** Senators Morris and Queen;

**Senate Bill 105:** Senators Morris and Queen;

**Senate Bill 128:** Senator Fuller;

**Senate Bill 221:** Senators Chapman and Fuller;

**Senate Bill 472:** Senator Fuller;

**Senate Bill 506:** Senators Taylor, Oliverio, Deeds, and Helton;

**Senate Bill 531:** Senator Fuller;

**Senate Bill 578:** Senator Takubo;

**Senate Bill 579:** Senator Taylor;

**Senate Bill 659:** Senator Helton;

**Senate Bill 671:** Senator Willis;

**Com. Sub. for Senate Bill 678:** Senator Fuller;

**Senate Bill 697:** Senators Taylor, Garcia, and Takubo;

**Senate Bill 702:** Senator Garcia;

**Com. Sub. for Senate Bill 723:** Senator Fuller;

**Com. Sub. for Senate Bill 726:** Senator Fuller;

**Senate Bill 765:** Senator Fuller;

**Senate Bill 796:** Senator Thorne;

**Senate Joint Resolution 13:** Senator Smith (Mr. President);

**Senate Joint Resolution 14:** Senator Smith (Mr. President);

**Senate Concurrent Resolution 13:** Senator Woodrum;

**Senate Concurrent Resolution 15:** Senators Deeds, Taylor, Smith (Mr. President), Fuller, and Woodrum;

**Senate Resolution 33:** Senators Smith (Mr. President) and Willis;

**Senate Resolution 34:** Senators Deeds, Taylor, Bartlett, Rucker, Fuller, Smith (Mr. President), Woodrum, Hamilton, Morris, Charnock, and Willis;

**Senate Resolution 35:** Senators Rose and Chapman;

And,

**Senate Resolution 36:** Senators Woelfel, Rucker, and Rose.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 12:02 p.m., the Senate adjourned until tomorrow, Thursday, March 20, 2025, at 11 a.m.

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## **SENATE CALENDAR**

**Thursday, March 20, 2025  
11:00 AM**

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### **SPECIAL ORDER OF BUSINESS**

**Saturday, April 12, 2025 – 11:30 AM**

Consideration of executive nominations

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### **UNFINISHED BUSINESS**

S. R. 37 - Recognizing Energy Council on its 50th anniversary

S. R. 38 - Designating March 20, 2025, as Mingo County Day

### **THIRD READING**

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

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

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

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

Eng. S. B. 738 - Terminating Employee Suggestion Award Board

### **SECOND READING**

S. B. 75 - Changing distribution of income from excess lottery fund

Com. Sub. for S. B. 76 - Increasing WV Natural Resources Police Officer Retirement System accrued benefit for certain members

Com. Sub. for S. B. 601 - Relating to fees and charges for municipality-provided fire services

S. B. 615 - Eliminating accelerated tax payment requirements (original similar to HB2012)

Com. Sub. for S. B. 683 - Relating to land sales by Auditor

Com. Sub. for S. B. 710 - Relating to the practice of teledentistry (original similar to HB3196)

S. B. 733 - Relating to membership composition of Legislative Oversight Commission on Department of Transportation Accountability

Com. Sub. for S. B. 746 - Allowing State Board of Education to delegate its Medicaid provider status to public charter schools

Eng. Com. Sub. for H. B. 2129 - Creating the Parents Bill of Rights. - (Com. amend. pending)



Eng. Com. Sub. for Com. Sub. for H. B. 2441 - To make those who fail drug test ineligible for unemployment

### **FIRST READING**

Com. Sub. for S. B. 1 - Requiring utility work and road paving coordination

S. B. 100 - Allowing members of State Police retirement system to use accrued leave as credit toward retirement

S. B. 105 - Updating retirement eligibility for certain sheriffs (original similar to SB192)

Com. Sub. for S. B. 578 - Relating to pet food packages

S. B. 579 - Relating to Home Rule Reform

S. B. 743 - Adjusting percentage of tax retained by clerk of county commission for certain purposes

S. B. 747 - Relating to Real Estate License Act (original similar to HB2010)

Eng. Com. Sub. for H. B. 2331 - Relating to authorizing certain agencies of the Department of Commerce to promulgate legislative rules - (Com. amend. pending)

## **ANNOUNCED SENATE COMMITTEE MEETINGS**

### **Regular Session 2025**

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**Thursday, March 20, 2025**

9 a.m.	Military	(Room 208W)
9:30 a.m.	Education	(Room 451M)
9:30 a.m.	Government Organization	(Room 208W)