

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE
REGULAR SESSION, 2025
FORTY-EIGHTH DAY

Charleston, West Virginia, Monday, March 31, 2025

The Senate met at 12:58 p.m.

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

Prayer was offered by the Honorable Craig A. Hart, a senator from the sixth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Patricia Puertas Rucker, a senator from the sixteenth district.

Pending the reading of the Journal of Saturday, March 29, 2025,

At the request of Senator Clements, 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 fourth order of business.

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

Your Committee on Education has had under consideration

Senate Bill 470, Creating WV Athletic Freedom Act.

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

Com. Sub. for Senate Bill 470 (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-2-25f, relating to allowing a student, coach, and athletic trainer to compete in non-school-sponsored events or participate on non-school-sponsored competitive teams; allowing an interscholastic coach to prohibit a player from missing a team-related activity due to that player's competing in a non-school-sponsored event or participating on a non-school-sponsored competitive team; and providing that the requirements of the interscholastic team shall be prioritized leading up to and during post season play.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Amy N. Grady,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 470) contained in the preceding report from the Committee on Education was taken up for immediate consideration, read a first time, and ordered to second reading.

The Senate proceeded to the sixth order of business.

Senator Takubo offered the following resolution:

Senate Resolution 43—Designating April 1, 2025, as Rural Health Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Resolution 42, Designating March 31, 2025, as WV Nurses Day.

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 and adopted.

Com. Sub. for House Concurrent Resolution 78, Urging the Commissioner of Highways to prioritize completion of I-73, the King Coal Highway.

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.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Com. Sub. for Senate Bill 506, Relating to enhanced pay for certain teachers.

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

Senator Martin requested unanimous consent that the bill be referred to the Committee on Rules.

Which consent was not granted, Senator Tarr objecting.

Senator Martin then moved that the bill be referred to the Committee on Rules.

The question being on the adoption of Senator Martin's aforestated motion, and on this question, Senator Tarr demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Phillips, Queen, Roberts, Rose, Takubo, Taylor, Thorne, Weld, Woelfel, Woodrum, and Smith (Mr. President)—25.

The nays were: Barrett, Fuller, Garcia, Grady, Oliverio, Rucker, Stuart, Tarr, and Willis—9.

Absent: None.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Martin's aforestated motion had prevailed.

Thereafter, the bill (Eng. Com. Sub. for Com. Sub. for S. B. 506) was referred to the Committee on Rules.

Eng. Com. Sub. for Com. Sub. for Senate Bill 531, Relating to offenses of assault and battery on athletic officials.

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 531 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, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: Thorne—1.

Absent: None.

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. 531) 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 632, Relating to surprise billing of out-of-network ambulance services.

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, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

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. 632) passed with its title.

Senator Martin moved that the bill take effect January 1, 2026.

On this question, 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, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

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 S. B. 632) takes effect January 1, 2026.

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

Eng. Com. Sub. for Com. Sub. for Senate Bill 663, Creating Fair Access to Financial Services Act.

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

Pending extended discussion,

The question being "Shall Engrossed Committee Substitute for Committee Substitute for Senate Bill 663 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Fuller, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Taylor, Thorne, Willis, and Smith (Mr. President)—25.

The nays were: Clements, Deeds, Garcia, Grady, Takubo, Tarr, Weld, Woelfel, and Woodrum—9.

Absent: None.

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. 663) 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 718, Relating to hospital transparency.

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

At the request of Senator Rucker, unanimous consent was granted to offer an amendment to the bill on third reading.

Thereupon, on motion of Senator Rucker, 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 67. HOSPITAL TRANSPARENCY.

§16-67-1. Legislative findings.

The West Virginia Legislature finds that the rising cost of health care and services provided by hospitals are matters of vital concern to the people of this state and have a direct relationship to the ability of the people to obtain health care. Of particular concern is the impact of hospital consolidation on health care prices. Data indicates that hospital consolidation leads to increased prices, even as much as 40 percent. Hospital price transparency is vital to drive the cost of health care down for both consumers and health plans.

§16-67-2. Definitions.

As used in this article.

"Annual report" means an annual financial report for the hospital's fiscal year prepared by an accountant as required by §16-29B-24 of this code.

"Authority" means the West Virginia Health Care Authority as defined in §16-29B-3 of this code.

"Board" means the five-member board of directors of the West Virginia Health Care Authority as defined in §16-29B-3 of this code.

"Discount contract" means any rate in effect in the discount contract for the payment of patient care services between a purchaser or third-party payor and a hospital which contract establishes discounts to the purchaser or third-party payor. Examples of discount contracts shall include, but not be limited to, written contracts between a hospital and a third-party payor or purchaser establishing a discount to the payor or purchaser in the form of a percentage reduction in the amount of charges or other adjustments that have the effect of decreasing the amount of charges and informal arrangements between hospitals and purchasers or third-party payors which have the effect of decreasing the amount of charges for a group of patients.

"Facility fee" means an administrative charge for using a hospital-owned facility.

"Hospital" means a hospital or extended care facility operated in connection with a hospital, within the meaning of this article, and shall mean any institution, place, building, or agency in which an accommodation of five or more beds is maintained, furnished, or offered for the hospitalization of the sick or injured: *Provided*, That nothing contained in this article shall apply to nursing homes, rest homes, personal care facilities, homes for the aged, extended care facilities not operated in connection with a hospital, boarding homes, homes for the infirm or chronically ill, convalescent homes, hotels, or other similar places that furnish to their guests only board and room, or either of them: *Provided, however*, That the hospitalization, care, or treatment in a

household, whether for compensation or not, of any person related by blood or marriage, within the degree of consanguinity of second cousin to the head of the household, or his or her spouse, shall not be deemed to constitute the premises of a hospital or extended care facility operated in connection with a hospital, within the meaning of this article. "Hospital" shall not include state hospitals as defined by §27-1-6 of this code.

"Rates" means all rates, fees, or charges imposed by all hospitals and payers as specified in this article for health care services.

"Records" means accounts; books; charts; contracts; documents; files; maps; papers; profiles; reports; annual and otherwise, schedules, and any other fiscal data, however recorded or stored.

§16-67-3. General powers and duties of the Director of the West Virginia Health Care Authority.

(a) Notwithstanding any other provision, the board shall have the powers as indicated by this article and it shall be his or her duty to:

(1) Promulgate rules and regulations in accordance the provisions of §29A-3-1 et seq. of this code to implement and make effective the powers, duties, and responsibilities contained in the provisions of this article;

(2) Require the filing of fiscal information by hospitals relating to any matter relating to the cost of health care services in this state; and

(3) Exercise, subject to the limitations and restrictions imposed in this article, all other powers which are reasonably necessary or essential to carry out the expressed purposes of this article.

(b) The board shall also investigate and recommend to the Legislature whether other health care providers should be made subject to the provisions of this article.

(c) The board shall, not later than December 31 of each year, prepare and transmit to the Governor and the clerks of both houses of the Legislature a report containing the material and data as required by this article, based upon the most recent data available.

§16-67-4. Reports required to be published and filed; form of reports; right of inspection.

(a) Every hospital as defined in this article, within 120 days after the end of each facility's fiscal year end, unless an extension be granted by the board for good cause shown, shall be required to file the following:

(1) Proof of publication of an annual report on its hospital web page which shall include a complete statement of the following:

(i) Assets and liabilities;

(ii) Income and expenses;

(iii) Profit and loss for the period reported;

(iv) A statement of ownership for persons owning more than five percent of the capital stock outstanding and the dividends paid thereon, if any, and to whom paid for the period reported; and

(v) A statement that includes details concerning the contents of the publication of the hospital web page, together with other reports, statements, and schedules required to be filed with the board required by the provisions of this section and shall be available for public inspection at the board's office.

(b) Every hospital shall also file with the board, which shall be made available to the public on authority's existing online document archive system, the following statements, schedules, or reports in such form as specified by the board within 120 days after the end of each facility's fiscal year end:

(1) A statement of services available and services rendered;

(2) A complete schedule of such hospital's then current rates, broken down by each individual service, with costs allocated to each category of costs in accordance with the rules and regulations as promulgated by the board;

(3) A statement of all charges, fees, or salaries for goods or services rendered to the hospital for the period reported which shall exceed the sum of \$150,000 and a statement of all charges, fees, or other sums collected by the hospital for or on the account of any person, firm, partnership, corporation, or other entity however structured, which shall exceed the sum of \$150,000 during the period reported;

(4) A listing of facility fees charged and a description of how such facility fees are calculated;

(5) A form to be developed by the Authority that includes a breakdown of the hospital's total uncompensated care amount;

(6) A form to be developed by the Authority that includes a breakdown of the hospital's total charity care amount;

(7) A copy of all discount contracts provided by each third party; and

(8) Such other reports of the costs as the board may prescribe. The board may require the certification of specified financial reports by the hospital's auditor or independent accountant.

(c) No report, statement, schedule, or other filing required or permitted to be filed hereunder shall contain any medical or individual information personally identifiable to a patient or consumer of health services, whether directly or indirectly.

(d) All reports, statements, and schedules filed with the board under this section shall be open to public inspection and shall be available for examination via the authority's existing online document archive system.

(e) In the event that further information is deemed necessary to verify the accuracy of any information set forth in any statement, schedule, or report filed by a covered facility under the provisions of this article, the board shall have the authority to require the production of any records necessary to verify such information.

(f) The board shall engage in analysis and studies relating to health care costs, the financial status of hospitals, or hospital costs in the state.

(g) Notwithstanding any provision to the contrary, the board shall have the ability to take any steps necessary to protect the privacy, confidentiality, or propriety nature of any information on file: *Provided*, That this does not compromise the board's ability to conduct a data analysis or provide a comparison of hospital rates by payer and by procedure.

§16-67-5. Information from state payers.

(a) Notwithstanding any other provision to the contrary, the Public Employees Insurance Agency shall provide the board with its rates by procedure code beginning July 1, 2026, and annually thereafter. In the event that the rates by procedure code vary by hospital, the rates by procedure code shall be provided on a hospital-by-hospital basis to allow for a comparison by each hospital and hospital-affiliated procedure.

(b) Notwithstanding any other provision to the contrary, the Bureau for Medical Services shall provide the board with its rates by procedure code beginning July 1, 2026, and annually thereafter. In the event that the rates by procedure code vary by hospital, the rates by procedure code shall be provided on a hospital-by-hospital basis to allow for a comparison by each hospital and hospital-affiliated procedure.

§16-67-6. Rulemaking.

The board shall propose rules for legislative approval in accordance with the provisions of §29A-3-1 *et seq.*, of this code to implement the provisions of this section including, but not limited to, provisions related to confidentiality.

§16-67-7. Penalty.

(a) Every hospital failing to comply with the requirements of this article shall be notified by the board of its non-compliance.

(b) In the event that such non-compliance continues for 10 days after receipt of the notice, the delinquent hospital shall be subject to a penalty of \$1,000 for each day thereafter such failure continues.

(c) This penalty shall be recovered by the board in a civil action and paid into an account for use by the board.

§16-67-8. Effective date.

The effective date of the article shall be July 1, 2026.

Following discussion,

The question being on the adoption of Senator Rucker's amendment to the bill, the same was put and prevailed.

The bill, as just amended, was again ordered to engrossment.

Engrossed Committee Substitute for Senate Bill 718 was then put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 718 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Fuller, Grady, Hamilton, Hart, Helton, Martin, Maynard, Phillips, Queen, Rose, Rucker, Stuart, Taylor, Thorne, Willis, and Smith (Mr. President)—22.

The nays were: Clements, Deeds, Garcia, Jeffries, Morris, Oliverio, Roberts, Takubo, Tarr, Weld, Woelfel, and Woodrum—12.

Absent: None.

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. 718) passed.

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

Eng. Com. Sub. for Senate Bill 718—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-67-1, §16-67-2, §16-67-3, §16-67-4, §16-67-5, §16-67-6, §16-67-7, and §16-67-8; relating to hospital transparency; setting forth legislative findings; defining terms; setting forth duties of West Virginia Health Care Authority; setting forth reports to be filed; setting forth the form of the reports to be filed; requiring the submission of public payor information; providing the commissioner may protect information; requiring rulemaking; providing for penalties; and adding effective date.

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 790, Requiring quarterly reporting by certain water and wastewater utilities.

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, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

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. 790) 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 869, Creating Corridor H Advanced Energy and Economic Corridor Authority.

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

Senator Morris requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate as he is a member of the Corridor H Authority.

The Chair replied that any impact on Senator Morris would be as a member of a class of persons and that he would be required to vote.

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, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: Hart—1.

Absent: None.

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. 869) 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 875, Relating to container labeling of nonintoxicating beer and nonintoxicating craft beer.

On third 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.

Eng. Senate Bill 886, Relating to Foster Child Bill of Rights.

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, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 886) 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 890, Relating to auctioneers.

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, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

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. 890) 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 916, Recognizing authority of Agriculture Commissioner to intervene in matters that negatively affect agritourism.

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

At the request of Senator Rucker, unanimous consent was granted to offer an amendment to the bill on third reading.

Thereupon, on motion of Senator Rucker, the following amendment to the bill was reported by the Clerk and adopted:

On page 1, section 7, lines 4 - 31, by striking out the remainder of the bill inserting in lieu thereof the following:

(b) A county commission, municipality, or public health department may not adopt or enact an ordinance, rule, license requirement, or other authorization that contravenes or is stricter than any state law, rule, or regulation relating to agricultural operations, as defined in §19-19-2 of this code. Any ordinance, rule, regulation, license requirement, or other authorization previously adopted by a county commission, municipality, or public health department that contravenes or is stricter than any state law, rule, or regulation regarding agricultural operations is revoked.

The bill, as just amended, was again ordered to engrossment.

Engrossed Committee Substitute for Senate Bill 916 was then put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 916 pass?"

On this question, the yeas were: Azinger, Barrett, Boley, Chapman, Charnock, Hamilton, Martin, Maynard, Rucker, Taylor, Thorne, Woodrum, and Smith (Mr. President)—13.

The nays were: Bartlett, Clements, Deeds, Fuller, Garcia, Grady, Hart, Helton, Jeffries, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Stuart, Takubo, Tarr, Weld, Willis, and Woelfel—21.

Absent: None.

So, a majority of all the members present and voting not having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 916) rejected.

Eng. Senate Bill 940, Relating to Water Pollution Control Act.

On third 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.

Eng. House Bill 2387, To repeal the class A1 Pistol stamp for hunting.

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, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 2387) passed with its title.

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

Eng. House Bill 2516, To repeal antiquated and inoperative portions of code.

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, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 2516) passed with its title.

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

Eng. Com. Sub. for House Bill 3192, To repeal obsolete, conflicting or inoperative provisions of code that pertain to higher education.

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, Willis, Woelfel, Woodrum, and Smith (Mr. President)—34.

The nays were: None.

Absent: None.

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. 3192) passed with its title.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 67, Allowing motor vehicle racing on county or municipal roads under certain circumstances.

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 85, Prohibiting use or sale of abortifacients.

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

At the request of Senator Martin, and by unanimous consent, further consideration of the bill was deferred until the conclusion of bills on today's first reading calendar.

Com. Sub. for Com. Sub. for Senate Bill 158, Modifying eligibility requirements for serving as member of State Board of Education.

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

Senate Bill 553, Relating to offense of driving above speed limit on controlled access highway or interstate highway.

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

Com. Sub. for Com. Sub. for Senate Bill 585, Relating to Cohen Craddock Student Athlete Safety Act.

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 677, Increasing fees charged by Commissioner of Securities for each offering.

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

Com. Sub. for Com. Sub. for Senate Bill 701, Classifying forestry equipment for levy purposes.

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

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 2:54 p.m., the Senate recessed until 5:30 p.m. today.

The Senate reconvened at 6:47 p.m.

Pending announcement of a meeting of a standing committee of the Senate,

On motion of Senator Martin, at 6:48 p.m., the Senate recessed until 7:30 p.m. tonight.

The Senate reconvened at 7:36 p.m. and resumed consideration of the remainder of its second reading calendar, the next bill coming up in numerical sequence being

Com. Sub. for Senate Bill 745, Strengthening and reforming lobbying requirements.

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

On motion of Senator Garcia, the following amendments to the bill were reported by the Clerk and considered simultaneously:

On page 17, section 12, by striking out all of subsection (a) and inserting in lieu thereof a new subsection (a), to read as follows:

(a) A lobbyist or a person acting on behalf of a lobbyist may not offer or provide political campaign contributions to any elected state or local official or candidate for a state or local elected office, or to any candidate committee, political party committee, or political caucus campaign committee.;

And,

On page 17, section 12, line 4, after the word "office" by inserting a comma and the words "or any candidate committee, political party committee, or political caucus campaign committee,".

All the senators requested a ruling from the Chair as to whether they should be excused from voting on any matter pertaining to the bill under Rule 43 of the Rules of the Senate.

The Chair replied that any impact on all the senators would be as members of a class of persons and that they would be required to vote on any matter pertaining to the bill.

The question being on the adoption of Senator Garcia's amendments to the bill, the same was put and prevailed.

The bill (Com. Sub. for S. B. 745), as amended, was then ordered to engrossment and third reading.

Senate Bill 828, Clarifying requirements for persons employed by Division of Corrections and Rehabilitation include contracted vendor staff.

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 848, Enacting bank protections for eligible adults from financial exploitation.

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

On motion of Senator Willis, the following amendments to the bill were reported by the Clerk, considered simultaneously, and adopted:

On page 5, section 5, lines 33-36, by striking out subsection (d) in its entirety;

And,

By re-lettering the remaining subsections.

The bill (Com. Sub. for S. B. 848), as amended, was then ordered to engrossment and third reading.

Com. Sub. for Senate Bill 850, Creating Protecting Shareholders 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.

Com. Sub. for Senate Bill 911, Relating to adjunct teaching permits.

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

On motion of Senator Grady, the following amendments to the bill were reported by the Clerk, considered simultaneously, and adopted:

On page 7, section 2b, after line 15, by inserting a new subsection (c), to read as follows:

(c) An adjunct teacher permit is valid for one year from the date of issuance, but renewable if the teacher's performance meets a basic standard as determined by an evaluation. For this purpose, the state board shall include in its evaluation rule required by §18A-3C-2 a process for the evaluation of teachers holding an adjunct teacher permit.;

And,

By relettering the remaining subsections.

The bill (Com. Sub. for S. B. 911), as amended, was then ordered to engrossment and third reading.

Senate Bill 939, Relating to testing for substance use disorder.

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

On motion of Senator Takubo, the following amendments to the bill were reported by the Clerk and considered simultaneously:

On page 1, section 4a, line 1, by striking out the words "as a patient to an office-based medication assisted treatment" and inserting in lieu thereof inserting the words "to a drug";

On page 1, section 4a, by striking out all of subsection (c) and inserting in lieu thereof a new subsection (c), to read as follows:

(c) For the next year, the patient shall undergo a direct observation, qualitative or quantitative test every 45 days while in treatment.;

And,

On page 1, section 4a, by striking out all of subsection (d) and inserting in lieu thereof a new subsection (d), to read as follows:

(d) After the first year of treatment, the patient shall undergo a direct observation, qualitative or quantitative test every six months thereafter until discharge from the program.

Following discussion,

The question being on the adoption of Senator Takubo's amendments to the bill, the same was put and prevailed.

The bill (S. B. 939), as amended, was then ordered to engrossment and third reading.

Eng. Com. Sub. for Com. Sub. for House Bill 2043, Relating to use of dog and/or drones for tracking or locating mortally wounded deer, elk, turkey, wild boar or bear.

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

Eng. House Bill 2402, Relating to providing access to medical records; providing access to a minor's medical record.

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 730, Establishing Forest Carbon Registry.

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

Com. Sub. for Senate Bill 883, Providing director of WV Office of Miners' Health, Safety and Training discretion and authority in certain appointments.

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

Senate Bill 941, Clarifying authority regarding dams designed by US Conservation Service.

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

Senate Bill 942, Modifying requirements for diesel-powered equipment in mines.

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

The end of today's first reading calendar having been reached, the Senate returned to the consideration of

Com. Sub. for Senate Bill 85, Prohibiting use or sale of abortifacients.

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

On motion of Senator Rucker, the following amendments to the bill were reported by the Clerk and considered simultaneously:

On page 4, section 10, after line 23, by inserting a new subsection (c), to read as follows:

(c) A pregnant woman who unlawfully receives an abortifacient may bring a civil action against a person or entity that knowingly and willfully violates subsection (a) of this section.

(1) If a claimant prevails in a civil action alleging a violation of subsection (a) of this section, and in addition to any permissive relief the circuit court may award in law or equity, the circuit court shall award:

(A) Injunctive relief directing the person or entity to refrain from engaging in the prohibited conduct set forth in subsection (a) of this section; and

(B) Damages of \$10,000 for each abortion that the person or entity knowingly and willfully performed or attempted to perform.

(2) Neither an indictment nor a conviction is required for establishing liability against a person or entity in a civil action alleging a violation of subsection (a) of this section.,

And,

By re-lettering the remaining subsections.

Following discussion,

The question being on the adoption of Senator Rucker's amendments to the bill, the same was put and prevailed.

On motion of Senator Weld, the following amendments to the bill (Com. Sub. for S. B. 85) were next reported by the Clerk, considered simultaneously, and adopted:

On page 4, section 10, after line 24, by inserting a new subdivision (1), to read as follows:

(1) A manufacturer, distributor, or courier, delivery, or mail service sending an abortifacient for use in connection with a lawfully valid prescription issued by a licensed medical professional in this state.

And,

By re-numbering the remaining subdivisions.

On motion of Senator Tarr, the following amendments to the bill (Com. Sub. for S. B. 85) were next reported by the Clerk, considered simultaneously, and adopted:

On page 4, section 10, after line 16, by inserting a new subdivision (2) to read as follows:

(2) The Attorney General of West Virginia may pursue a civil claim against a person or entity who has violated subsection (a) of this section in the circuit court where the abortion or the attempted abortion occurred. In addition to injunctive relief, the Attorney General may recover against the person or entity a sum not to exceed \$150,000 for each demonstrated violation of subsection (a) of this section: *Provided*, That neither an indictment nor a conviction is required for establishing liability against a person or entity in a civil action alleging a violation of subsection (a) of this section.;

And,

By re-numbering the remaining subdivisions.

The bill (Com. Sub. for S. B. 85), as amended, was then ordered to engrossment and third reading.

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

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2528—A Bill to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended, relating to authorizing elementary and middle school students enrolled in any private, parochial or church school or school of a religious order or other nonpublic school to participate in county basketball tournaments under certain circumstances.

Referred to the Committee on Education.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 2645—A Bill to amend and reenact §17-16A-13 of the Code of West Virginia, 1931, as amended, relating to requiring certain non-discretionary procedures be strictly complied with by the West Virginia Parkways Authority before tolls, rents, fees, or charges may be increased.

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

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 2836—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §20-2D-1, §20-2D-2, §20-2D-3, §20-2D-4, §20-2D-5, §20-2D-6, §20-2D-7, §20-2D-8, and §20-2D-9, all relating to authorizing rehabilitation of wildlife, establishing a system for issuing permits for persons to provide rehabilitation of orphaned, sick, and injured wildlife; setting forth a purpose for the legislation; defining certain terms; establishing qualifications and duties of wildlife rehabilitators; providing for the issuance of permits by the Division of Natural Resources; listing criteria for revocation of permits; establishing criminal penalties and fines for violations; and providing that the Director of the Division of Natural Resources may propose legislative rules.

Referred to the Committee on Natural Resources; and then to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3016—A Bill to amend and reenact §3-1-34 and §17B-2-1 of the Code of West Virginia, 1931, as amended, all relating to the identification of voters; modifying the types of valid identifying documents for voting purposes by requiring generally a photograph on each form of voter identification; providing certain limited exemptions from the requirement to present a photo identification card; and providing generally that, subject to enumerated exceptions, any identification card issued without a photograph shall not otherwise be recognized as a valid identifying document for voting purposes.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3084—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto seven new sections, designated §5-16-8b, §9-5-34, §33-15-24, §33-16-20, §33-24-15, §33-25-23 and §33-25A-37, relating to requiring health benefit plan coverage; requiring coverage for oral health medical procedures that are necessary as a side effect of cancer treatments; explaining scope of procedures covered as a result of certain cancer treatments; and reports.

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

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3090—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto seven new sections, designated §5-16-8b, §9-5-34, §33-15-24, §33-16-20, §33-24-15, §33-25-23 and §33-25A-37, relating to requiring health benefit plan coverage;

requiring coverage for habilitative services and rehabilitative services as a treatment for stuttering; and defining terms.

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

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3092—A Bill to amend and reenact §33-15-4t, §33-16-3ee, §33-24-7t, §33-25-8q , and §33-25A-8t of the Code of West Virginia, 1931, as amended, relating to cost sharing under health plans; requiring pharmacy benefits managers to include any cost sharing amounts paid by insured or by another person when calculating insured's contribution to any applicable cost sharing requirement; applying certain annual limitation on cost sharing to all health plans issued in this state; preventing insurers, pharmacy benefits managers, and third-party administrators from changing the terms of health plan coverage based on the availability or amount of financial assistance available for a prescription drug; defining terms; providing civil penalties and authorizing restitution; and providing effective date.

Referred to the Committee on Health and Human Resources.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3142—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §39A-2-1a, relating to consumer protection and electronic communication; permitting health benefit plan sponsors to authorize electronic means for written communications with covered persons; defining terms; requiring a plan sponsor to confirm that a covered person routinely uses electronic communications during the normal course of employment before consenting on behalf of the covered person in the plan; and providing a means to opt out of electronic communications.

Referred to the Committee on Health and Human Resources.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 3156—A Bill to amend and reenact §5A-2B-2 of the Code of West Virginia, 1931, as amended, relating to exempting the Legislature from the requirement of using Shared Services for auditing and reporting.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 3157—A Bill to amend and reenact §14-2-17a of the Code of West Virginia, as amended, relating to the shortened procedure for road condition claims; and establishing process by which the Clerk of the Claims Commission, the Claims Commission, and the Division of Highways expedite certain road condition claims.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3164—A Bill to amend and reenact §15-2C-2 and §15-12-2 of the Code of West Virginia, 1931, as amended, relating to establishing an annual fee for by a person required to be placed on the Central Abuse Registry, relating to providing that the funds from said annual fee shall be credited to the account of the State Police, relating to nonpayment of the annual fee having the effect of a judgment, relating to the State Police providing notice of nonpayment, relating to the creation of a lien, and the release thereof, also relating to the establishment of an annual fee by a person required to be placed on the the Sex Offender Registration Act, relating to providing that the funds from said annual fee shall be credited to the account of the State Police, relating to nonpayment of the annual fee having the effect of a judgment, relating to the State Police providing notice of nonpayment, relating to the creation of a lien, and the release thereof.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect July 1, 2025, and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3304—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §10-3-3, relating to the establishment of patriotic memorials to commemorate the Semiquincentennial Celebration of the United States; providing for a timeline of construction; and providing for the establishment of a commission.

Referred to the Committee on Finance.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 3305—A Bill to amend and reenact §3-5-7 of the Code of West Virginia, 1931, as amended, relating to elections and certificate of announcements; and changing the time limit on switching parties before filing to run office prior to an election.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3342—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §5A-13-1, §5A-13-2, §5A-13-3, §5A-13-4, §5A-13-5, and §5A-13-6, relating to the Firearms Industry Nondiscrimination Act; establishing the short title; defining terms; establishing application of act to certain government contracts; providing an exception; setting forth when certain contracts are void; prohibiting financial institutions from discriminating against a firearm entity or firearm trade association; specifying the applicability of the prohibition; providing civil remedies for a violation by an individual; providing for enforcement by the Attorney General; providing that an enforcement action by the Attorney General does not prohibit a civil action by an individual; creating civil cause of action; requiring the Attorney General to submit names of financial institutions in violation to the Governor and to request that the state

terminate any business relationship with the financial institution; providing a statute of limitations for actions; and providing exceptions to the prohibition.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 3440—A Bill to repeal §12-1A-1, §12-1A-2, §12-1A-3, §12-1A-4, §12-1A-5, §12-1A-6, §12-1A-7, §12-1A-8 and §12-1A-9 of the Code of West Virginia, 1931, as amended, relating to repealing obsolete provisions establishing the West Virginia Small Business Linked Deposit Program.

Referred to the Committee on Government Organization.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect July 1, 2025, and requested the concurrence of the Senate in the passage of

Eng. House Bill 3506—A Bill to amend and reenact §51-9-4 of the Code of West Virginia, 1931, as amended, relating to contributions to the retirement system for judges of courts of record; setting the employee contribution at 7 percent of salary; and providing for suspension of employer contribution under certain circumstances.

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

The Senate again 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

Senate Bill 89, Creating alternative high-risk population public charter schools.

Senate Bill 163, Including certain mental health disorders in existing public health programs.

Senate Bill 252, Requiring coverage of home blood pressure monitoring devices for certain Medicaid recipients.

And,

Com. Sub. for Senate Bill 794, Authorizing DOH to erect warning signs.

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

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bills (S. B. 89, S. B. 163, S. B. 252, and Com. Sub. for S. B. 794) contained in the preceding report from the Committee

on Finance were each taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on the Judiciary has had under consideration

Com. Sub. for Senate Bill 569 (originating in the Committee on Government Organization), Establishing certain rights for purchasers of residential improvements.

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

Com. Sub. for Com. Sub. for Senate Bill 569 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §30-42-15 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §21-11B-1, §21-11B-2, and §21-11B-3, relating to establishing certain rights for purchasers of new residences; stating legislative purpose; defining terms; mandating contract for purchase or construction of new single-family residence contain warranty; stating required minimum provisions of warranty; setting length of warranty; establishing that warranty is cumulative of other warranties; prohibiting exclusion or limitation of express or implied warranties; prohibiting limitation of remedies; mandating that arbitration proceedings be held within certain distance from location of new single-family residence; requiring alternative dispute resolution provisions of contract be prominently displayed; and establishing grounds for disciplinary action by Contractor Licensing Board.

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

Respectfully submitted,

Mike Stuart,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 569) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

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 639 (originating in the Committee on Economic Development), Creating WV Small Business Appreciation and Acknowledgement Act.

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

Com. Sub. for Com. Sub. for Senate Bill 639 (originating in the Committee on Finance)—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 short 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 for committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 639) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

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 723 (originating in the Select Committee on Substance Use Disorder and Mental Health), Relating to clinical inpatient medical treatment centers for substance use disorder.

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

Com. Sub. for Com. Sub. for Senate Bill 723 (originating in the Committee on Finance)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-5-29b, relating to clinical inpatient medical treatment centers for substance use disorder; defining terms; setting forth requirements for clinical inpatient medical treatment centers for substance use disorder; setting forth reporting requirements; providing for revocation of license for noncompliance; requiring rulemaking; and providing effective date.

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

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 723) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

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 726 (originating in the Select Committee on Substance Use Disorder and Mental Health), Relating to medication-assisted treatment programs.

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

Com. Sub. for Com. Sub. for Senate Bill 726 (originating in the Committee on Finance)—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 for committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 726) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

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 834 (originating in the Committee on Economic Development), Relating to tax credit for qualified rehabilitated buildings investment.

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

Com. Sub. for Com. Sub. for Senate Bill 834 (originating in the Committee on Finance)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, §11-13NN-6, §11-13NN-7, §11-13NN-8, §11-13NN-9, §11-13NN-10, §11-13NN-11, §11-13NN-12, §11-13NN-13, and §11-13NN-14; and to amend the code by adding two new sections, designated §11-21-8i and §11-24-23h, relating to the West Virginia historic rehabilitated buildings tax credits; providing a sunset on the current rehabilitation credits; providing a centralized article providing for historic rehabilitation credits; providing legislative findings; defining terms; setting forth procedures to claim the credit; providing for recapture of the credit; and effective dates.

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

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for Com. Sub. for S. B. 834) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on Education has had under consideration

Senate Bill 912, Relating to student growth assessment program.

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

Com. Sub. for Senate Bill 912 (originating in the Committee on Education)—A Bill to amend and reenact §18-2E-5 of the Code of West Virginia, 1931, as amended, relating generally to the statewide student growth assessment program; changing the grade levels for which the assessment is applicable; requiring the program to be composed of benchmark assessments to be given in the first 30 days of the school year, mid-year, and at the end of the school year to determine student progression in reading and mathematics in grades four through eight; and removing obsolete language.

And,

Senate Bill 914, Relating to testing and attendance requirements for private, parochial, and church schools.

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

Com. Sub. for Senate Bill 914 (originating in the Committee on Education)—A Bill to amend and reenact §18-28-2 and §18-28-3 of the Code of West Virginia, 1931, as amended, relating to nonpublic schools whose students are exempt from compulsory school attendance; replacing the minimum 180-day instructional term and average of five hours of instruction per day requirements with a minimum instructional term requirement of 800 hours per school year; adding requirement that upon request, the school composite results be made available to the parents or legal guardians of a prospective enrollee in the school; removing the requirement that upon request of the West Virginia Department of Education, the school's composite results be furnished to the State Superintendent of Schools; and removing ramifications of a school's composite test results falling below the 40th percentile.

With the recommendation that the two committee substitutes do pass.

Respectfully submitted,

Amy N. Grady,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bills (Com. Sub. for S. B. 912 and 914) contained in the preceding report from the Committee on Education were each taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on Finance has had under consideration

Senate Bill 933, Creating Small Business Protection Act.

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

Com. Sub. for Senate Bill 933 (originating in the Committee on Finance)—A Bill to amend and reenact §11-12-3, §8-13-4, and §8-13-5 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §8-40-1 and §8-40-2, relating to small businesses; increasing the amount of income and revenue before a business has to obtain a business license; exempting independent contractors and sole proprietors from business licenses under certain requirements; increasing the amount of annual revenue for businesses to be exempt from business and occupation taxes and privilege taxes; creating the Small Business Protection Act; providing intent and legislative findings; and providing a short title.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for S. B. 933) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

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 943 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §19-13-1 and §19-13-3 of the Code of West Virginia, 1931, as amended, relating to clarifying that apiaries are protected agricultural operations; and providing findings of the West Virginia Apiary Act.

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

Respectfully submitted,

Mike Stuart,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (S. B. 943) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

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 944 (originating in the Committee on the Judiciary)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-5-34, relating to the creation of the West Virginia Child First Advisory Committee and the West Virginia Child First Fund; creating advisory committee; setting forth composition of advisory committee; providing duties of advisory committee; providing for minimum number of meetings; requiring annual

findings and report; providing authority to create subcommittees and working groups; establishing West Virginia Child First Fund; providing for promulgation of rules; and providing for management of moneys within fund.

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

Respectfully submitted,

Mike Stuart,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (S. B. 944) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on Finance has had under consideration

Senate Joint Resolution 2, Incorporation of Churches or Religious Denominations Amendment.

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

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the resolution (S. J. R. 2) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

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 Joint Resolution 8 (originating in the Committee on the Judiciary), Citizenship Requirement to Vote in WV Elections Amendment.

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

Com. Sub. for Com. Sub. for Senate Joint Resolution 8 (originating in the Committee on Finance)—Proposing an amendment to the Constitution of the State of West Virginia, amending section 1, article IV thereof, to prohibit persons who are not United States citizens from voting in any elections held in West Virginia; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

With the recommendation that the committee substitute for committee substitute be adopted.

Respectfully submitted,

Jason Barrett,
Chair.

At the request of Senator Martin, unanimous consent being granted, the resolution (Com. Sub. for Com. Sub. for S. J. R. 8) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on Education has had under consideration

Senate Concurrent Resolution 23 (originating in the Committee on Education)—Requesting the Joint Committee on Government and Finance to study the mission of the West Virginia Secondary School Activities Commission; how effective it is in achieving that mission; improving the commission's efficiency; whether the commission is sufficiently transparent; whether the commission has sufficient accountability; and whether a performance evaluation would be appropriate.

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

Respectfully submitted,

Amy N. Grady,
Chair.

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

Your Committee on Education has had under consideration

Eng. Com. Sub. for House Bill 2513, Enhancing training requirements for county boards of education members.

And has amended same.

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

Respectfully submitted,

Charles H. Clements,
Vice Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for H. B. 2513) contained in the preceding report from the Committee on Education was taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on Education has had under consideration

Eng. Com. Sub. for House Bill 2548, Clarifying duties of state superintendent regarding rule implementation.

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

Respectfully submitted,

Charles H. Clements,
Vice Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Com. Sub. for H. B. 2548) contained in the preceding report from the Committee on Education was taken up for immediate consideration, read a first time, and ordered to second reading.

The Senate proceeded to the thirteenth order of business.

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 31, 2025

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

Dear Governor Morrisey,

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

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

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

Respectfully submitted,

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

Lee Cassis
Clerk of the Senate

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

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 29, 2025:

Com. Sub. for Com. Sub. for Senate Bill 506: Senator Takubo.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills on March 29, 2025:

Senate Bill 828: Senator Garcia;

And,

Senate Bill 848: Senators Rucker and Taylor.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 8:17 p.m., the Senate adjourned until tomorrow, Tuesday, April 1, 2025, at 11 a.m.

SENATE CALENDAR

**Tuesday, April 01, 2025
11:00 AM**

SPECIAL ORDER OF BUSINESS

Saturday, April 12, 2025 – 11:30 AM

Consideration of executive nominations

UNFINISHED BUSINESS

S. C. R. 23 - Requesting Joint Committee on Government and Finance study WV Secondary School Activities Commission

S. R. 43 - Designating April 1, 2025, as Rural Health Day

THIRD READING

Eng. Com. Sub. for S. B. 67 - Allowing motor vehicle racing on county or municipal roads under certain circumstances

Eng. Com. Sub. for S. B. 85 - Prohibiting use or sale of abortifacients (original similar to HB2461)

Eng. Com. Sub. for Com. Sub. for S. B. 158 - Modifying eligibility requirements for serving as member of State Board of Education

Eng. S. B. 553 - Relating to offense of driving above speed limit on controlled access highway or interstate highway

Eng. Com. Sub. for Com. Sub. for S. B. 585 - Relating to Cohen Craddock Student Athlete Safety Act

Eng. Com. Sub. for S. B. 677 - Increasing fees charged by Commissioner of Securities for each offering

Eng. Com. Sub. for Com. Sub. for S. B. 701 - Classifying forestry equipment for levy purposes

Eng. Com. Sub. for S. B. 745 - Strengthening and reforming lobbying requirements

Eng. S. B. 828 - Clarifying requirements for persons employed by Division of Corrections and Rehabilitation include contracted vendor staff

Eng. Com. Sub. for S. B. 848 - Enacting bank protections for eligible adults from financial exploitation

Eng. Com. Sub. for S. B. 875 - Relating to container labeling of nonintoxicating beer and nonintoxicating craft beer

Eng. Com. Sub. for S. B. 911 - Relating to adjunct teaching permits

Eng. S. B. 939 - Relating to testing for substance use disorder

Eng. S. B. 940 - Relating to Water Pollution Control Act

Eng. Com. Sub. for Com. Sub. for H. B. 2043 - Relating to use of dog and/or drones for tracking or locating mortally wounded deer, elk, turkey, wild boar or bear

SECOND READING

S. B. 89 - Creating alternative high-risk population public charter schools

S. B. 163 - Including certain mental health disorders in existing public health programs

S. B. 252 - Requiring coverage of home blood pressure monitoring devices for certain Medicaid recipients

Com. Sub. for S. B. 470 - Creating WV Athletic Freedom Act

Com. Sub. for Com. Sub. for S. B. 569 - Establishing certain rights for purchasers of residential improvements

Com. Sub. for Com. Sub. for S. B. 639 - Creating WV Small Business Appreciation and Acknowledgement Act

Com. Sub. for Com. Sub. for S. B. 723 - Relating to clinical inpatient medical treatment centers for substance use disorder

Com. Sub. for Com. Sub. for S. B. 726 - Relating to medication-assisted treatment programs

Com. Sub. for Com. Sub. for S. B. 730 - Establishing Forest Carbon Registry

Com. Sub. for S. B. 794 - Authorizing DOH to erect warning signs

Com. Sub. for Com. Sub. for S. B. 834 - Relating to tax credit for qualified rehabilitated buildings investment

Com. Sub. for S. B. 850 - Creating Protecting Shareholders Act

Com. Sub. for S. B. 883 - Providing director of WV Office of Miners' Health, Safety and Training discretion and authority in certain appointments

Com. Sub. for S. B. 912 - Relating to student growth assessment program

Com. Sub. for S. B. 914 - Relating to testing and attendance requirements for private, parochial, and church schools

Com. Sub. for S. B. 933 - Creating Small Business Protection Act

S. B. 941 - Clarifying authority regarding dams designed by US Conservation Service

S. B. 942 - Modifying requirements for diesel-powered equipment in mines

S. B. 943 - Clarifying apiaries are protected agricultural operations

S. B. 944 - Creating WV Child First Advisory Committee

S. J. R. 2 - Incorporation of Churches or Religious Denominations Amendment

Com. Sub. for Com. Sub. for S. J. R. 8 - Citizenship Requirement to Vote in WV Elections
Amendment

Eng. H. B. 2402 - Relating to providing access to medical records; providing access to a minor's
medical record - (Com. amend. pending)

Eng. Com. Sub. for H. B. 2513 - Enhancing training requirements for county boards of education
members - (Com. amends. pending)

Eng. Com. Sub. for H. B. 2548 - Clarifying duties of state superintendent regarding rule
implementation (original similar to SB706)

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2025

Tuesday, April 1, 2025

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